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NATIONAL HEADQUARTERS

Charles D. Connor
President &
Chief Executive Officer

1301 Pennsylvania Ave., NW
Suite 800
Washington, DC 20004-1725
Phone: (202) 785-3355
Fax: (202) 452-1805

14 Wall St.
Suite 8C
New York, NY 10005-2113
Phone: (212) 315-8700
Fax: (212) 608-3219

www.LungUSA.org

The Honorable Hilda Solis
Secretary of Labor
200 Constitution Avenue, NW
Room S-2018
Washington, DC 20210

Via email and fax: solis.hilda@dol.gov 202-693-6111

Re: Worker protection in BP oil spill in the Gulf of Mexico

Dear Secretary Solis:

The American Lung Association is very concerned about the respiratory impact on the workers on and near the Gulf from the emissions from the BP oil spill and the cleanup response. We have seen a strong response from the Environmental Protection Agency to monitor and make publicly available information on the onshore levels of pollution from the spill and cleanup. However, we are concerned that the cleanup workers are not getting appropriate protection, nor are air pollution levels for workers being appropriately monitored and publicly disclosed.

The workers face high risk of inhaling dangerously unhealthy levels of serious air pollutants from the oil spill, dispersant and response efforts. Those pollutants include several volatile organic compounds and air toxics including benzene, toluene, and xylene, hydrogen sulfide, as well as nitrogen dioxide, sulfur dioxide, diesel exhaust, carbon monoxide and particulate matter. The health effects of these pollutants range from coughing, wheezing, worsened asthma, headaches, nausea, and dizziness, to lung cancer, heart attacks, stroke, and premature death.

As we saw with the impacts to workers at the World Trade Center, first responders and workers who clean up large disaster and emergency sites can be exposed to dangerous levels of air pollutants. Workers may not have received appropriate training nor be appropriately supervised. Individuals who feel pressured to work longer to restore lost income may not appreciate the health risks. Unfortunately, these workers may face disease or disability including a lifetime of difficulty breathing, limitations on their activities and increased medical bills because of these exposures.

We have heard reports of workers suffering from recognized symptoms of inhalation of oil gases, including volatile organic compounds and hydrogen sulfide. Recently we have heard disturbing accounts of workers' who claim that they have not been issued respirators, are not permitted to wear respirators or are being pressured not to wear protective gear by BP or its agents. While we have no first hand information from workers, we raise these reports because of the absolute need to protect the respiratory health of the cleanup workers.

We are concerned that the messages to the workers are incomplete and inadequate. To point to one example, the Occupational Safety and Health Administration Fact Sheet (attached) fails to identify respiratory hazards for workers cleaning up the spill. This two-page sheet provides information on the responsibility of the employer to provide training, gloves, boots, and life jackets, but makes no mention of respirators. Considering the range of exposures from the oil spill, dispersant, other cleanup activities and potential *in situ* burning, the Federal Government must make protecting the respiratory health of the workers a paramount safety issue.

We were pleased to see that your training materials prepared by NIEHS do discuss some of the air pollutants, the use of respirators and some protective steps. However, the Fact Sheet is much shorter and much more likely to be copied and read. Clear, concise, easily understood and accurate information must be widely available and easily accessible for all workers. The protective steps outlined all seem to reflect exposure on land. However, it is not clear from the training how a worker in a vessel on the water would be expected to avoid exposure to high levels or request assistance or relief from these gases or other pollutants. The training materials say that "Rarely, respirators . . . will be used."

Have all workers been fitted and issued appropriate respiratory devices? We recognize that the respiratory devices have limits in the protection they can provide. However, for a worker there seems to be little else in the way of protective measures or other advice for reducing exposure to respiratory hazards. It would be helpful, for example, to let a worker know what should be expected of their employer to protect them from inhaling emissions from oil burns on the water.

We are also encouraged to see the OSHA plans to make publicly-available monitoring data showing air pollutant exposures for the workers. Having such information available will help to provide awareness of the need to protect workers in this unique environment and reinforce the message that OSHA takes these health threats seriously. We urge you to post those as soon as possible with explanations that are easy to understand.

As you know, often workers do not want to report work-related health problems or may not even recognize the link between workplace exposure and their health problems. Instead, they just seek medical care. We encourage the implementation of a surveillance mechanism for hospitals and medical providers in the region to identify potential health problems that may have been caused by occupational exposure. We recognize that not all symptoms will be from oil spill exposure or cleanup, but these would provide a crucial back up to the other systems for worker health protection.

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We urge the administration to make worker health and safety a top priority. Please ensure that these workers get the protection they deserve and the information to know they are entitled to that protection. We urge you to ensure that the workers are fully informed about the health effects of the risks they face and steps to protect themselves.

Sincerely yours,

A handwritten signature in black ink, appearing to read "CD Connor".

Charles D. Connor
President and Chief Executive Officer

Enclosure

CC: The Honorable Ken Salazar
Secretary of the Interior

The Honorable Kathleen Sebelius
Secretary of Health and Human Services

The Honorable Steven Chu
Secretary of Energy

The Honorable Janet Napolitano
Secretary of Homeland Security

The Honorable Lisa P. Jackson
Administrator, U.S. Environmental
Protection Agency

Carol Browner
Assistant to the President for Energy
and Climate

Admiral Thad W. Allen
Commandant, United States Coast
Guard

OSHA[®] FactSheet

Deepwater Horizon/Mississippi Canyon 252 Oil Spill

OSHA's top priority is to ensure that oil spill response and cleanup operations are done as safely, effectively and efficiently as possible. This fact sheet provides basic information about common operations, hazards, training and worker protection. If you are unsure or think your work is unsafe, STOP and ASK your supervisor. You can call OSHA at one of its gulf coast Area Offices during normal working hours or at 1-800-321-OSHA (6742) or TTY 1-877-889-5627 for further information.

OSHA - Florida Ft. Lauderdale 954-424-0242 Jacksonville 904-232-2895 Tampa 813-626-1177	OSHA - Louisiana Baton Rouge 225-298-5458 OSHA - Mississippi Jackson 601-965-4606 OSHA - Alabama Mobile 251-441-6131	OSHA - Texas Corpus Christi 361-888-3420 Houston North 281-591-2438 Houston South 281-286-0583	BP Hotlines Volunteers: 866-448-5816 Vessels of Opportunity Program (skimming operations): 281-366-5511
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What Are the Operations and Hazards During Shoreline and Vessel Operations?

If you are involved in response and cleanup of weathered oil, you might be:

- Placing or recovering booms
- Skimming and pumping oil (inshore)
- Loading and unloading booms, supplies and people
- Pressure washing boats
- Picking up oil-covered debris
- Conducting other shoreline cleanup operations
- Launching and/or landing boats

Hazards from these operations can include:

- Heat stress – can range from heat exhaustion (headaches, dizziness, weakness, fainting) to heat stroke (hot, dry skin; no longer sweating; confusion). Heat stroke is an emergency and requires immediate medical care.
- Sunburn and sun poisoning
- Skin and eye irritation or rashes (dermatitis) from contact with “weathered” oil
- Cuts, sprains and other injuries
- Drowning
- Being hit by earthmoving or other equipment
- Traffic hazards and car accidents
- Bites from snakes, fire ants and mosquitoes, rodents and alligators
- Lightning and severe weather
- Back injury from lifting and carrying
- Noise
- Exhaustion and fatigue from long hours and demanding work

Exposure to any of these hazards depends on what you are actually doing and where you are working. For example, heat stress is a real concern for all outdoor activities because the weather is hot and humid. If you are pulling in oil-covered booms, then contact with weathered oil, drowning, and back injuries are also concerns.

Volunteers should be protected as well. For information, call the BP Hotline at 866-448-5816.

What Is Your Employer Required to Do?

1. Train you on the hazards of your job in a language that you understand. You must be trained before you begin oil spill response and cleanup work. Your employer must determine the type and length of training you will need. Training is based on your job duties and the job’s hazards.

If you are:	You must receive:
Doing work that does NOT involve materials contaminated by the spill	1½ hour training [Module 2 – Contractor Expectations (includes Basic Health & Safety Orientation)]
Doing work cleaning up oil-contaminated shoreline or vessel operations involving “weathered” oil recovery	4 hours of training [Module 3 – Post-Emergency Spilled Oil Cleanup (includes Basic Health & Safety Orientation and Contractor Expectations)] NOTE: These workers will be supervised by people with at least 40 hours of hazardous operations training.

OSHA is monitoring BP to make sure that their site training meets OSHA requirements. To work on the spill cleanup, you must receive training from an instructor approved to provide training for this event. The training is provided for **free**. After you successfully complete the class, you will receive an identification card as proof of your training.

2. Establish safe work practices and give you the personal protective equipment you need to do the job safely. Work practices and protective equipment requirements depend on the hazards of each job.

Examples of safe work practices that your employer should use to protect you include:

- Providing rest breaks throughout a work shift to help control heat stress. Providing break and rest areas in the shade. Providing you with water to drink throughout the shift. Providing sunscreen to protect you from sunburn and sun poisoning.
- Training you how to lift loads safely and ensuring that you have the right equipment or enough people to lift heavier loads.
- Having buckets, brushes, water and soap available and providing you with instructions about how to clean oily protective equipment before removing it.

Most jobs will require some type of personal protective equipment. In general, your employer needs to provide protective equipment and must train you on how to use it. Examples of jobs and personal protective equipment include:

- For jobs that do not involve contact with oil, like picking up clean debris along the shoreline, employers need to give you **work gloves**.
- For jobs involving oil-contaminated debris and those involving contact with oil or other chemicals, employers need to provide additional protective equipment such as **oil- or chemical-resistant gloves, boots and coveralls**.
- For jobs involving work on vessels, docks or other areas with potential drowning hazards, employers need to provide **life jackets (personal floatation devices)**.

Your employer must determine the safe work practices and protective equipment that are appropriate for each job. This information must be provided to you during training. More information is available in the OSHA/National Institute for Environmental Health Science (NIEHS) Safety and Health Awareness for Oil Spill Cleanup Workers (https://www.osha.gov/Publications/Oil_Spill_Booklet_05.11_v4.pdf) and on OSHA's Oil Spill webpage at <https://www.osha.gov/oilspills/index.html>.

3. Develop a health and safety site plan and share it with you. The plan must contain information about the job and work site hazards, and spell out the requirements for safe work practices, personal protective equipment, training and emergencies.

What Other Worker Safety Requirements Apply to Oil Spill Response and Cleanup?

Your employer must follow the other requirements in OSHA's Hazardous Waste Operations and Emergency Response (HAZWOPER) standard and the OSHA standards for other hazards, equipment, or operations that might be present at your work site (for example **noise, personal protective equipment and powered industrial trucks**). You can find more information about these requirements in other OSHA fact sheets and on OSHA's website at www.osha.gov.

Worker Rights

You have the right to a safe workplace. The *Occupational Safety and Health Act of 1970* (OSH Act) was passed to prevent workers from being killed or seriously harmed at work. The law requires that employers provide their employees with working conditions that are free of known dangers. OSHA sets and enforces protective workplace safety and health standards. OSHA also provides information, training and assistance to workers and employers. Workers may file a complaint to have OSHA inspect their workplace if they believe that their employer is not following OSHA standards or there are serious hazards. Contact OSHA at 1-800-321-OSHA (6742) if you have questions or want to file a complaint. We will keep your information confidential. We are here to help you.

This is one in a series of informational fact sheets highlighting OSHA programs, policies or standards. It does not impose any new compliance requirements. For a comprehensive list of compliance requirements of OSHA standards or regulations, refer to Title 29 of the Code of Federal Regulations. This information will be made available to sensory impaired individuals upon request. The voice phone is (202) 693-1999; teletypewriter (TTY) number: (877) 889-5627.

For more complete information:



**Occupational Safety
and Health Administration**
U.S. Department of Labor

www.osha.gov
(800) 321-OSHA