

LEP for Dairy Farm Operations in NYS - Highlights



Enforcement Dairy LEP Training
December 2013 – March 2014
Albany, Buffalo and Syracuse Area
Offices



OSHA REGIONAL NOTICE

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: 2014-03 (CPL 2) | **EFFECTIVE DATE: 10/01/2013**
SUBJECT: Local Emphasis Program for Dairy Farm Operations
REGIONAL IDENTIFIER: Region II

ABSTRACT

Purpose:

This Notice establishes a Local Emphasis Program (LEP) for the programmed inspection of the dairy farming industry.

References:

- A) CPL 04-00-001, Procedures for Approval of Local Emphasis Programs (LEPs)
- B) CPL 02-00-150, Field Operations Manual (FOM)
- C) CPL 02-00-051, Enforcement Exemptions and Limitations under the Appropriations Act
- D) CPL 02-00-025, Scheduling System for Programmed Inspections
- E) OSHA 29 CFR 1928, Occupational Safety and Health Standards for Agriculture
- F) OSHA 29 CFR 1975, Coverage of Employees under the Williams-Steiger OSH Act of 1970
- G) OSHA Field Hazard Bulletin, Evaluating Dairy Farm Operations LEP Inspection Hazards – Eau Claire Area OSHA Office
- H) United States Department of Agriculture
- I) New York State College of Agriculture and Life Science Research
- J) Cornell University Research

Origins of LEP in NY

- Number of dairy farms in New York State:
 - 28,000 in 1970
 - approximately 5,683 in 2007
 - (80% decrease)
- Milk production in New York State:
 - 10.3 billion pounds in 1970
 - approximately 12.1 billion pounds in 2007
 - (17% increase)

Origins of LEP in NYS

- Since December 2007, New York area offices have conducted 4 fatality inspections:
 - 23 yr. old employee was run over by a feed truck in the barn.
 - A worker entered a tanker truck used to haul manure to clean it and was overcome by methane gas. A second individual entered the tank truck in an attempt to rescue the worker. The initial entrant survived however, the 27-yr. old rescuer succumbed and died of asphyxiation.

Origins of LEP in NYS

- Since December 2007, New York area offices have conducted 4 fatality inspections:
 - A 46-yr. old non-English speaking migrant worker was working alone in the cow barn, pushing cows towards the milking parlor. He was later discovered deceased in the cow barn, inside the gate, with cows in the area. The employee was killed by the cows.
 - A 42-yr. old employee was struck by the bucket of a skid steer in the pen of a barn.

Outreach

- Networked with following agencies:
 - Northeast Dairy Producers Association
 - New York Farm Bureau, Inc.
 - Pro Dairy - Cornell Farm Extension , Cornell University
 - NYS Center for Agricultural Medicine and Health
- Dairy Farm Operations LEP Outreach conducted to date:
 - 11/27/13, Watertown, NY
 - 12/04/13, Syracuse, NY
 - 12/12/13, Cobleskill, NY
 - 12/16/13, Canajoharie, NY
- You tube webinar video “Understanding OSHA Requirements for Dairy Farm Operations”