



Oregon Administrative Rules
Chapter 437

Division 2

General Occupational Safety and Health

General Industry

Subdivision

A

AO 3-2019



The Oregon Department of Consumer and Business Services adopted these rules pursuant to ORS 654.025(2).

The Secretary of State designated OAR Chapter 437 as the "Oregon Occupational Safety and Health Code." Six general subject areas within this code are designated as "Divisions."

- **Division 1** General Administrative Rules
- **Division 2** General Occupational Safety and Health Rules
- **Division 3** Construction
- **Division 4** Agriculture
- **Division 5** Maritime Activities
- **Division 7** Forest Activities
- **Oregon Revised Statutes (ORS) 654** The Oregon Safe Employment Act (OSEAct)

Oregon-initiated rules in this division of the Oregon Occupational Safety and Health Code are numbered in a uniform system developed by the Secretary of State. This system does not number the rules in sequence (001, 002, 003, etc.). Omitted numbers may be assigned to new rules at the time of their adoption.

Oregon-initiated rules are arranged in the following Basic Codification Structure adopted by the Secretary of State for Oregon Administrative Rules (OAR):

Chapter	Division	Rule	Section	Subsection	Paragraphs
<i>437</i>	<i>002</i>	<i>0322</i>	<i>(1)</i>	<i>(a)</i>	<i>(A)(i)(I)</i>

The majority of Oregon OSHA rules are adopted by reference from the Code of Federal Regulations (CFR), and are arranged in the following basic federal numbering system:

Chapter	Division	Part	Subpart (Subdivision)	Section	Paragraphs
437	002	1910	G	.303	(a)

The terms "subdivision" and "subpart" are synonymous within OAR 437, Oregon Occupational Safety and Health Code.

To obtain an order form or copies of these codes, address:

Department of Consumer & Business Services
Oregon Occupational Safety & Health Division (Oregon OSHA)
350 Winter St. NE
Salem, OR 97301-3882

Or call the Oregon OSHA Resource Library at 503-378-3272

The rules referenced in this division are available for viewing in the Office of the Secretary of State, Oregon State Archives Building, Salem, Oregon, or the Central Office, Oregon Occupational Safety and Health Division of the Department of Consumer and Business Services, 350 Winter St. NE, Salem, Oregon, and on our website at osha.oregon.gov.

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437-002-0005 Adoption by Reference

In addition to, and not in lieu of, any other safety and health codes contained in OAR Chapter 437, the Department adopts by reference the following federal regulations printed as part of the Code of Federal Regulations, 29 CFR 1910 in the Federal Register:

- (1) 29 CFR 1910.1, Purpose and scope; published 6/27/74, Federal Register, vol. 39, no. 125, p. 23503.
- (2) 29 CFR 1910.2, Definitions; published 6/27/74, Federal Register, vol. 39, no. 125, p. 23503.
- (3) 29 CFR 1910.3, Petitions for the issuance, amendment, or repeal of a standard; published 6/27/74, Federal Register, vol. 39, no. 125, p. 23503.
- (4) 29 CFR 1910.4, Amendments to this part; published 6/27/74, Federal Register, vol. 39, no. 125, p. 23503.
- (5) 29 CFR 1910.5, Applicability of standards; published 6/30/93, FR vol. 58, no. 124, p. 35308.
- (6) 29 CFR 1910.6, Incorporation by reference; published 5/14/19, FR Vol. 84, no. 93, p. 21416.
- (7) 29 CFR 1910.7, Definition and requirements for a Nationally Recognized Testing Laboratory; published 5/11/88, FR vol. 53, no. 91, p. 16838.
- (8) 29 CFR 1910.9, Compliance duties owed to each employee; published 12/12/08, Federal Register, vol. 73, no. 240, pp. 75568-75589.

These standards are on file at the Oregon Occupational Safety and Health Division, Oregon Department of Consumer and Business Services, and the United States Government Printing Office.

Stat. Auth.: ORS 654.025(2) and 656.726(4).
 Stat. Implemented: ORS 654.001 through 654.295.
 Hist: APD Admin. Order 17-1988, f. 11/10/88, ef. 11/10/88.
 OR-OSHA Admin. Order 4-1997, f. 4/2/97, ef. 4/2/97.
 OR-OSHA Admin. Order 8-1999, f. 8/6/99, ef. 8/6/99.
 OR-OSHA Admin. Order 4-2005, f. 12/14/05, ef. 12/14/05.
 OR-OSHA Admin. Order 4-2007, f. 8/15/07, ef. 8/15/07.
 OR-OSHA Admin. Order 7-2008, f. 5/30/08, ef. 5/30/08.
 OR-OSHA Admin. Order 5-2009, f. 5/29/09, ef. 5/29/09.
 OR-OSHA Admin. Order 1-2010, f. 2/19/10, ef. 2/19/10.
 OR-OSHA Admin. Order 2-2010, f. 2/25/10, ef. 2/25/10.
 OR-OSHA Admin. Order 4-2011, f. 12/8/11, ef. 12/8/11.
 OR-OSHA Admin. Order 5-2012, f. 9/25/12, ef. 9/25/12.
 OR-OSHA Admin. Order 7-2012, f. 12/14/12, ef. 12/14/12.
 OR-OSHA Admin. Order 7-2013, f. 12/12/13, ef. 12/12/13.
 OR-OSHA Admin. Order 4-2016, f. 9/7/16, ef. 9/7/16.
 OR-OSHA Admin. Order 2-2017, f. 5/16/17, ef. 11/1/17.
 OR-OSHA Admin. Order 3-2019, f. 10/29/19, ef. 10/29/19.

1910.1 Purpose and Scope

- (a) Section 6(a) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1593) provides that “without regard to chapter 5 of title 5, United States Code, or to the other subsections of this section, the Secretary shall, as soon as practicable during the period beginning with the effective date of this Act and ending 2 years after such date, by rule promulgate as an occupational safety or health standard any national consensus standard, and any established Federal standard, unless he determines that the promulgation of such a standard would not result in improved safety or health for specifically designated employees.” The legislative purpose of this provision is to establish, as rapidly as possible and without regard to the rulemaking provisions of the Administrative Procedure Act, standards with which industries are generally familiar, and on whose adoption interested and affected persons have already had an opportunity to express their views. Such standards are either (1) national consensus standards on whose adoption affected persons have reached substantial agreement, or (2) Federal standards already established by Federal statutes or regulations.
- (b) This part carries out the directive to the Secretary of Labor under section 6(a) of the Act. It contains occupational safety and health standards which have been found to be national consensus standards or established Federal standards.

Stat. Auth.: ORS 654.025(2) and 656.726(4).
Stat. Implemented: ORS 654.001 through 654.295.
Hist: APD Admin. Order 17-1988, f. 11/10/88, ef. 11/10/88.

1910.2 Definitions

As used in this part, unless the context clearly requires otherwise:

- (a) **Act** means the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1590).
- (b) **Assistant Secretary of Labor** means the Assistant Secretary of Labor for Occupational Safety and Health;
- (c) **Employer** means a person engaged in a business affecting commerce who has employees, but does not include the United States or any State or political subdivision of a State;

- (d) **Employee** means an employee of an employer who is employed in a business of his employer which affects commerce;
- (e) **Commerce** means trade, traffic, commerce, transportation, or communication among the several States, or between a State and any place outside thereof, or within the District of Columbia, or a possession of the United States (other than the Trust Territory of the Pacific Islands), or between points in the same State but through a point outside thereof;
- (f) **Standard** means a standard which requires conditions, or the adoption or use of one or more practices, means, methods, operations, or processes, reasonably necessary or appropriate to provide safe or healthful employment and places of employment;
- (g) **National consensus standard** means any standard or modification thereof which (1) has been adopted and promulgated by a nationally recognized standards-producing organization under procedures whereby it can be determined by the Secretary of Labor or by the Assistant Secretary of Labor that persons interested and affected by the scope or provisions of the standard have reached substantial agreement on its adoption, (2) was formulated in a manner which afforded an opportunity for diverse views to be considered, and (3) has been designated as such a standard by the Secretary or the Assistant Secretary, after consultation with other appropriate Federal agencies; and
- (h) **Established Federal standard** means any operative standard established by any agency of the United States and in effect on April 28, 1971, or contained in any Act of Congress in force on the date of enactment of the Williams-Steiger Occupational Safety and Health Act.

Stat. Auth.: ORS 654.025(2) and 656.726(4).
Stat. Implemented: ORS 654.001 through 654.295.
Hist: APD Admin. Order 17-1988, f. 11/10/88, ef. 11/10/88.

437-002-0006 Additional General Oregon Definitions

For the purposes of administration of the Oregon Safe Employment Act, the following terms mean:

- (1) **Act** means the Oregon Safe Employment Act, ORS Chapter 654.
- (2) **Agency** means the Oregon Occupational Safety and Health Division, Department of Consumer and Business Services.

- (3) **Assistant Secretary** means the Administrator of the Oregon Occupational Safety and Health Division or designated representative.
- (4) **Assistant Secretary of Labor for Occupational Safety and Health** means the Administrator of the Oregon Occupational Safety and Health Division or designated representative.
- (5) **Office of the Solicitor of Labor** means Legal Counsel for the Oregon Occupational Safety and Health Division.
- (6) **Occupational Safety and Health Administration** or OSHA means the Oregon Occupational Safety and Health Division, Department of Consumer and Business Services.
- (7) **Standards** mean any occupational safety and health standard which has been adopted and promulgated by a nationally-recognized standards-producing organization, the federal government, or the State of Oregon and shall have the same meaning as, and include, the terms "code(s)" and "rule(s)."
- (8) **Administrative Rules** means OAR Chapter 437, Division 001, Rules for the Administration of the Oregon Safe Employment Act, and Oregon Revised Statutes (ORS), Chapter 183.

Stat. Auth.: ORS 654.025(2) and 656.726(4).
Stat. Implemented: ORS 654.001 through 654.295.
Hist: APD Admin. Order 17 1988, f. 11/10/88, ef. 11/10/88.

1910.3 Petitions for the Issuance, Amendment, or Repeal of a Standard

- (a) Any interested person may petition in writing the Assistant Secretary of Labor to promulgate, modify, or revoke a standard. The petition should set forth the terms or the substance of the rule desired, the effects thereof if promulgated, and the reasons therefore.

(b)

- (1) The relevant legislative history of the Act indicates congressional recognition of the American National Standards Institute and the National Fire Protection Association as the major sources of national consensus standards. National consensus standards adopted on May 29, 1971, pursuant to section 6(a) of the Act are from those two sources. However, any organization which deems itself a producer of national consensus standards, within the meaning of section 3(9) of the Act, is invited to submit in writing to the Assistant Secretary of Labor at any time prior to February 1, 1973, all relevant information which may enable the Assistant Secretary to determine whether any of its standards satisfy the requirements of the definition of "national consensus standard" in section 3(9) of the Act.
- (2) Within a reasonable time after the receipt of a submission pursuant to paragraph (b)(1) of this section, the Assistant Secretary of Labor shall publish or cause to be published in the Federal Register a notice of such submission, and shall afford interested persons a reasonable opportunity to present written data, views, or arguments with regard to the question whether any standards of the organization making the submission are national consensus standards.

Stat. Auth.: ORS 654.025(2) and 656.726(4).
Stat. Implemented: ORS 654.001 through 654.295.
Hist: APD Admin. Order 17-1988, f. 11/10/88, ef. 11/10/88.

1910.4 Amendments to this Part

- (a) The Assistant Secretary of Labor shall have all of the authority of the Secretary of Labor under sections 3(9) and 6(a) of the Act.
- (b) The Assistant Secretary of Labor may at any time before April 28, 1973, on his own motion or upon the written petition of any person, by rule promulgate as a standard any national consensus standard and any established Federal standard, pursuant to and in accordance with section 6(a) of the Act, and, in addition, may modify or revoke any standard in this Part 1910. In the event of conflict among any such standards, the Assistant Secretary of Labor shall take the action necessary to eliminate the conflict, including the revocation or modification of a standard in this part, so as to assure the greatest protection of the safety or health of the affected employees.

Stat. Auth.: ORS 654.025(2) and 656.726(4).
Stat. Implemented: ORS 654.001 through 654.295.
Hist: APD Admin. Order 17 1988, f. 11/10/88, ef. 11/10/88.

1910.5 Applicability of Standards

- (a) Except as provided in paragraph (b) of this section, the standards contained in this part shall apply with respect to employments performed in a workplace in a State, the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, American Samoa, Guam, Trust Territory of the Pacific Islands, Wake Island, Outer Continental Shelf lands defined in the Outer Continental Shelf Lands Act, Johnston Island, and the Canal Zone.
- (b) None of the standards in this part shall apply to working conditions of employees with respect to which Federal agencies other than the Department of Labor, or State agencies acting under section 274 of the Atomic Energy Act of 1954, as amended (42 U.S.C. 2021), exercise statutory authority to prescribe or enforce standards or regulations affecting occupational safety or health.
- (c)
- (1) If a particular standard is specifically applicable to a condition, practice, means, method, operation, or process, it shall prevail over any different general standard which might otherwise be applicable to the same condition, practice, means, method, operation, or process. For example, 1915.23(c)(3) of this title prescribes personal protective equipment for certain ship repairmen working in specified areas. Such a standard shall apply, and shall not be deemed modified nor superseded by any different general standard whose provisions might otherwise be applicable, to the ship repairmen working in the areas specified in 1915.23(c)(3).
 - (2) On the other hand, any standard shall apply according to its terms to any employment and place of employment in any industry, even though particular standards are also prescribed for the industry, as in Subpart B or Subpart R of this part, to the extent that none of such particular standards applies. To illustrate, the general standard regarding noise exposure in 1910.95 applies to employments and places of employment in pulp, paper, and paperboard mills covered by 1910.261.
- (d) In the event a standard protects on its face a class of persons larger than employees, the standard shall be applicable under this part only to employees and their employment and places of employment.
- (e) (Reserved)

- (f) An employer who is in compliance with any standard in this part shall be deemed to be in compliance with the requirement of section 5(a)(1) of the Act, but only to the extent of the condition, practice, means, method, operation, or process covered by the standard.

[39 FR 23502, June 27, 1974, as amended at 58 FR 35308, June 30, 1993]

Stat. Auth.: ORS 654.025(2) and 656.726(4).

Stat. Implemented: ORS 654.001 through 654.295.

Hist: APD Admin. Order 17-1988, f. 11/10/88, ef. 11/10/88.

1910.6 Incorporation by Reference

(a)

- (1) The standards of agencies of the U.S. Government, and organizations which are not agencies of the U.S. Government which are incorporated by reference in this part, have the same force and effect as other standards in this part. Only the mandatory provisions (i.e., provisions containing the word "shall" or other mandatory language) of standards incorporated by reference are adopted as standards under the Occupational Safety and Health Act.
- (2) Any changes in the standards incorporated by reference in this part and an official historic file of such changes are available for inspection in the Docket Office at the national office of the Occupational Safety and Health Administration, U.S. Department of Labor, Washington, DC 20910; telephone: 202-693-2350 (TTY number: 877-889-5627).
- (3) The standards listed in this section are incorporated by reference into this part with the approval of the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in this section, OSHA must publish a document in the Federal Register and the material must be available to the public.

- (4) Copies of standards listed in this section and issued by private standards organizations are available for purchase from the issuing organizations at the addresses or through the other contact information listed below for these private standards organizations. In addition, these standards are available for inspection at any Regional Office of the Occupational Safety and Health Administration (OSHA), or at the OSHA Docket Office, U.S. Department of Labor, 200 Constitution Avenue NW., Room N-3508, Washington, DC 20210; telephone: 202-693-2350 (TTY number: 877-889-5627). They are also available for inspection at the National Archives and Records Administration (NARA). For information on the availability of these standards at NARA, telephone: 202-741-6030, or go to www.archives.gov/federal-register/cfr/ibr-locations.html.
- (b) The following material is available for purchase from the American Conference of Governmental Industrial Hygienists (ACGIH), 1014 Broadway, Cincinnati, OH 45202:
- (1) "Industrial Ventilation: A Manual of Recommended Practice" (22nd ed., 1995), incorporation by reference (IBR) approved for 1910.124(b)(4)(iii).
 - (2) Threshold Limit Values and Biological Exposure Indices for 1986-87 (1986), IBR approved for 1910.120, PEL definition.
- (c) The following material is available for purchase from the American Society of Agricultural Engineers (ASAE), 2950 Niles Road, Post Office Box 229, St. Joseph, MI 49085:
- (1) ASAE Emblem for Identifying Slow Moving Vehicles, ASAE S276.2 (1968), IBR approved for 1910.145(d)(10).
 - (2) (Reserved)
- (d) The following material is available for purchase from the Agriculture Ammonia Institute – Rubber Manufacturers (AAI-RMA) Association, 1400 K St. NW, Washington DC 20005:
- (1) AAI-RMA Specifications for Anhydrous Ammonia Hose, IBR approved for 1910.111(b)(8)(i).
 - (2) (Reserved)
- (e) Except as noted, copies of the standards listed below in this paragraph are available for purchase from the American National Standards Institute (ANSI), 25 West 43rd Street, 4th Floor, New York, NY 10036; telephone: 212-642-4900; fax: 212-398-0023; Web site: <http://www.ansi.org>.

- (1) (Reserved)
- (2) (Reserved)
- (3) ANSI A11.1-65 (R 70) Practice for Industrial Lighting, IBR approved for 1910.219(c)(5)(iii); 1910.261(a)(3)(i), (c)(10), and (k)(21); and 1910.265(c)(2).
- (4) ANSI A11.1-65 Practice for Industrial Lighting, IBR approved for 1910.262(c)(6) and 1910.265(d)(2)(i)(a).
- (5) (Reserved)
- (6) ANSI A13.1-56 Scheme for the Identification of Piping Systems, IBR approved for 1910.253(d)(4)(ii); 1910.261(a)(3)(iii); 1910.262(c)(7).
- (7) ANSI A14.1-68 Safety Code for Portable Wood Ladders, Supplemented by ANSI A14.1a-77, IBR approved for 1910.261(a)(3)(iv) and (c)(3)(i).
- (8) ANSI A14.2-56 Safety Code for Portable Metal Ladders, Supplemented by ANSI A14.2a-77, IBR approved for 1910.261(a)(3)(v) and (c)(3)(i).
- (9) ANSI A14.3-56 Safety Code for Fixed Ladders, IBR approved for 1910.261(a)(3)(vi) and (c)(3)(i).
- (10) ANSI A17.1-65 Safety Code for Elevators, Dumbwaiters and Moving Walks, Including Supplements, A17.1a (1967); A17.1b (1968); A17.1c (1969); A17.1d (1970), IBR approved for 1910.261(a)(3)(vii), (g)(11)(i), and (l)(4).
- (11) ANSI A17.2-60 Practice for the Inspection of Elevators, Including Supplements, A17.2a (1965), A17.2b (1967), IBR approved for 1910.261(a)(3)(viii).
- (12) ANSI A90.1-69 Safety Standard for Manlifts, IBR approved for 1910.68(b)(3).
- (13) ANSI A92.2-69 Standard for Vehicle Mounted Elevating and Rotating Work Platforms, IBR approved for 1910.67(b)(1), (2), (c)(3), and (4) and 1910.268(s)(1)(v).
- (14) ANSI A120.1-70 Safety Code for Powered Platforms for Exterior Building Maintenance, IBR approved for 1910.66 App. D (b) through (d).
- (15) ANSI B7.1-70 Safety Code for the Use, Care and Protection of Abrasive Wheels, IBR approved for 1910.215(b)(12) and 1910.218(j).

- (16) ANSI B15.1-53 (R 58) Safety Code for Mechanical Power Transmission Apparatus, IBR approved for 1910.68(b)(4) and 1910.261(a)(3)(ix), (b)(1), (e)(3), (e)(9), (f)(4), (j)(5)(iv), (k)(12), and (l)(3).
- (17) ANSI B20.1-57 Safety Code for Conveyors, Cableways, and Related Equipment, IBR approved for 1910.218(j)(3); 1910.261 (a)(3)(x), (b)(1), (c)(15)(iv), (f)(4), and (j)(2); 1910.265(c)(18)(i).
- (18) ANSI B30.2-43 (R 52) Safety Code for Cranes, Derricks, and Hoists, IBR approved for 1910.261(a)(3)(xi), (c)(2)(vi), and (c)(8)(i) and (iv).
- (19) ANSI B30.2.0-67 Safety Code for Overhead and Gantry Cranes, IBR approved for 1910.179(b)(2); 1910.261(a)(3)(xii), (c)(2)(v), and (c)(8)(i) and (iv).
- (20) ANSI B30.5-68 Safety Code for Crawler, Locomotive, and Truck Cranes, IBR approved for 1910.180(b)(2) and 1910.261(a)(3)(xiii).
- (21) ANSI B30.6-69 Safety Code for Derricks, IBR approved for 1910.181(b)(2) and 1910.268(j)(4)(iv)(E) and (H).
- (22) ANSI B31.1-55 Code for Pressure Piping, IBR approved for 1910.261(g)(18)(iii).
- (23) ANSI B31.1-67, IBR approved for 1910.253(d)(1)(i)(A).
- (24) ANSI B31.1a-63 Addenda to ANSI B31.1 (1955), IBR approved for 1910.261(g)(18)(iii).
- (25) ANSI B31.1-67 and Addenda B31.1 (1969) Code for Pressure Piping, IBR approved for 1910.103(b)(1)(iii)(b); 1910.104(b)(5)(ii); 1910.218(d)(4) and (e)(1)(iv); and 1910.261(a)(3)(xiv) and (g)(18)(iii).
- (26) ANSI B31.2-68 Fuel Gas Piping, IBR approved for 1910.261(g)(18)(iii).
- (27) ANSI B31.3-66 Petroleum Refinery Piping, IBR approved for 1910.103(b)(3)(v)(b).
- (28) ANSI B31.5-66 Addenda B31.5a (1968) Refrigeration Piping, IB approved for 1910.103(b)(3)(v)(b) and 1910.111(b)(7)(iii).
- (29) ANSI B56.1-69 Safety Standard for Powered Industrial Trucks, IBR approved for 1910.178(a)(2) and (3) and 1910.261(a)(3)(xv), (b)(6), (m)(2), and (m)(5)(iii).
- (30) ANSI B57.1-65 Compressed Gas Cylinder Valve Outlet and Inlet Connections, IBR approved for 1910.253(b)(1)(iii).

- (31) (Reserved)
- (32) ANSI B175.1-1991, Safety Requirements for Gasoline-Powered Chain Saws 1910.266(e)(2)(i).
- (33) (Reserved)
- (34) ANSI C33.2-56 Safety Standard for Transformer-Type Arc Welding Machines, IBR approved for 1910.254(b)(1).
- (35) (Reserved)
- (36) ANSI H23.1-70 Seamless Copper Water Tube Specification, IBR approved for 1910.110(b)(8)(ii) and (13)(ii)(b)(1).
- (37) ANSI H38.7-69 Specification for Aluminum Alloy Seamless Pipe and Seamless Extruded Tube, IBR approved for 1910.110(b)(8)(i).
- (38) ANSI J6.4-71 Standard Specification for Rubber Insulating Blankets, IBR approved for 1910.268(f)(1) and (n)(11)(v).
- (39) ANSI J6.6-71 Standard Specification for Rubber Insulating Gloves, IBR approved for 1910.268(f)(1) and (n)(11)(iv).
- (40) ANSI K13.1-67 Identification of Gas Mask Canisters, IBR approved for 1910.261(a)(3)(xvi) and (h)(2)(iii).
- (41) ANSI K61.1-60 Safety Requirements for the Storage and Handling of Anhydrous Ammonia, IBR approved for 1910.111(b)(11)(i).
- (42) ANSI K61.1-66 Safety Requirements for the Storage and Handling of Anhydrous Ammonia, IBR approved for 1910.111(b)(11)(i).
- (43) ANSI O1.1-54 (R 61) Safety Code for Woodworking Machinery, IBR approved for 1910.261(a)(3)(xvii), (e)(7), and (i)(2).
- (44) ANSI S1.4-71 (R 76) Specification for Sound Level Meters, IBR approved for 1910.95 Appendixes D and I.
- (45) ANSI S1.11-71 (R 76) Specification for Octave, Half-Octave and Third-Octave Band Filter Sets, IBR approved for 1910.95 Appendix D.
- (46) ANSI S3.6-69 Specifications for Audiometers, IBR approved for 1910.95(h)(2) and (5)(ii) and Appendix D.
- (47) ANSI Z4.1-68 Requirements for Sanitation in Places of Employment, IBR approved for 1910.261(a)(3)(xviii) and (g)(15)(vi).
- (48) (Reserved)

- (49) ANSI Z9.1-51 Safety Code for Ventilation and Operation of Open Surface Tanks, IBR approved for 1910.261(a)(3)(xix), (g)(18)(v), and (h)(2)(i).
- (50) ANSI Z9.1-71 Practices for Ventilation and Operation of Open-Surface Tanks, IBR approved for 1910.124(b)(4)(iv).
- (51) ANSI Z9.2-60 Fundamentals Governing the Design and Operation of Local Exhaust Systems, IBR approved for 1910.94(a)(4)(i) introductory text, (a)(6) introductory text, (b)(3)(ix), (b)(4)(i) and (ii), (c)(3)(i) introductory text, (c)(5)(iii)(b), and (c)(7)(iv)(a); 1910.261(a)(3)(xx), (g)(1)(i) and (iii), and (h)(2)(ii).
- (52) ANSI Z9.2-79 Fundamentals Governing the Design and Operation of Local Exhaust Systems, IBR approved for 1910.124(b)(4)(i).
- (53) ANSI Z12.12-68 Standard for the Prevention of Sulfur Fires and Explosions, IBR Approved for 1910.261(a)(3)(xxi), (d)(1)(i), (f)(2)(iv), and (g)(1)(i).
- (54) ANSI Z12.20-62 (R 69) Code for the Prevention of Dust Explosions in Woodworking and Wood Flour Manufacturing Plants, IBR approved for 1910.265(c)(20)(i).
- (55) ANSI Z21.30-64 Requirements for Gas Appliances and Gas Piping Installations, IBR approved for 1910.265(c)(15).
- (56) ANSI Z24.22-57 Method of Measurement of Real-Ear Attenuation of Ear Protectors at Threshold, IBR approved for 1910.261(a)(3)(xxii).
- (57) ANSI Z33.1-61 Installation of Blower and Exhaust Systems for Dust, Stock, and Vapor Removal or Conveying, IBR approved for 1910.94(a)(4)(i); 1910.261 (a)(3)(xxiii) and (f)(5); and 1910.265(c)(20)(i).
- (58) ANSI Z33.1-66 Installation of Blower and Exhaust Systems for Dust, Stock, and Vapor Removal or Conveying, IBR approved for 1910.94(a)(2)(ii).
- (59) ANSI Z35.1-1968, Specifications for Accident Prevention Signs; IBR approved for Sec. 1910.261(c). Copies available for purchase from the IHS Standards Store, 15 Inverness Way East, Englewood, CO 80112; telephone: 1-877-413-5184; Web site: www.global.ihs.com.

- (60) ANSI Z41-1999, American National Standard for Personal Protection -- Protective Footwear; IBR approved for 1910.136(b)(1)(ii). Copies of ANSI Z41-1999 are available for purchase only from the National Safety Council, P.O. Box 558, Itasca, IL 60143-0558; telephone: 1-800-621-7619; fax: 708-285-0797; Web site: <http://www.nsc.org>.
- (61) ANSI Z41-1991, American National Standard for Personal Protection -- Protective Footwear; IBR approved for 1910.136(b)(1)(iii). Copies of ANSI Z41-1991 are available for purchase only from the National Safety Council, P.O. Box 558, Itasca, IL 60143-0558; telephone: 1-800-621-7619; fax: 708-285-0797; Web site: <http://www.nsc.org>.
- (62) (Reserved)
- (63) (Reserved)
- (64) ANSI 249.1-67 Safety in Welding and Cutting, IBR Approved for 1910.252 (c)(1)(iv)(A) and (B).
- (65) USAS Z53.1-1967 (also referred to as ANSI Z53.1-1967), Safety Color Code for Marking Physical Hazards, ANSI approved October 9, 1967; IBR approved for Sec. 1910.97(a) and 1910.145(d). Copies available for purchase from the IHS Standards Store, 15 Inverness Way East, Englewood, CO 80112; telephone: 1-877-413-5184; Web site: www.global.ihs.com.
- (66) ANSI Z535.1-2006 (R2011), Safety Colors, reaffirmed July 19, 2011; IBR approved for 1910.97(a) and 1910.145(d). Copies available for purchase from the:
- (i) American National Standards Institute's e-Standards Store, 25 W 43rd Street, 4th Floor, New York, NY 10036; telephone: 212-642-4980; Web site: <http://webstore.ansi.org/>;
 - (ii) IHS Standards Store, 15 Inverness Way East, Englewood, CO 80112; telephone: 877-413-5184; Web site: www.global.ihs.com; or
 - (iii) TechStreet Store, 3916 Ranchero Dr., Ann Arbor, MI 48108; telephone: 877-699-9277; Web site: www.techstreet.com.
- (67) ANSI Z535.2-2011, Environmental and Facility Safety Signs, published September 15, 2011; IBR approved for 1910.261(c). Copies available for purchase from the:

- (i) American National Standards Institute's e-Standards Store, 25 W 43rd Street, 4th Floor, New York, NY 10036; telephone: 212-642-4980; Web site: <http://webstore.ansi.org/>;
 - (ii) IHS Standards Store, 15 Inverness Way East, Englewood, CO 80112; telephone: 877-413-5184; Web site: www.global.ihs.com; or
 - (iii) TechStreet Store, 3916 Ranchero Dr., Ann Arbor, MI 48108; telephone: 877-699-9277; Web site: www.techstreet.com.
- (68) ANSI 254.1-63, Safety Standard for Non-Medical X-Ray and Sealed Gamma Ray Sources, IBR Approved for 1910.252 (d)(1)(vii) and (2)(ii).
- (69) ANSI/ISEA Z87.1-2010, Occupational and Educational Personal Eye and Face Protection Devices, Approved April 13, 2010; IBR approved for 1910.133(b). In Oregon, OAR 437-002-0134 applies. Copies are available for purchase from:
- (i) American National Standards Institute's e-Standards Store, 25 W 43rd Street, 4th Floor, New York, NY 10036; telephone: (212) 642-4980; Web site: <http://webstore.ansi.org/>;
 - (ii) IHS Standards Store, 15 Inverness Way East, Englewood, CO 80112; telephone: (877) 413-5184; Web site: http://global.ihs.com; or
 - (iii) TechStreet Store, 3916 Ranchero Dr., Ann Arbor, MI 48108; telephone: (877) 699-9277; Web site: <http://techstreet.com>.
- (70) ANSI Z87.1-2003, Occupational and Educational Eye and Face Personal Protection Devices Approved June 19, 2003; IBR approved for 1910.133(b). *In Oregon, OAR 437-002-0134 applies.* Copies available for purchase from the:
- (i) American National Standards Institute's e-Standards Store, 25 W 43rd Street, 4th Floor, New York, NY 10036; telephone: (212) 642-4980; Web site: <http://webstore.ansi.org/>;
 - (ii) IHS Standards Store, 15 Inverness Way East, Englewood, CO 80112; telephone: (877) 413-5184; Web site: http://global.ihs.com; or
 - (iii) TechStreet Store, 3916 Ranchero Dr., Ann Arbor, MI 48108; telephone: (877) 699-9277; Web site: <http://techstreet.com>.
- (71) ANSI Z87.1-1989 (R-1998), Practice for Occupational and Educational Eye and Face Protection, Reaffirmation approved January 4, 1999; IBR approved for 1910.133(b). *In Oregon, OAR 437-002-0134 applies.* Copies are available for purchase from:

- (i) American National Standards Institute's e-Standards Store, 25 W 43rd Street, 4th Floor, New York, NY 10036; telephone: (212) 642-4980; Web site: <http://webstore.ansi.org/>;
 - (ii) IHS Standards Store, 15 Inverness Way East, Englewood, CO 80112; telephone: (877) 413-5184; Web site: <http://global.ihs.com/>; or
 - (iii) TechStreet Store, 3916 Ranchero Dr., Ann Arbor, MI 48108; telephone: (877) 699-9277; Web site: <http://techstreet.com>.
- (72) ANSI Z88.2-1969, Practices for Respiratory Protection; IBR approved for 1910.94(c)(6)(iii)(a), 1910.134(c); and 1910.261(a)(3)(xxvi), (b)(2), (f)(5), (g)(15)(v), (h)(2)(iii), (h)(2)(iv), and (i)(4).
- (73) American National Standards Institute (ANSI) Z89.1-2009, American National Standard for Industrial Head Protection, approved January 26, 2009; IBR approved for Sec. 1910.135(b)(1)(i). Copies of ANSI Z89.1-2009 are available for purchase only from the International Safety Equipment Association, 1901 North Moore Street, Arlington, VA 22209-1762; telephone: 703-525-1695; fax: 703-528-2148; Web site: www.safetysafetyequipment.org.
- (74) American National Standards Institute (ANSI) Z89.1-2003, American National Standard for Industrial Head Protection; IBR approved for 1910.135(b)(1)(ii). Copies of ANSI Z89.1-2003 are available for purchase only from the International Safety Equipment Association, 1901 North Moore Street, Arlington, VA 22209-1762; telephone: 703-525-1695; fax: 703-528-2148; Web site: www.safetysafetyequipment.org.
- (75) American National Standards Institute (ANSI) Z89.1-1997, American National Standard for Personnel Protection--Protective Headwear for Industrial Workers--Requirements; IBR approved for 1910.135(b)(1)(iii). Copies of ANSI Z89.1-1997 are available for purchase only from the International Safety Equipment Association, 1901 North Moore Street, Arlington, VA 22209-1762; telephone: 703-525-1695; fax: 703-528-2148; Web site: www.safetysafetyequipment.org.
- (76) ANSI Z41.1-1967 Men's Safety Toe Footwear; IBR approved for 1910.261(i)(4).
- (77) ANSI Z87.1-1968 Practice of Occupational and Educational Eye and Face Protection; IBR approved for 1910.261(a)(3)(xxv), (d)(1)(ii), (f)(5), (g)(1), (g)(15)(v), (g)(18)(ii), and (i)(4).

- (78) ANSI Z89.1-1969 Safety Requirements for Industrial Head Protection; IBR approved for 1910.261(a)(3)(xxvii), (b)(2), (g)(15)(v), and (i)(4).
- (79) ANSI Z89.2-1971 Safety Requirements for Industrial Protective Helmets for Electrical Workers, Class B; IBR approved for 1910.268(i)(1).
- (f) The following material is available for purchase from the American Petroleum Institute (API), 1220 L Street NW, Washington, DC 20005:
- (1) (Reserved)
 - (2) API 12B (May 1958) Specification for Bolted Production Tanks, 11th Ed., With Supplement No. 1, Mar. 1962, IBR approved for 1910.106(b)(1)(i)(a)(3).
 - (3) API 12D (Aug. 1957) Specification for Large Welded Production Tanks, 7th Ed., IBR approved for 1910.106(b)(1)(i)(a)(3).
 - (4) API 12F (Mar. 1961) Specification for Small Welded Production Tanks, 5th Ed., IBR approved for 1910.106(b)(1)(i)(a)(3).
 - (5) API 620, Fourth Ed. (1970) Including Appendix R, Recommended Rules for Design and Construction of Large Welded Low Pressure Storage Tanks, IBR approved for 1910.103(c)(1)(i)(a); 1910.106(b)(1)(iv)(b)(1); and 1910.111(d)(1)(ii) and (iii).
 - (6) API 650 (1966) Welded Steel Tanks for Oil Storage, 3rd Ed., IBR approved for 1910.106(b)(1)(iii)(a)(2).
 - (7) API 1104 (1968) Standard for Welding Pipelines and Related Facilities, IBR approved for 1910.252(d)(1)(v).
 - (8) API 2000 (1968) Venting Atmospheric and Low Pressure Storage Tanks, IBR approved for 1910.261(b)(2)(iv)(b)(1).
 - (9) API 2201 (1963) Welding or Hot Tapping on Equipment Containing Flammables, IBR approved for 1910.252(d)(1)(vi).
- (g) The following material is available for purchase from the American Society of Mechanical Engineers (ASME), United Engineering Center, 345 East 47th Street, New York, NY 10017:
- (1) ASME Boiler and Pressure Vessel Code, Sec. VIII, 1949, 1950, 1952, 1956, 1959, and 1962 Ed., IBR approved for 1910.110(b)(10)(ii) (Table H-26), (d)(2) (Table H-31); (e)(3)(1) (Table H-32), (h)(2) (Table H-34); and 1910.111(b)(2)(vi);

- (2) ASME Code for Pressure Vessels, 1968 Ed., IBR approved for 1910.106(i)(3)(i); 1910.110(g)(2)(iii) *(b)(2)*; and 1910.217(b)(12);
 - (3) ASME Boiler and Pressure Vessel Code, Sec. VIII, 1968, IBR approved for 1910.103; 1910.104(b)(4)(ii); 1910.106(b)(1)(iv) *(b)(2)* and (i)(3)(ii); 1910.107; 1910.110(b)(11)(i) *(b)* and *(iii)(a)(1)*; 1910.111(b)(2)(i), (ii), and (iv); and 1910.169(a)(2)(i) and (ii);
 - (4) ASME Boiler and Pressure Vessel Code, Sec. VIII, Paragraph UG-84, 1968, IBR approved for 1910.104(b)(4)(ii) and (b)(5)(iii);
 - (5) ASME Boiler and Pressure Vessel Code, Sec. VIII, Unfired Pressure Vessels, Including Addenda (1969), IBR approved for 1910.261; 1910.262; 1910.263(i)(24)(ii);
 - (6) Code for Unfired Pressure Vessels for Petroleum Liquids and Gases of the API and the ASME, 1951 Ed., IBR approved for 1910.110(b)(3)(iii); and
 - (7) ASME B56.6-1992 (with addenda), Safety Standard for Rough Terrain Forklift Trucks, IBR approved for 1910.266(f)(4).
- (h) Copies of the standards listed below in this paragraph (h) are available for purchase from ASTM International, 100 Barr Harbor Drive, P.O. Box C700, West Conshohocken, PA 19428-2959; Telephone: 610-832-9585; Fax: 610-832-9555; Email: seviceastm.org; Web site: <http://www.astm.org>. Copies of historical standards or standards that ASTM does not have may be purchased from Information Handling Services, Global Engineering Documents, 15 Inverness Way East, Englewood, CO 80112; Telephone: 1-800-854-7179; Email: global@ihs.com; Web sites: <http://global.ihs.com> or <http://www.store.ihs.com>.
- (1) ASTM A 47-68, Malleable Iron Castings, IBR approved for 1910.111.
 - (2) ASTM A 53-69, Welded and Seamless Steel Pipe, IBR approved for 1910.110 and 1910.111.
 - (3) ASTM A 126-66, Gray Iron Casting for Valves, Flanges and Pipe Fitting, IBR approved for 1910.111.
 - (4) ASTM A 391-65 (ANSI G61.1-1968), Alloy Steel Chain, IBR approved for 1910.184.
 - (5) ASTM A 395-68, Ductile Iron for Use at Elevated Temperatures, IBR approved for 1910.111.
 - (6) ASTM B 88-66A, Seamless Copper Water Tube, IBR approved for 1910.252.

- (7) ASTM B 88-69, Seamless Copper Water Tube, IBR approved for 1910.110.
- (8) (Reserved)
- (9) ASTM B 210-68, Aluminum-Alloy Drawn Seamless Tubes, IBR approved for 1910.110.
- (10) ASTM B 241-69, Standard Specifications for Aluminum-Alloy Seamless Pipe and Seamless Extruded Tube, IBR approved for 1910.110.
- (11) ASTM D 5-65, Test for Penetration by Bituminous Materials, IBR approved for 1910.106.
- (12) ASTM D 56-70, Test for Flash Point by Tag Closed Tester, IBR approved for 1910.106.
- (13) ASTM D 56-05, Standard Test Method for Flash Point by Tag Closed Cup Tester, Approved May 1, 2005, IBR approved for Appendix B to 1910.1200.
- (14) ASTM D 86-62, Test for Distillation of Petroleum Products, IBR approved for 1910.106 and 1910.119.
- (15) ASTM D 86-07a, Standard Test Method for Distillation of Petroleum Products at Atmospheric Pressure, Approved April 1, 2007, IBR approved for Appendix B to 1910.1200.
- (16) ASTM D 88-56, Test for Saybolt Viscosity, IBR approved for 1910.106.
- (17) ASTM D 93-71, Test for Flash Point by Pensky Martens, IBR approved for 1910.106.
- (18) ASTM D 93-08, Standard Test Methods for Flash Point by Pensky-Martens Closed Cup Tester, Approved Oct. 15, 2008, IBR approved for Appendix B to 1910.1200.
- (19) ASTM D 240-02 (Reapproved 2007), Standard Test Method for Heat of Combustion of Liquid Hydrocarbon Fuels by Bomb Calorimeter, Approved May 1, 2007, IBR approved for Appendix B to 1910.1200.
- (20) ASTM D 323-68, Standard Test Method of Test for Vapor Pressure of Petroleum Products (Reid Method), IBR approved for 1910.106.
- (21) ASTM D 445-65, Test for Viscosity of Transparent and Opaque Liquids, IBR approved for 1910.106.

- (22) ASTM D 1078-05, Standard Test Method for Distillation Range of Volatile Organic Liquids, Approved May 15, 2005, IBR approved for Appendix B to 1910.1200.
- (23) ASTM D 1692-68, Test for Flammability of Plastic Sheeting and Cellular Plastics, IBR approved for 1910.103.
- (24) ASTM D 2161-66, Conversion Tables for SUS, IBR approved for 1910.106.
- (25) ASTM D 3278-96 (Reapproved 2004) E1, Standard Test Methods for Flash Point of Liquids by Small Scale Closed-Cup Apparatus, Approved November 1, 2004, IBR approved for Appendix B to 1910.1200.
- (26) ASTM D 3828-07a, Standard Test Methods for Flash Point by Small Scale Closed Cup Tester, Approved July 15, 2007, IBR approved for Appendix B to 1910.1200.
- (27) ASTM F-2412-2005, Standard Test Methods for Foot Protection, IBR approved for 1910.136.
- (28) ASTM F-2413-2005, Standard Specification for Performance Requirements for Protective Footwear, IBR approved for 1910.136.
- (i) The following material is available at the American Thoracic Society (ATS), 25 Broadway, 18th Floor New York, NY 10004; website: www.atsjournals.org/.
 - (1) Spirometric Reference Values from a Sample of the General U.S. Population. Hankinson JL, Odencrantz JR, Fedan KB. American Journal of Respiratory and Critical Care Medicine, 159:179–187, 1999, IBR approved for 1910.1043(h).
 - (2) [Reserved]
- (j) The following material is available for purchase from the American Welding Society (AWS), 550 NW LeJeune Road, PO Box 351040, Miami, FL 33135:
 - (1) (Reserved)
 - (2) (Reserved)
 - (3) AWS B3.0-41 Standard Qualification Procedure, IBR approved for 1910.67(c)(5)(i).
 - (4) AWS D1.0-1966 Code for Welding in Building Construction, IBR approved for 1910.27(b)(6).

- (5) AWS D2.0-69 Specifications for Welding Highway and Railway Bridges, IBR approved for 1910.67(c)(5)(iv).
 - (6) AWS D8.4-61 Recommended Practices for Automotive Welding Design, IBR approved for 1910.67(c)(5)(ii).
 - (7) AWS D10.9-69 Standard Qualification of Welding Procedures and Welders for Piping and Tubing, IBR approved for 1910.67(c)(5)(iii).
- (k) The following material is available for purchase from the Department of Commerce:
- (1) (Reserved)
 - (2) Publication "Model Performance Criteria for Structural Fire Fighters' Helmets," IBR approved for 1910.156(e)(5)(i).
- (l) The following material is available for purchase from the Compressed Gas Association (CGA), 1235 Jefferson Davis Highway, Arlington, VA 22202:
- (1) CGA C-6 (1968) Standards for Visual Inspection of Compressed Gas Cylinders, IBR approved for 1910.101(a).
 - (2) CGA C-8 (1962) Standard for Requalification of ICC-3HT Cylinders, IBR approved for 1910.101(a).
 - (3) **Note:** For acetylene in Oregon, OAR 437-002-2102(1) applies, which adopted the CGA Pamphlet G-1-2009. Copies of CGA Pamphlet G-1-2009 are available for purchase from the: Compressed Gas Association, Inc., 4221 Walney Road, 5th Floor, Chantilly, VA 20151; telephone: 708-788-2700; fax: 703-961-1831; e-mail: cga@cganet.com . A copy of CGA Pamphlet G-1-2009 is available for viewing at Oregon OSHA's Resource Center, 350 Winter Street NE, Salem, OR 97301.
 - (4) CGA G-7.1 (1966) Commodity Specification, IBR approved for 1910.134(d)(1).
 - (5) CGA G-8.1 (1964) Standard for the Installation of Nitrous Oxide Systems at Consumer Sites, IBR approved for 1910.105.
 - (6) CGA P-1 (1965) Safe Handling of Compressed Gases, IBR approved for 1910.101(b).
 - (7) CGA P-3 (1963) Specifications, Properties, and Recommendations for Packaging, Transportation, Storage and Use of Ammonium Nitrate, IBR approved for 1910.109(i)(1)(ii)(b).

- (8) CGA S-1.1 (1963) and 1965 Addenda. Safety Release Device Standards – Cylinders for Compressed Gases, IBR approved for 1910.101(c); 1910.103(c)(1)(iv)(a)(2).
- (9) CGA S-1.2 (1963) Safety Release Device Standards, Cargo and Portable Tanks for Compressed Gases, IBR approved for 1910.101(c); 1910.103(c)(1)(iv)(a)(2).
- (10) CGA S-1.3 (1959) Safety Release Device Standards – Compressed Gas Storage Containers, IBR approved for 1910.103(c)(1)(iv)(a)(2); 1910.104(b)(6)(iii); and 1910.111(d)(4)(ii)(b).
- (11) CGA 1957 Standard Hose Connection Standard, IBR approved for 1910.253(e)(4)(v) and (5)(iii).
- (12) CGA and RMA (Rubber Manufacturer’s Association) Specification for Rubber Welding Hose (1958), IBR approved for 1910.253(e)(5)(i).
- (13) CGA 1958 Regulator Connection Standard, IBR approved for 1910.253(e)(4)(iv) and (6).
- (m) The following material is available for purchase from the Crane Manufacturer’s Association of American, Inc. (CMAA), 1 Thomas Circle NW, Washington, DC 20005:
 - (1) CMAA Specification 1B61, Specifications for Electric Overhead Traveling Cranes, IBR approved for 1910.179(b)(6)(i).
 - (2) (Reserved)
- (n) The following material is available for purchase from the General Services Administration:
 - (1) GSA Pub. GG-B-0067b, Air Compressed for Breathing Purposes, or Interim Federal Specifications, Apr. 1965, IBR approved for 1910.134(d)(4).
 - (2) (Reserved)
- (o) The following material is available for purchase from the Department of Health and Human Services:
 - (1) Publication No. 76-120 (1975), List of Personal Hearing Protectors and Attenuation Data, IBR approved for 1910.95 App. B.
 - (2) (Reserved)
- (p) The following material is available for purchase from the Institute of Makers of Explosives (IME), 420 Lexington Avenue, New York, NY 10017:

- (1) IME Pamphlet No. 17, 1960, Safety in the Handling and Use of Explosives, IBR approved for 1910.261(a)(4)(iii) and (c)(14)(ii).
 - (2) (Reserved)
- (q) The following material is available from the International Labour Organization (ILO), 4 route des Morillons, CH-1211 Genève 22, Switzerland; telephone: +41 (0) 22 799 6111; fax: +41 (0) 22 798 8685; website: www.ilo.org/.
- (1) Guidelines for the Use of the ILO International Classification of Radiographs of Pneumoconioses, Revised Edition 2011, Occupational safety and health series; 22 Rev.2011), IBR approved for 1910.1001.
 - (2) [Reserved]
- (r)
- (1) The following materials are available for purchase from the International Standards Organization (ISO) through ANSI, 25 West 43rd Street, Fourth Floor, New York, NY 10036-7417; Telephone: 212-642-4980; Fax: 212-302-1286; Email: info@ansi.org; Web site: <http://www.ansi.org>.
 - (2) Documents not available in the ANSI store may be purchased from:
 - (i) Document Center Inc., 111 Industrial Road, Suite 9, Belmont, 94002; Telephone: 650-591-7600; Fax: 650-591-7617; Email: info@document-center.com; Web site: www.document-center.com.
 - (ii) DECO--Document Engineering Co., Inc., 15210 Stagg Street, Van Nuys, CA 91405; Telephone: 800-645-7732 or 818-782-1010; Fax: 818-782-2374; Email: doceng@doceng.com; Web site: www.doceng.com.
 - (iii) Global Engineering Documents, 15 Inverness Way East, Englewood, CO 80112; Telephone: 1-800-854-7179 or 303-397-7956; Fax: 303-397-2740; Email: global@ihs.com; Web sites: <http://global.ihs.com> or <http://www.store.ihs.com>;
 - (iv) ILI Infodisk, Inc., 610 Winters Avenue, Paramus, NJ 07652; Telephone: 201-986-1131; Fax: 201-986-7886; Email: sales@ili-info.com; Web site: www.ili-info.com.
 - (v) Techstreet, a business of Thomson Reuters, 3916 Ranchero Drive, Ann Arbor, MI 48108; Telephone: 800-699-9277 or 734-780-8000; Fax: 734-780-2046; Email: techstreet.service@thomsonreuters.com; Web site: www.Techstreet.com.

- (3) ISO 10156:1996 (E), Gases and Gas Mixtures--Determination of Fire Potential and Oxidizing Ability for the Selection of Cylinder Valve Outlets, Second Edition, Feb. 15, 1996, IBR approved for Appendix B to 1910.1200.
- (4) ISO 10156-2:2005 (E), Gas cylinders--Gases and Gas Mixtures--Part 2: Determination of Oxidizing Ability of Toxic and Corrosive Gases and Gas Mixtures, First Edition, Aug. 1, 2005, IBR approved for Appendix B to 1910.1200.
- (5) ISO 13943:2000 (E/F), Fire Safety--Vocabulary, First Edition, April, 15, 2000, IBR approved for Appendix B to 1910.1200.
- (s) The following material is available for purchase from the National Electrical Manufacturer's Association (NEMA):
 - (1) NEMA EW-1 (1962) Requirements for Electric Arc Welding Apparatus, IBR approved for 1910.254(b)(1).
 - (2) (Reserved)
- (t) The following material is available for purchase from the National Fire Protection Association (NFPA), 1 Batterymarch Park, Quincy, MA 02269; Telephone: 800-344-3555 or 617-770-3000; Fax: 1-800-593-6372 or 1-508-895-8301; Email: custserv@nfpa.org; Web site: <http://www.nfpa.org>.
 - (1) NFPA 30 (1969) Flammable and Combustible Liquids Code, IBR approved for 1910.178(f)(1).
 - (2) NFPA 32-1970 Standard for Dry Cleaning Plants, IBR approved for 1910.106(j)(6)(i).
 - (3) NFPA 33-1969 Standard for Spray Finishing Using Flammable and Combustible Material, IBR approved for 1910.94(c)(2).
 - (4) NFPA 34-1966 Standard for Dip Tanks Containing Flammable or Combustible Liquids, IBR approved for 1910.124(b)(4)(iv).
 - (5) NFPA 34-1995 Standard for Dip Tanks Containing Flammable or Combustible Liquids, IBR approved for 1910.124(b)(4)(ii).
 - (6) NFPA 35-1970 Standard for the Manufacture of Organic Coatings, IBR approved for 1910.106(j)(6)(ii).
 - (7) NFPA 36-1967 Standard for Solvent Extraction Plants, IBR approved for 1910.106(j)(6)(iii).

- (8) NFPA 37-1970 Standard for the Installation and Use of Stationary Combustion Engines and Gas Turbines, IBR approved for 1910.106(j)(6)(iv) and 1910.110(b)(20)(iv)(c) and (e)(11).
- (9) NFPA 51B-1962 Standard for Fire Protection in Use of Cutting and Welding Processes, IBR approved for 1910.252(a)(1) introductory text.
- (10) NFPA 54-1969 Standard for the Installation of Gas Appliances and Gas Piping, IBR approved for 1910.110(b)(20)(iv)(a).
- (11) NFPA 54A-1969 Standard for the Installation of Gas Piping and Gas Equipment on Industrial Premises and Certain Other Premises, IBR approved for 1910.110(b)(20)(iv)(b).
- (12) NFPA 58-1969 Standard for the Storage and Handling of Liquefied Petroleum Gases (ANSI Z106.1-1970), IBR approved for 1910.110(b)(3)(iv) and (i)(3)(i) and (ii); and 1910.178(f)(2).
- (13) NFPA 59-1968 Standard for the Storage and Handling of Liquefied Petroleum Gases at Utility Gas Plants, IBR approved for 1910.110(b)(3)(iv) and (i)(2)(iv).
- (14) NFPA 62-1967 Standard for the Prevention of Dust Explosions in the Production, Packaging, and Handling of Pulverized Sugar and Cocoa, IBR approved for 1910.263(k)(2)(i).
- (15) NFPA 68-1954 Guide for Explosion Venting, IBR approved for 1910.94(a)(2)(iii).
- (16) (Reserved)
- (17) NFPA 78-1968 Lightning Protection Code, IBR approved for 1910.109(i)(6)(ii).
- (18) NFPA 80-1968 Standard for Fire Doors and Windows, IBR approved for 1910.106(d)(4)(i).
- (19) NFPA 80-1970 Standard for the Installation of Fire Doors and Windows, IBR approved for 1910.253(f)(6)(i)(I).
- (20) NFPA 86A-1969 Standard for Oven and Furnaces Design, Location and Equipment, IBR approved for 1910.107(j)(1) and (l)(3) and 1910.108(b)(2) and (d)(2).
- (21) NFPA 91-1961 Standard for the Installation of Blower and Exhaust Systems for Dust, Stock, and Vapor Removal or Conveying (ANSI Z33.1-61), IBR approved for 1910.107(d)(1).

- (22) NFPA 91-1969 Standards for Blower and Exhaust Systems, IBR approved for 1910.108(b)(1).
- (23) NFPA 96-1970 Standard for the Installation of Equipment for the Removal of Smoke and Grease Laden Vapors from Commercial Cooking Equipment, IBR approved for 1910.110(b)(20)(iv)(d).
- (24) NFPA 101-1970 Code for Life Safety From Fire in Buildings and Structures, IBR approved for 1910.261(a)(4)(ii).
- (25) NFPA 101-2009, Life Safety Code, 2009 edition, IBR approved for 1910.34, 1910.35, 1910.36, and 1910.37.
- (26) NFPA 203M-1970 Manual on Roof Coverings, IBR approved for 1910.109(i)(1)(iii)(c).
- (27) NFPA 251-1969 Standard Methods of Fire Tests of Building Construction and Materials, IBR approved for 1910.106(d)(3)(ii) introductory text and (d)(4)(i).
- (28) NFPA 302-1968 Fire Protection Standard for Motor-Craft (Pleasure and Commercial), IBR approved for 1910.265(d)(2)(iv) introductory text.
- (29) NFPA 385-1966 Recommended Regulatory Standard for Tank Vehicles for Flammable and Combustible Liquids, IBR approved for 1910.106(g)(1)(i)(e)(1).
- (30) NFPA 496-1967 Standard for Purged Enclosures for Electrical Equipment in Hazardous Locations, IBR approved for 1910.103(c)(1)(ix)(e)(1).
- (31) NFPA 505-1969 Standard for Type Designations, Areas of Use, Maintenance, and Operation of Powered Industrial Trucks, IBR approved for 1910.110(e)(2)(iv).
- (32) NFPA 566-1965 Standard for the Installation of Bulk Oxygen Systems at Consumer Sites, IBR approved for 1910.253(b)(4)(iv) and (c)(2)(v).
- (33) NFPA 656-1959 Code for the Prevention of Dust Ignition in Spice Grinding Plants, IBR approved for 1910.263(k)(2)(i).
- (34) NFPA 1971-1975 Protective Clothing for Structural Fire Fighting, IBR approved for 1910.156(e)(3)(ii) introductory text.

- (35) NFPA 51A (2001) Standard for Acetylene Cylinder Charging Plants, IBR approved for 1910.102(b) and (c). Copies of NFPA 51A-2001 are available for purchase from the: National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471; telephone: 1-800-344-35557; e-mail: custserv@nfpa.org.
- (36) NFPA 51A (2006) Standard for Acetylene Cylinder Charging Plants, IBR approved for 1910.102(b) and (c). Copies of NFPA 51A-2006 are available for purchase from the: National Fire Protection Association, 1 Batterymarch Park, Quincy, MA 02169-7471; telephone: 1-800-344-35557; e-mail: custserv@nfpa.org.
- (37) NFPA 30B, Code for the Manufacture and Storage of Aerosol Products, 2007 Edition, Approved August 17, 2006, IBR approved for Appendix B to 1910.1200.
- (u) The following material is available for purchase from the National Food Plant Institute, 1700 K St NW, Washington, DC 20006:
- (1) Definition and Test Procedures for Ammonium Nitrate Fertilizer (Nov. 1964), IBR approved for 1910.109 Table H-22, footnote 3.
 - (2) (Reserved)
- (v) The following material is available for purchase from the National Institute for Occupational Safety and Health (NIOSH):
- (1) Registry of Toxic Effects of Chemical Substances, 1978, IBR approved for 1910.1020(c)(13)(i) and Appendix B.
 - (2) Development of Criteria for Fire Fighters Gloves; Vol. II, Part II; Test Methods, 1976, IBR approved for 1910.156(e)(4)(i) introductory text.
 - (3) NIOSH Recommendations for Occupational Safety and Health Standards (Sept. 1987), IBR approved for 1910.120 PEL definition.
- (w) The following material is available for purchase from the Public Health Service:
- (1) U.S. Pharmacopeia, IBR approved for 1910.134(d)(1).
 - (2) Publication No. 934 (1962), Food Service Sanitation Ordinance and Code, Part V of the Food Service Sanitation Manual, IBR approved for 1910.142(i)(1).
- (x) The following material is available for purchase from the Society of Automotive Engineers (SAE), 485 Lexington Avenue, New York, NY 10017:

- (1) SAE J185, June 1988, Recommended Practice for Access Systems for Off-Road Machines, IBR approved for 1910.266(f)(5)(i).
 - (2) SAE J231, January 1981, Minimum Performance Criteria for Falling Object Protective Structure (FOPS), IBR approved for 1910.266(f)(3)(ii).
 - (3) SAE J386, June 1985, Operator Restraint Systems for Off-Road Work Machines, IBR approved for 1910.266(d)(3)(iv).
 - (4) SAE J397, April 1988, Deflection Limiting Volume – ROPS/FOPS Laboratory Evaluation, IBR approved for 1910.266(f)(3)(iv).
 - (5) SAE 765 (1961) SAE Recommended Practice: Crane Loading Stability Test Code, IBR approved for 1910.180(c)(1)(iii) and (e)(2)(iii)(a).
 - (6) SAE J1040, April 1988, Performance Criteria for Rollover Protective Structures (ROPS) for Construction, Earthmoving, Forestry and Mining Machines, IBR approved for 1910.266(f)(3)(ii).
- (y) The following material is available for purchase from the Fertilizer Institute, 1015 18th Street NW, Washington, DC 20036:
- (1) Standard M-1 (1953, 1955, 1957, 1960, 1961, 1963, 1965, 1966, 1967, 1968), Superseded by ANSI K61.1-1972, IBR approved for 1910.111(b)(1)(i) and (iii).
 - (2) (Reserved)
- (z) The following material is available for purchase from Underwriters Laboratories (UL), 207 East Ohio Street, Chicago, IL 60611:
- (1) UL 58-61 Steel Underground Tanks for Flammable and Combustible Liquids, 5th Ed., IBR approved for 1910.106(b)(1)(iii)(a)(1).
 - (2) UL 80-63 Steel Inside Tanks for Oil-Burner Fuel, IBR approved for 1910.106(b)(1)(iii)(a)(1).
 - (3) UL 142-68 Steel Aboveground Tanks for Flammable and Combustible Liquids, IBR approved for 1910.106(b)(1)(iii)(a)(1).
- (aa) The following material is available for purchase from the: International Code Council, Chicago District Office, 4051 W. Flossmoor Rd., Country Club Hills, IL 60478; telephone: 708-799-2300, x3-3801; facsimile: 001-708-799-4981; e-mail: order@iccsafe.org.
- (1) IFC-2009, International Fire Code, copyright 2009, IBR approved for 1910.34, 1910.35, 1910.36, and 1910.37.

(2) [Reserved]

(bb)

(1) The following document is available for purchase from United Nations Publications, Customer Service, c/o National Book Network, 15200 NBN Way, PO Box 190, Blue Ridge Summit, PA 17214; telephone: 1-888-254-4286; fax: 1-800-338-4550; email: unpublications@nbnbooks.com. Other distributors of United Nations Publications include:

(i) Bernan, 15200 NBN Way, Blue Ridge Summit, PA 17214; telephone: 1-800-865-3457; fax: 1-800-865-3450; email: customercare@bernan; Web site: <http://www.bernan.com>; and

(ii) Renouf Publishing Co. Ltd., 812 Proctor Avenue, Ogdensburg, NY13669-2205; telephone: 1-888-551-7470; Fax: 1-888-551-7471; email: orders@renoufbooks.com; Web site: <http://www.renoufbooks.com>.

(2) UN ST/SG/AC.10/Rev.4, The UN Recommendations on the Transport of Dangerous Goods, Manual of Tests and Criteria, Fourth Revised Edition, 2003, IBR approved for Appendix B to 1910.1200.

[39 FR 23502, June 27, 1974, as amended at 49 FR 5321, Feb. 10, 1984; 61 FR 9227, March 7, 1996; 64 FR 13908, March 23, 1999; 70 FR 53929, Sept. 13, 2005; 72 FR 7190, Feb. 14, 2007; 72 FR 71068, Dec. 14, 2007; 74 FR 40447, August 11, 2009; 74 FR 46355, Sept. 9, 2009; 76 FR 33606, June 8, 2011; 76 FR 75786, Dec. 5, 2011; 77 FR 17764, March 26, 2012; 77 FR 37598, June 22, 2012; 78 FR 35565-35566, June 13, 2013; 78 FR 66641, November 6, 2013; 81 FR 16090, March 25, 2016; 81 FR 82981, Nov. 18, 2016; 84 FR 21416, May 14, 2019.]

Stat. Auth.: ORS 654.025(2) and 656.726(4).

Stat. Implemented: ORS 654.001 through 654.295.

Hist: APD Admin. Order 17-1988, f. 11/10/88, ef. 11/10/88.

OR-OSHA Admin. Order 4-1997, f. 4/2/97, ef. 4/2/97.

OR-OSHA Admin. Order 8-1999, f. 8/6/99, ef. 8/6/99.

OR-OSHA Admin. Order 4-2005, f. 12/14/05, ef. 12/14/05.

OR-OSHA Admin. Order 4-2007, f. 8/15/07, ef. 8/15/07.

OR-OSHA Admin. Order 7-2008, f. 5/30/08, ef. 5/30/08.

OR-OSHA Admin. Order 1-2010, f. 2/19/10, ef. 2/19/10.

OR-OSHA Admin. Order 2-2010, f. 2/25/10, ef. 2/25/10.

OR-OSHA Admin. Order 4-2011, f. 12/8/11, ef. 12/8/11.

OR-OSHA Admin. Order 5-2012, f. 9/25/12, ef. 9/25/12.

OR-OSHA Admin. Order 7-2012, f. 12/14/12, ef. 12/14/12.

OR-OSHA Admin. Order 7-2013, f. 12/12/13, ef. 12/12/13.

OR-OSHA Admin. Order 4-2016, f. 9/7/16, ef. 9/7/16.

OR-OSHA Admin. Order 2-2017, f. 5/16/17, ef. 11/1/17.

OR-OSHA Admin. Order 3-2019, f. 10/29/19, ef. 10/29/19.

1910.7 Definition and Requirements for a Nationally Recognized Testing Laboratory

437-002-0007 Oregon Rule on Testing and Certification Program

By adopting these rules, the Department does not establish a testing and certification program separate from the federal OSHA Testing and Certification Program. The Department will accept as valid for compliance with its rules, the Testing and Certifications of Laboratories issued by Federal OSHA.

Stat. Auth.: ORS 654.025(2) and 656.726(4).
Stat. Implemented: ORS 654.001 through 654.295.
Hist: APD Admin. Order 17 1988, f. 11/10/88, ef. 11/10/88.

- (a) Application. This section shall apply only when the term “nationally recognized testing laboratory” is used in other sections of this Part.
- (b) Laboratory requirements. Term “nationally recognized testing laboratory” (NRTL) means an organization which is recognized by OSHA in accordance with Appendix A of this section and which tests for safety, and lists or labels or accepts, equipment or materials and which meets all of the following criteria:
 - (1) For each specified item of equipment or material to be listed, labeled or accepted, the NRTL has the capability (including proper testing equipment and facilities, trained staff, written testing procedures, and calibration and quality control programs) to perform:
 - (i) Testing and examining of equipment and material for workplace safety purposes to determine conformance with appropriate test standards;
or
 - (ii) Experimental testing and examining of equipment and materials for workplace safety purposes to determine conformance with appropriate test standards or performance in a specified manner.
 - (2) The NRTL shall provide, to the extent needed for the particular equipment or materials listed, labeled, or accepted, the following controls or services:
 - (i) Implements control procedures for identifying the listed and labeled equipment or materials;
 - (ii) Inspects the run of production of such items at factories for product evaluation purposes to assure conformance with the test standards;
and

- (iii) Conducts field inspections to monitor and to assure the proper use of its identifying mark or labels on products.
- (3) The NRTL is completely independent of employers subject to the tested equipment requirements, and of any manufacturers or vendors of equipment or materials being tested for these purposes; and,
- (4) The NRTL maintains effective procedures for:
 - (i) Producing creditable findings or reports that are objective and without bias; and
 - (ii) Handling complaints and disputes under a fair and reasonable system.
- (c) Test standards. An "appropriate test standard" referred to in 1910.7(b)(1)(i) and (ii) is a document which specifies the safety requirements for specific equipment or class of equipment and is:
 - (1) Recognized in the United States as a safety standard providing an adequate level of safety, and
 - (2) Compatible with and maintained current with periodic revisions of applicable national codes and installation standards, and
 - (3) Developed by a standards developing organization under a method providing for input and consideration of views of industry groups, experts, users, consumers, governmental authorities, and others having broad experience in the safety field involved, or
 - (4) In lieu of paragraphs (c)(1), (2), and (3), the standard is currently designated as an American National Standards Institute (ANSI) safety-designated product standard or an American Society for Testing and Materials (ASTM) test standard used for evaluation of products or materials.
- (d) Alternative test standard. If a testing laboratory desires to use a test standard other than one allowed under paragraph (c) of this section, then the Assistant Secretary of Labor shall evaluate the proposed standard to determine that it provides an adequate level of safety before it is used.
- (e) Implementation. A testing organization desiring recognition by OSHA as an NRTL shall request that OSHA evaluate its testing and control programs against the requirements in this section for any equipment or material it may specify. The recognition procedure shall be conducted in accordance with Appendix A to this section.

[53 FR 12120, April 12, 1988; 53 FR 16838, May 11, 1998]

Stat. Auth.: ORS 654.025(2) and 656.726(4).
Stat. Implemented: ORS 654.001 through 654.295.
Hist: APD Admin. Order 17 1988, f. 11/10/88, ef. 11/10/88.

Appendix A to 1910.7 - OSHA Recognition Process for Nationally Recognized Testing Laboratories

Introduction

This Appendix provides requirements and criteria which OSHA will use to evaluate and recognize a Nationally Recognized Testing Laboratory (NRTL). This process will include the evaluation of the product evaluation and control programs being operated by the NRTL, as well as the NRTL's testing facilities being used in its program. In the evaluation of the NRTLs, OSHA will use either consensus-based standards currently in use nationally, or other standards or criteria which may be considered appropriate. This Appendix implements the definition of NRTL in 29 CFR 1910.7 which sets out the criteria that a laboratory must meet to be recognized by OSHA (initially and on a continuing basis). The Appendix is broader in scope, providing procedures for renewal, expansion and revocation of OSHA recognition. Except as otherwise provided, the burden is on the applicant to establish by a preponderance of the evidence that it is entitled to recognition as an NRTL. If further detailing of these requirements and criteria will assist the NRTLs or OSHA in this activity, this detailing will be done through appropriate OSHA Program Directives.

I. Procedures for Initial OSHA Recognition

A. Applications.

1. Eligibility.

- a. Any testing agency or organization considering itself to meet the definition of nationally recognized testing laboratory as specified in 1910.7 may apply for OSHA recognition as an NRTL.
- b. However, in determining eligibility for a foreign-based testing agency or organization, OSHA shall take into consideration the policy of the foreign government regarding both the acceptance in that country of testing data, equipment acceptances, and listings, and labeling, which are provided through nationally recognized testing laboratories recognized the Assistant Secretary, and the accessibility to government recognition or a similar system in that country by U.S.-based safety-related testing agencies, whether recognized by the Assistant Secretary or not, if such recognition or a similar system is required by that country.

2. Content of application.

- a. The applicant shall provide sufficient information and detail demonstrating that it meets the requirements set forth in 1910.7, in order for an informed decision concerning recognition to be made by the Assistant Secretary.
- b. The applicant also shall identify the scope of the NRTL-related activity for which the applicant wishes to be recognized. This will include identifying the testing methods it will use to test or judge the specific equipment and materials for which recognition is being requested, unless such test methods are already specified in the test standard. If requested to do so by OSHA, the applicant shall provide documentation of the efficacy of these testing methods.
- c. The applicant may include whatever enclosures, attachments, or exhibits the applicant deems appropriate. The application need not be submitted on a Federal form.

3. Filing office location. The application shall be filed with: NRTL Recognition Program, Occupational Safety and Health Administration, U.S. Department of Labor, 200 Constitution Avenue NW, Washington, DC 20210.

4. Amendments and withdrawals.

- a. An application may be revised by an applicant at any time prior to the completion of activity under paragraph I.B.4 of this Appendix.
- b. An application may be withdrawn by an applicant, without prejudice, at any time prior to the final decision by the Assistant Secretary in paragraph I.B.7.c. of this Appendix.

B. Review and Decision Process; Issuance or Renewal.

1. Acceptance and on-site review.

- a. Applications submitted by eligible testing agencies will be accepted by OSHA, and their receipt acknowledged in writing. After receipt of an application, OSHA may request additional information if it believes information relevant to the requirements for recognition has been omitted.

- b. OSHA shall, as necessary, conduct an on-site review of the testing facilities of the applicant, as well as the applicant's administrative and technical practices, and, if necessary, review any additional documentation underlying the application.
 - c. These on-site reviews will be conducted by qualified individuals technically expert in these matters, including, as appropriate, non-Federal consultants/ contractors acceptable to OSHA. The protocol for each review will be based on appropriate national consensus standards or international guides, with such additions, changes, or deletions as may be considered necessary and appropriate in each case by OSHA. A written report shall be made of each on-site review and a copy shall be provided to the applicant.
2. Positive finding by staff. If, after review of the application, and additional information, and the on-site review report, the applicant appears to have met the requirements for recognition, a written recommendation shall be submitted by the responsible OSHA personnel to the Assistant Secretary that the application be approved, accompanied by a supporting explanation.
3. Negative finding by staff.
 - a. Notification to applicant. If, after review of the application, any additional information and the on-site review report, the applicant does not appear to have met the requirements for recognition, the responsible OSHA personnel shall notify the applicant in writing, listing the specific requirements of 1910.7 and this Appendix which the applicant has not met, and allow a reasonable period for response.
 - b. Revision of application.
 - (i) After receipt of a notification of negative finding (i.e., for intended disapproval of the application), and within the response period provided, the applicant may:
 - (a) Submit a revised application for further review, which could result in a positive finding by the responsible OSHA personnel pursuant to subsection I.B.2 of this Appendix; or
 - (b) Request that the original application be submitted to the Assistant Secretary with an attached statement of reasons, supplied by the applicant of why the application should be approved.

(ii) This procedure for applicant notification and potential revision shall be used only once during each recognition process.

4. Preliminary finding by Assistant Secretary.
 - a. The Assistant Secretary, or a special designee for this purpose, will make a preliminary finding as to whether the applicant has or has not met the requirements for recognition, based on the completed application file, the written staff recommendation, and the statement of reasons supplied by the applicant if there remains a staff recommendation of disapproval.
 - b. Notification of this preliminary finding will be sent to the applicant and subsequently published in the Federal Register.
 - c. This preliminary finding shall not be considered an official decision by the Assistant Secretary or OSHA, and does not confer any change in status or any interim or temporary recognition for the applicant.
5. Public review and comment period.
 - a. The Federal Register notice of preliminary finding will provide a period of not less than 60 calendar days for written comments on the applicant's fulfillment of the requirements for recognition. The application, supporting documents, staff recommendations, statement of applicant's reasons, and any comments received, will be available for public inspection in the OSHA Docket Office.
 - b. Any member of the public, including the applicant, may supply detailed reasons and evidence supporting or challenging the sufficiency of the applicant's having met the requirements of the definition in 29 CFR 1910.7 and this Appendix. Submission of pertinent documents and exhibits shall be made in writing by the close of the comment period.
6. Action after public comment.

- a. Final decision by Assistant Secretary. Where the public review and comment record supports the Assistant Secretary's preliminary finding concerning the application, i.e., absent any serious objections or substantive claims contrary to the preliminary finding having been received in writing from the public during the comment period, the Assistant Secretary will proceed to final written decision on the application. The reasons supporting this decision shall be derived from the evidence available as a result of the full application, the supporting documentation, the staff finding, and the written comments and evidence presented during the public review and comment period.
 - b. Public announcement. A copy of the Assistant Secretary's final decision will be provided to the applicant. Subsequently, a notification of the final decision shall be published in the Federal Register. The publication date will be the effective date of the recognition.
 - c. Review of final decision. There will be no further review activity available within the Department of Labor from the final decision of the Assistant Secretary.
7. Action after public objection.
- a. Review of negative information. At the discretion of the Assistant Secretary or his designee, OSHA may authorize Federal or contract personnel to initiate a special review of any information provided in the public comment record which appears to require resolution, before a final decision can be made.
 - b. Supplementation of record. The contents and results of special reviews will be made part of this record by the Assistant Secretary by either:
 - (i) Reopening the written comment period for public comments on these reviews; or
 - (ii) Convening an informal hearing to accept public comments on these reviews, conducted under applicable OSHA procedures for similar hearings.

- c. Final decision by the Assistant Secretary. The Assistant Secretary shall issue a decision as to whether it has been demonstrated, based on a preponderance of the evidence, that the applicant meets the requirements for recognition. The reasons supporting this decision shall be derived from the evidence available as a result of the full application, the supporting documentation, the staff finding, the comments and evidence presented during the public review and comment period, and written to transcribed evidence received during any subsequent reopening of the written comment period or informal public hearing held.
 - d. Public announcement. A copy of the Assistant Secretary's final decision will be provided to the applicant, and a notification will be published in the Federal Register subsequently announcing the decision.
 - e. Review of final decision. There will be no further review activity available within the Department of Labor from the final decision of the Assistant Secretary.
- C. Terms and conditions of recognition. The following terms and conditions shall be part of every recognition:
1. Letter of recognition. The recognition by OSHA of any NRTL will be evidenced by a letter of recognition from OSHA. The letter will provide the specific details of the scope of the OSHA recognition, including the specific equipment or materials for which OSHA recognition has been granted, as well as any specific conditions imposed by OSHA.
 2. Period of recognition. The recognition by OSHA of each NRTL will be valid for 5 years, unless terminated before the expiration of the period. The dates of the period of recognition will be stated in the recognition letter.
 3. Constancy in operations. The recognized NRTL shall continue to satisfy all the requirements or limitations in the letter of recognition during the period of recognition.
 4. Accurate publicity. The OSHA-recognized NRTL shall not engage in or permit others to engage in misrepresentation of the scope or conditions of its recognition.
 5. Temporary Recognition of Certain NRTLs.

- a. Notwithstanding all other requirements and provisions of 1910.7 and this Appendix, the following two organizations are recognized temporarily as nationally recognized testing laboratories by the Assistant Secretary for a period of five years beginning June 13, 1988 and ending on July 13, 1993:
 - (i) Underwriters Laboratories, Inc., 333 Pfingsten Road, Northbrook, Illinois 60062.
 - (ii) Factory Mutual Research Corporation, 1151 Boston-Providence Turnpike, Norwood, Massachusetts 02062.
- b. At the end of the 5-year period, the two temporarily recognized laboratories shall apply for renewal of OSHA recognition utilizing the following procedures established for renewal of OSHA recognition.

II. Supplementary Procedures.

A. Test standard changes.

A recognized NRTL may change a testing standard or elements incorporated in the standard such as testing methods or pass-fail criteria by notifying the Assistant Secretary of the change, certifying that the revised standard will be at least as effective as the prior standard, and providing the supporting data upon which its conclusions are based. The NRTL need not inform the Assistant Secretary of minor deviations from a test standard such as the use of new instrumentation that is more accurate or sensitive than originally called for in the standard. The NRTL also need not inform the Assistant Secretary of its adoption of revisions to third-party testing standards meeting the requirements of 1910.7(c)(4), if such revisions have been developed by the standards developing organization, or of its adoption of revisions to other third-party test standards which the developing organization has submitted to OSHA. If, upon review, the Assistant Secretary or his designee determines that the proposed revised standard is not "substantially equivalent" to the previous version with regard to the level of safety obtained, OSHA will not accept the proposed testing standard by the recognized NRTL, and will initiate discontinuance of that aspect of OSHA-recognized activity by the NRTL by modification of the official letter of recognition. OSHA will publicly announce this action and the NRTL will be required to communicate this OSHA decision directly to affected manufacturers.

B. Expansion of current recognition.

1. Eligibility. A recognized NRTL may apply to OSHA for an expansion of its current recognition to cover other categories of NRTL testing in addition to those included in the current recognition.
2. Procedure.
 - a. The application for expansion will be acted upon and processed by OSHA in accordance with subsection I.B. of this Appendix.
 - b. In that process, OSHA may decide not to conduct an on-site review, where the substantive scope of the request to expand recognition is closely related to the current area of recognition.
 - c. The expiration date for each expansion of recognition shall coincide with the expiration date of the current basic recognition period.

C. Renewal of OSHA recognition.

1. Eligibility. A recognized NRTL may renew its recognition by filing a renewal request at the address in paragraph I.A.3. of this Appendix not less than 9 months, nor more than 1-year, before the expiration date of its current recognition.
2. Procedure.
 - a. The renewal request will be processed in accordance with subsection I.B. of this Appendix.
 - b. In that process, OSHA may determine not to conduct the on-site reviews in I.B.1.a. where appropriate.
 - c. When a recognized NRTL has filed a timely and sufficient renewal request, its current recognition will not expire until a final decision has been made by OSHA on the request.
 - d. After the first renewal has been granted to the NRTL, the NRTL shall apply for a continuation of its recognition status every five years by submitting a renewal request. In lieu of submitting a renewal request after the initial renewal, the NRTL may certify its continuing compliance with the terms of its letter of recognition and 29 CFR 1910.7.

3. Alternative procedure. After the initial recognition and before the expiration thereof, OSHA may (for good cause) determine that there is a sufficient basis to dispense with the renewal requirement for a given laboratory and will so notify the laboratory of such a determination in writing. In lieu of submitting a renewal request, any laboratory so notified shall certify its continuing compliance with the terms of its letter of recognition and 29 CFR 1910.7.

D. Voluntary termination of recognition.

At any time, a recognized NRTL may voluntarily terminate its recognition, either in its entirety or with respect to any area covered in its recognition, by giving written notice to OSHA. The written notice shall state the date as of which the termination is to take effect. The Assistant Secretary shall inform the public of any voluntary termination by Federal Register notice.

E. Revocation of recognition by OSHA.

1. Potential causes. If an NRTL either has failed to continue to substantially satisfy the requirements of 1910.7 or this Appendix, or has not been reasonably performing the NRTL testing requirements encompassed within its letter of recognition, or has materially misrepresented itself in its applications or misrepresented the scope or conditions of its recognition, the Assistant Secretary may revoke the recognition of a recognized NRTL, in whole or in part. OSHA may initiate revocation procedures on the basis of information provided by any interested person.
2. Procedure.
 - a. Before proposing to revoke recognition, the Agency will notify the recognized NRTL in writing, giving it the opportunity to rebut or correct the alleged deficiencies which would form the basis of the proposed revocation, within a reasonable period.
 - b. If the alleged deficiencies are not corrected or reconciled within a reasonable period. OSHA will propose, in writing to the recognized NRTL, to revoke recognition. If deemed appropriate, no other announcement need be made by OSHA.
 - c. The revocation shall be effective in 60 days unless within that period the recognized NRTL corrects the deficiencies or requests a hearing in writing.

- d. If a hearing is requested, it shall be held before an administrative law judge of the Department of Labor pursuant to the rules specified in 29 CFR Part 1905, Subpart C.
 - e. The parties shall be OSHA and the recognized NRTL. The Assistant Secretary may allow other interested persons to participate in these hearings if such participation would contribute to the resolution of issues germane to the proceeding and not cause undue delay.
 - f. The burden of proof shall be on OSHA to demonstrate by a preponderance of the evidence that the recognition should be revoked because the NRTL is not meeting the requirements for recognition, has not been reasonably performing the product testing functions as required by 1910.7, this Appendix A, or the letter of recognition, or has materially misrepresented itself in its applications or publicity.
3. Final decision.
 - a. After the hearing the Administrative Law Judge shall issue a decision stating the reasons based on the record as to whether it has been demonstrated, based on a preponderance of evidence, that the applicant does not continue to meet the requirements for its current recognition.
 - b. Upon issuance of the decision, any party to the hearing may file exceptions within 20 days pursuant to 29 CFR 1905.28. If no exceptions are filed, this decision is the final decision of the Assistant Secretary. If objections are filed, the Administrative Law Judge shall forward the decision, exceptions and record to the Assistant Secretary for the final decision on the proposed revocation.
 - c. The Assistant Secretary will review the record, the decision by the Administrative Law Judge, and the exceptions filed. Based on this, the Assistant Secretary shall issue the final decision as to whether it has been demonstrated, by a preponderance of evidence, that the recognized NRTL has not continued to meet the requirements for OSHA recognition. If the Assistant Secretary finds that the NRTL does not meet the NRTL recognition requirements, the recognition will be revoked.

4. Public announcement. A copy of the Assistant Secretary's final decision will be provided to the applicant, and a notification will be published in the Federal Register announcing the decision, and the availability of the complete record of this proceeding at OSHA. The effective date of any revocation will be the date the final decision copy is sent to the NRTL.
5. Review of final decision. There will be no further review activity available within the Department of Labor from the final decision of the Assistant Secretary.

[53 FR 12120, April 12, 1988; 53 FR 16838, May 11, 1998]

Stat. Auth.: ORS 654.025(2) and 656.726(4).

Stat. Implemented: ORS 654.001 through 654.295.

Hist: APD Admin. Order 17-1988, f. 11/10/88, ef. 11/10/88.

1910.9 Compliance duties owed to each employee

- (a) Personal protective equipment. Standards in this part requiring the employer to provide personal protective equipment (PPE), including respirators and other types of PPE, because of hazards to employees impose a separate compliance duty with respect to each employee covered by the requirement. The employer must provide PPE to each employee required to use the PPE, and each failure to provide PPE to an employee may be considered a separate violation.
- (b) Training. Standards in this part requiring training on hazards and related matters, such as standards requiring that employees receive training or that the employer train employees, provide training to employees, or institute or implement a training program, impose a separate compliance duty with respect to each employee covered by the requirement. The employer must train each affected employee in the manner required by the standard, and each failure to train an employee may be considered a separate violation.

[73 FR 75583, Dec. 12, 2008]

Stat. Auth.: ORS 654.025(2) and 656.726(4).

Stats. Implemented: ORS 654.001 through 654.295.

Hist: OR-OSHA Admin. Order 5-2009, f. 5/29/09, ef. 5/29/09.

Historical Notes for Subdivision A

Note: Oregon OSHA is adopting changes to our administrative (recordkeeping), general industry, and construction standards, and updating references in the maritime activity standards in response to federal OSHA's adoption of final rules published in the May 14, 2019 Federal Register. This is Phase IV of federal OSHA's Standards Improvement Project (SIP-IV), the fourth in a series of rulemakings to improve and streamline workplace safety and health standards. Oregon's response removes or revises rules or requirements within our corresponding rules that are outdated, duplicative, or inconsistent. This rulemaking is anticipated to reduce regulatory burden and compliance costs while maintaining or enhancing worker safety and health as well as worker privacy protections.

In Division 2A, Oregon OSHA adopted updates to the incorporation by reference standard for consensus and other industrial standards.

Note: The following federal standards in Division 2/A, General, were adopted by reference by APD Admin. Order 17-1988, filed 11/10/88, EFFECTIVE 11/10/88.

Note: Oregon OSHA adopted by reference corrections and technical amendments issued by federal OSHA and published in the Federal Register. Federal OSHA made simple corrections, deleted redundant provisions, and clarified and reorganized various other provisions throughout the standards. OR-OSHA Admin. Order 4-1997, filed 4/2/97, effective 4/2/97.

Note: Federal OSHA published in the March 23, 1999, Federal Register changes to the standards for dipping and coating operations in general industry. OR-OSHA adopted the federal amendments by reference into its Divisions 2/A (1910.6), 2/G (1910.94), and 2/H (1910.108, .121, .122, .123, .124, .125, and .126). OR-OSHA Admin. Order 8-1999, filed and effective 8/6/99.

Note: Federal OSHA published in the September 13, 2005 Federal Register a final rule to delete from its standards three references to national consensus standards and two references to industry standards that are outdated. Deleting these references does not reduce employee protections. By eliminating the outdated references OSHA clarifies employer obligations under the applicable OSHA standards and reduces administrative burdens on employers and OSHA.

This final rule updates standards on hazardous materials, flammable and combustible liquids; general environmental controls, temporary labor camps; hand and portable powered tools and other hand held equipment, guarding of portable powered tools; welding, cutting, and brazing, arc welding and cutting; and special industries, sawmills. All in general industries standards.

Oregon OSHA adopts all these changes to remain at least as effective as Federal OSHA standards, with the exception of amending 1910.142 Temporary Labor Camps, which Oregon did not adopt. OAR 437-002-0142 Labor Camps, applies in Oregon.

This is OR-OSHA Administrative Order 4-2005, adopted and effective December 14, 2005.

Note: Oregon OSHA adopted the Federal OSHA changes as they appear in the February 14, 2007 Federal Register, into Division 2/S, Electrical. The changes focus on safety in the design and installation of electrical equipment in the workplace. The changes provide the first update since 1981 for the design and installation requirements which were drawn heavily from the 2000 edition of the National Fire Protection Agency (NFPA), Standard for Electrical Safety in the Workplace (NFPA 70E), and the 2002 edition of the National Electrical Code (NEC).

In addition to the Federal OSHA changes, Oregon OSHA repealed OAR 437-002-0321, 437-002-0322, 437-002-0323, 437-002-0324; and adopted a new rule OAR 437-002-0047 which is identical language to the recently amended OAR 437-003-0047 Working Near Overhead High Voltage Lines and Equipment, in Division 3/K, Construction/Electrical, that restricts all unqualified employees from coming within 10 feet of overhead high voltage power lines. With these aforementioned changes and to avoid redundancy within this subdivision, OR-OSHA repealed 29 CFR 1910.333(c)(3) introductory text and 1910.333(c)(3)(i).

OR-OSHA also repealed OAR 437-002-0325 because of redundant language within Division 2 General Industry and rules administered by the Oregon Public Utility Commission relating to underground utility locates. We will place a note directing the reader to use the national telephone number 811, Call Before You Dig.

This is OR-OSHA Administrative Order 4-2007, adopted and effective August 15, 2007.

Note: This rule making is to keep Oregon OSHA in harmony with recent changes to Federal OSHA's standards. We are removing several references to consensus standards that have requirements that duplicate, or are comparable to, other OR-OSHA rules; this action includes correcting a paragraph citation in one of these rules. We are also removing a reference to American Welding Society standard A3.0-1969 ("Terms and Definitions") in our general industry welding standards. This rulemaking is part of a continuing effort to update references to consensus and industry standards used throughout our rules.

OR-OSHA adopts the changes in general industry as published in the December 14, 2007 Federal Register. A reference to American National Standard Safety Requirements for Explosive-Actuated Fastening Tools, ANSI A10.3-1995 is removed in Division 4/P, Agriculture/Small Tools.

This is OR-OSHA Administrative Order 7-2008, adopted and effective May 30, 2008.

Note: In this rulemaking, Oregon OSHA is amending its standards to add language clarifying that the personal protective equipment (PPE) and training requirements impose a compliance duty to each and every employee covered by the standards and that noncompliance may expose the employer to liability on a per-employee basis. The amendments consist of new paragraphs added to the introductory sections of the affected rules and changes to the language of some existing respirator and training requirements.

These Federal OSHA changes are in general industry, construction, and maritime and were published in the December 12, 2008 Federal Register.

This is Oregon OSHA Administrative Order 5-2009, adopted and effective May 29, 2009.

Note: On August 11, 2009, Federal OSHA published in the Federal Register a direct final rule to revise 1910.102, Acetylene, by updating references to standards developing organizations (SDO standards). Federal OSHA also revised 1910.6, Incorporation by reference, to reflect updated documents.

Oregon OSHA formed an advisory committee with representatives from organized labor, employers, distributors, and manufacturers to review and discuss the existing rules and the requirement to adopt the Federal OSHA direct final rule for Acetylene. It was determined through examining 1910.102 Acetylene, and the SDO standards, that Oregon OSHA would develop an Oregon-initiated rule to replace the federal standard.

New Oregon rule 437-002-2102 Acetylene, includes general requirements for work practices and definitions used in paragraph (1), Cylinders. Piped systems and generators and filling cylinders retains language from 1910.102 for those topics.

Oregon OSHA revised Division 2/H, General Industry/Hazardous Materials, rules which will:

- Repeal the current Acetylene rule, 1910.102, that is based on the Compressed Gas Association (CGA) Pamphlets; G-1-1966, G1.3-1959, G1.4-1966
- Adopt new rule, OAR 437-002-2102, Acetylene, that updates references to standards developing organizations (SDO standards) making them consistent with current industry practices which will improve employee safety by clarifying employer obligations, and eliminate confusing requirements.
- Based on comments received at the public hearing and during the open comment period, the following are added to the new acetylene rule:
- Compliance with Compressed Gas Association (CGA) Pamphlet G-1-2009 ("Acetylene") (Compressed Gas Association, Inc., 12th ed., 2009.)
- Clarification to store and use cylinders valve end up.
- Note to allow minimal movement by hand of cylinders to get them on and off carts or pallets.
- Install reverse flow check valves and flashback arrester according to manufacturer recommendations.

Oregon OSHA will adopt the federal changes to 1910.6 Incorporation by reference, as they appear in the August 11, 2009 Federal Register with the exception of 1910.6(k)(3). This references the CGA Pamphlet G-1 Acetylene. In Oregon, the 12th edition 2009 applies.

Oregon OSHA standards must be at least as effective as Federal OSHA standards. With the creation of the new Oregon-initiated rule for acetylene, Oregon has all the protective measures referenced in the Federal OSHA standard, as well as expanded work practices language and definitions used in 437-002-2102(1) Cylinders.

This is Oregon OSHA Administrative Order 1-2010, adopted and effective February 19, 2010.

Note: This rulemaking is to keep Oregon OSHA in harmony with recent changes to Federal OSHA's standards.

Federal OSHA revised the personal protective equipment (PPE) sections of its general industry, shipyard employment, longshoring, and marine terminals standards concerning requirements for eye- and face-protective devices, and head and foot protection.

Federal OSHA updated the references in its regulations to reflect more recent editions of the applicable national consensus standards that incorporate advances in technology. Federal OSHA requires that PPE be safely designed and constructed for the tasks performed.

Amendments to the PPE standards include a requirement that filter lenses and plates in eye-protective equipment meet a test for transmission of radiant energy such as light or infrared.

Oregon OSHA adopted the changes in general industry and maritime activities as published in the September 9, 2009 Federal Register. The updated references are also made in Oregon OSHA's Division 4, Agriculture, and Division 7, Forest Activities.

This is Oregon OSHA Administrative Order 2-2010, adopted and effective February 25, 2010.

Note: Oregon OSHA adopted changes to rules in general industry, construction, agriculture, and maritime. Federal OSHA published a number of rule changes in these industries in the June 8, 2011 Federal Register. This is Phase III of the Standards Improvement Project (SIP III), the third in a series of rulemaking by Federal OSHA to improve and streamline the standards. This removes or revises individual requirements within rules that are confusing, outdated, duplicative, or inconsistent.

Oregon OSHA adopted the majority of the federal changes that include:

- Personal Protective Equipment – Division 2/I, remove requirements that employers prepare and maintain written training certification records.
- Respiratory Protection – revise requirements for breathing-gas containers.
- Material Handling/Slings – revise standards in general industry, construction, and maritime standards.
- Commercial Diving Operations – Division 2/T, remove two obsolete recordkeeping requirements.
- General industry and construction – remove requirements in numerous standards for employers to transfer specific records to the National Institute for Occupational Safety and Health (NIOSH).
- Lead – amend trigger levels in general industry and construction.

In connection with rule changes in the SIP III rulemaking process, Oregon OSHA adopted additional changes to the subdivisions and rules opened during this rulemaking activity. We also made reference changes to Underground Installations in Division 3/P.

Oregon OSHA repealed all of Division 2/I rules with the exception of 1910.134 Respiratory Protection, 1910.137 Electrical Protective Equipment, 437-002-0138 Additional Oregon Rule for Electrical Protective Equipment, 437-002-0139 Working Underway on Water, and 437-002-1139 Working Over or In Water.

To replace them, we adopted new Oregon-initiated rule, 437-002-0134 Personal Protective Equipment, that includes sections covering scope/application, hazard assessment, equipment, training, payment, fall protection, clothing, high visibility garments, eye, head, foot, leg, hand and skin protection.

The change in format simplifies the existing text while making little change to the overall rule requirements with the following exceptions:

- Modifies the hazard assessment requirement to clarify that employers must identify hazards to the entire body, including the torso and extremities, when performing the assessment. The assessment is currently limited to head, hands, eyes and face and foot protection. NOTE: The assessment for eyes, face, head, hands, and feet are currently in effect. The torso and extremities (e.g. arms and legs) element of the body assessment will not be enforced until July 1, 2012.
- Change the fall protection component criteria to align with the systems criteria found in 1926.502 of the construction standards. The training requirement in this rule would also cover those parts not previously covered, such as fall protection.

Definition of "potable water":

Previously, Oregon OSHA did not adopt 1910.141(a)(1), so the SIP-III changes to the definition of potable water must be addressed through Oregon-initiated rules. We will maintain the current definition of potable water in Division 2/J, 437-002-0141(1)(a), Sanitation and Division 4/J, 437-004-1105(1)(b), Sanitation. However, for consistency, we changed the definition of potable water in Division 4/J, 437-004-1110, Field Sanitation for Hand Labor Work, and Division 3/D, 437-003-0015 Drinking Water to the same definition.

MOCA -- 4,4'-Methylene bis (2-chloroaniline):

As a logical extension of the Federal OSHA SIP-III changes to 29 CFR 1910.1003, 13 Carcinogens, we amended the Oregon Rules for MOCA (4,4'-Methylene bis (2-chloroaniline)) at Division 2/Z, 437-002-0364. The requirements for respiratory protection are updated and the requirements for transfer of records is simplified. Most transfer of medical records to NIOSH is eliminated with the SIP III rulemaking. The employer is required to follow the requirements of the Respiratory Protection rule and select appropriate respirators based on the selection criteria in 1910.134(d). (The type of respirator to use is no longer specified.) We will also remove and reserve 437-002-0364(6)(a) which had a reporting requirement end date of December 1974.

This is Oregon OSHA Administrative Order 4-2011, adopted and effective December 8, 2011.

Note: Federal OSHA modified its Hazard Communication Standard (HCS) to conform to the United Nations' Globally Harmonized System of Classification and Labelling of Chemicals (GHS). OSHA determined that the modifications will significantly reduce costs and burdens while also improving the quality and consistency of information provided to employers and employees regarding chemical hazards and associated protective measures. OSHA concluded this improved information will enhance the effectiveness of the HCS in ensuring that employees are apprised of the chemical hazards to which they may be exposed, and in reducing the incidence of chemical-related occupational illnesses and injuries.

The modifications to the standard include revised criteria for classification of chemical hazards; revised labeling provisions that include requirements for use of standardized signal words, pictograms, hazard statements, and precautionary statements; a specified format for safety data sheets; and related revisions to definitions of terms used in the standard, and requirements for employee training on labels and safety data sheets. OSHA and Oregon OSHA are also modifying provisions of other standards, including standards for flammable and combustible liquids, spray finishing, reinforced plastics, dipping and coating, welding, cutting, and brazing, hazardous waste operations and emergency response, process safety management, pipe labeling, and most substance specific health standards, to ensure consistency with the modified HCS requirements. The consequences of these modifications will be to improve safety, to facilitate global harmonization of standards, and to produce hundreds of millions of dollars in annual savings nationally.

This rulemaking also repeals three Oregon-initiated rules: OAR 437-002-0289 Precautionary Labels, general requirements in Division 2/Q; 437-002-0361, regarding certain compliance dates for the Ethylene Oxide rule in Division 2/Z; and 437-003-0035 additional rules in hazard communication in Division 3/D. All three rules repealed are obsolete and unnecessary. The text of 1926.59 Hazard Communication in Division 3/D is repealed and a note added to refer the reader to 1910.1200 Hazard Communication in Division 2/Z (same as federal OSHA).

This is Oregon OSHA Administrative Order 5-2012, adopted and effective September 25, 2012.

Note: This rulemaking is to keep Oregon OSHA in harmony with recent changes to Federal OSHA's standards published in three Federal Registers.

Federal OSHA updated the references in standards to recognize the 2009 edition of the American National Standard for Industrial Head Protection, and is deleting the 1986 edition of that national consensus standard because it is out of date. These changes were published in the June 22, 2012 Federal Register.

Federal OSHA corrected an editorial instruction printed in the June 22, 2012 Federal Register. This correction was published in the July 23, 2012 Federal Register.

Federal OSHA removed an unnecessary term in Appendix C of Respiratory Protection; restoring inadvertently removed requirements in Mechanical Power Presses; and, corrected a cross reference in two paragraphs in Appendix A to subdivision L of scaffold standards in construction. These changes were published in the August 7, 2012 Federal Register.

Oregon OSHA adopts these corrections/amendments/updates in general industry, construction, and maritime.

This is Oregon OSHA Administrative Order 7-2012, adopted and effective December 14, 2012.

Note: This rulemaking is to keep Oregon OSHA in harmony with recent changes to federal OSHA's standards.

Oregon OSHA amends standards in Division 2, general industry, and Division 3, construction, to reflect federal OSHA updates published in the June 13, 2013 Federal Register. Also included in this rulemaking are minor corrections from federal OSHA of the June 13, 2013 Federal Register with the November 6, 2013 Federal Register. Corrections are to addresses and reference clarification for graphics. Federal OSHA updated its general industry and construction signage rules by adding references to the latest version of the American National Standards Institute ("ANSI") standards on accident prevention signs and tags, ANSI Z535.1-2006 (R2011), Z535.2-2011 and Z535.5-2011. OSHA retained references to the earlier ANSI signage standards, ANSI Z53.1-1967, Z35.1-1968 and Z35.2-1968. This rulemaking provides employers the option to comply with either the earlier or updated standards.

Federal OSHA amended 1926.201 and 1926.202 concerning the Manual on Uniform Traffic Control Devices (MUTCD). Oregon repealed these two standards and has Oregon-initiated rule 437-003-0420 Traffic Control, instead. OAR 437-003-0420 currently references the most current editions, therefore we did not amend with this Federal Register publication.

Federal OSHA amended 1910.261 with updated ANSI standards. In Oregon we have Oregon-initiated rule 437-002-0312 Oregon Rules for Pulp, Paper and Paperboard Mills, which we also amended to reflect the newer ANSI references.

This is Oregon OSHA Administrative Order 7-2013, adopted and effective December 12, 2013.

Note: Some Oregon OSHA general industry, maritime and construction rules for personal protective equipment reference ANSI consensus standards Z87.1-1989 and Z87.1-1968. This rulemaking removes those older standards and will recognize ANSI/ISEA Z87.1-2010, ANSI Z87.1-2003, and ANSI Z87.1-1989 (R-1998).

The ANSI/ISEA Z87.1-2010 provides requirements for the selection, testing, use, and maintenance of protectors intended to minimize or prevent eye and face injuries including impact, non-ionizing radiation, and chemical exposures in occupational and educational environments. ANSI Z87.1-2003 and ANSI Z87.1-1989 (R-1998) are prior versions of this standard which are also incorporated by reference as alternative means of compliance with Oregon OSHA's eye and face protection requirements.

Oregon initiated PPE rules in Division 2, general industry and Division 3, construction are amended with the ANSI updates, as well as references in Oregon Rules for Firefighters in Division 2/L.

This is Oregon OSHA Administrative Order 4-2016, adopted and effective September 7, 2016.

Note: On February 24, 2017 Oregon OSHA proposed to revise the existing walking-working surface and personal protective equipment rules for general industry. This proposal was required to harmonize Oregon OSHA's existing Division 2 regulations with the new Federal OSHA's rule titled: "Walking-Working Surfaces and Personal Protective Equipment (Fall Protection Systems)" as published in the Federal Register on November 18, 2016. Federal OSHA's general industry final rule revised the previous walking-working surfaces standards within 29 CFR part 1910, subpart D and created a new standard and two new non-mandatory appendixes for fall protection systems within 29 CFR part 1910, subpart I. In addition to the significant changes made to Subparts D and I, federal OSHA also amended standards in 29 CFR part 1910, subparts F, N, and R to create uniformity across all of the affected subparts where walking-working surfaces and personal fall protection systems are addressed. Oregon OSHA's proposal made significant revisions to Subdivision 2/D (Walking-Working Surfaces) and Subdivision 2/I (Personal Protective Equipment) of Chapter 437, Division 2 including a proposal for rope access systems. Subsequently, since many existing Oregon OSHA regulations are based on those within 2/D and 2/I, the following Division 2 subdivisions also were amended in the February 24th proposal: 2/A, 2/F, 2/L, 2/N, 2/R, and 2/RR.

Four public hearings were held during March and April of 2017. Oregon OSHA received oral testimony at three of the public hearings in addition to written comments. Several comments received supported the overall rule making. Several comments opposed specific sections of the overall rulemaking. Major topics Oregon OSHA received comment on were; impacts of limiting acceptable standard guardrail heights to 42 inches +/- 3 inches, use of body belts in travel restraint systems, inspection of permanent mount lifeline systems, fall protection for fixed ladders and the associated inspections, duty to have fall protection when exposed to unprotected sides and edges, duty to have fall protection while exposed to walking-working surfaces not otherwise addressed by proposed 1910.28(b), and rope descent/access systems.

Oregon OSHA considered all comments received. Oregon OSHA, based on comments received, made adjustments to proposed 437-002-2027 Rope Descent & Rope Access Systems. Changes include separating the rules for rope descent from those for rope access with the exception of anchorages which both systems share in the final rule. Furthermore, the rope descent portion of the rule is no longer the foundation for the rope access portion. The proposed "assessment of need" for rope access work was removed, a rope access program administrator was added, a section listing minimum capacity requirements for rope access specific equipment was added, and a section establishing exceptions to 1910.140 Fall Protection was added when rope access work is conducted. Finally, Oregon OSHA added language to Division 2/I (Personal Protective Equipment) to permit general industry employers to use anchorages for travel restraint systems that meet the same capacity requirements previous afforded to construction employers in the construction regulations (Division 3/M).

This is Oregon OSHA Administrative Order 2-2017, adopted May 16, 2017 and effective November 1, 2017.

Note: Oregon OSHA is adopting changes to our administrative (recordkeeping), general industry, and construction standards, and updating references in the maritime activity standards in response to federal OSHA's adoption of final rules published in the May 14, 2019 Federal Register. This is Phase IV of federal OSHA's Standards Improvement Project (SIP-IV), the fourth in a series of rulemakings to improve and streamline workplace safety and health standards. Oregon's response removes or revises rules or requirements within our corresponding rules that are outdated, duplicative, or inconsistent. This rulemaking is anticipated to reduce regulatory burden and compliance costs while maintaining or enhancing worker safety and health as well as worker privacy protections.

In Division 2A, Oregon OSHA adopted updates to the incorporation by reference standard for consensus and other industrial standards.

This is Oregon OSHA Administrative Order 3-2019, filed and effective October 29, 2019.