

Oregon OSHA – Adopted Changes to Personal Protective Equipment (PPE) in General Industry, Construction, and Maritime

Oregon OSHA Admin. Order 5-2009
Filed and effective May 29, 2009

Text removed is in [~~brackets with line through~~].

Text added is in **bold and underlined**.

These are Federal OSHA amendments published in the [December 12, 2008 Federal Register](#). Listed below are the rules that changed.

Division 2 – General Industry

Subdivision A – General
1910.9(a) and (b) new

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.

Subdivision G – Occupational Health & Environmental Control
1910.95(k)(1)

(1) The employer shall ~~[institute a] train[ing program for all]~~ **each** employee[s] who ~~[are]~~ **is** exposed to noise at or above an 8-hour time[-]weighted average of 85 decibels~~[-, and]~~ **in accordance with the requirements of this section. The employer shall institute a training program and** ensure employee participation in ~~[such]~~ **the** program.

Subdivision I – Personal Protective Equipment
1910.134(a)(2)

(2) ~~A [R]~~respirator[s] shall be provided **to each employee** ~~[by the employer]~~ when such equipment is necessary to protect the health of ~~[the]~~ **such** employee. The employer shall provide the respirators which are applicable and suitable for the purpose intended. The employer shall be responsible for the establishment and maintenance of a respiratory protection program, which shall include the requirements outlined in paragraph (c) of this section. **The program shall cover each employee required by this section to use a respirator.**

Subdivision L – Fire Protection
1910.156(f)(1)(i)

(i) The employer must ensure that respirators are provided to, and used by, **each** fire brigade member[s], and that the respirators meet the requirements of 29 CFR 1910.134 ~~[and this paragraph]~~ **for each employee required by this section to use a respirator.**

Subdivision Z – Toxic & Hazardous Substances
1910.1001(g)(1), (2)(i), (j)(7)(i)

(g)

(1) General. For employees who use respirators required by this section, the employer must provide **each employee an appropriate** respirator[s] that compl[y]ies with the requirements of this paragraph. Respirators must be used during:

(2)

(i) The employer must implement a respiratory protection program in accordance with 29 CFR 1910.134(b) through (d) (except (d)(1)(iii)), and (f) through (m), **which covers each employee required by this section to use a respirator.**

(j)

(7)

(i) The employer shall ~~[institute a]~~ train~~[ing program for all employees]~~ **each employee** who ~~[are]~~ **is** exposed to airborne concentrations of asbestos at or above the PEL and/or excursion limit **in accordance with the requirements of this section. The employer shall institute a training program** and ensure ~~[their]~~ **employee** participation in the program.

1910.1003(c)(4)(iv), (d)(1)

(c)

(4)

(iv) **Each** ~~[E]~~**employee[s]** engaged in handling operations involving the carcinogens addressed by this section must be provided with, and required to wear and use, a half-face filter~~[-]~~type respirator ~~[with filters]~~ for dusts, mists, and fumes~~[-, or air-purifying canisters or cartridges]~~. A respirator affording higher levels of protection than this respirator may be substituted.

(d)

(1) Respiratory program. The employer must implement a respiratory protection program in accordance with 29 CFR 1910.134(b), (c), (d) (except (d)(1)(iii) and (iv), and (d)(3)), and (e) through (m), **which covers each employee required by this section to use a respirator.**

1910.1017(g)(1), (2)

(g)

(1) General. For employees who use respirators required by this section, the employer must provide **each employee an appropriate** respirator~~[s]~~ that compl~~[y]~~**ies** with the requirements of this paragraph.

(2) Respirator program. The employer must implement a respiratory protection program in accordance with 29 CFR 1910.134(b) through (d) (except (d)(1)(iii), and (d)(3)(iii)(B)(1) and (2)), and (f) through (m), **which covers each employee required by this section to use a respirator.**

1910.1018(h)(1), (2)(i), (o)(1)(i)

(h)

(1) General. For employees who use respirators required by this section, the employer must provide **each employee an appropriate** respirator~~[s]~~ that compl~~[y]~~**ies** with the requirements of this paragraph. Respirators must be used during:

(2)

(i) The employer must implement a respiratory protection program in accordance with 29 CFR 1910.134(b) through (d) (except (d)(1)(iii)), and (f) through (m), **which covers each employee required by this section to use a respirator.**

(o)

(1)

(i) The employer shall ~~[institute a] train[ing program for all]~~ **each** employee[s] who ~~[are]~~ **is** subject to exposure to inorganic arsenic above the action level without regard to respirator use, or for whom there is the possibility of skin or eye irritation from inorganic arsenic, **in accordance with the requirements of this section.** The employer shall **institute a training program and ensure** ~~[assure that those]~~ employee[s] participat[e]**ion** in the ~~[training]~~ program.

1910.1025(f)(1), (2)(i), (l)(1)(ii)

(f)

(1) General. For employees who use respirators required by this section, the employer must provide **each employee an appropriate** respirator[s] that compl[y]**ies** with the requirements of this paragraph. Respirators must be used during:

(2)

(i) The employer must implement a respiratory protection program in accordance with 29 CFR 1910.134(b) through (d) (except (d)(1)(iii)), and (f) through (m), **which covers each employee required by this section to use a respirator.**

(l)

(1)

(ii) The employer shall ~~[institute a] train[ing program for an assure the participation of all]~~ **each** employee[s] who ~~[are]~~ **is** subject to exposure to lead at or above the action level, or for whom the possibility of skin or eye irritation exists, **in accordance with the requirements of this section. The employer shall institute a training program and ensure employee participation in the program.**

1910.1026(g)(1), (2)

(g)

(1) General. **Where respiratory protection is required by this section,** ~~[T]he~~ employer ~~[shall]~~ **must** provide **each employee an appropriate respirator that complies with the requirements of this paragraph.** ~~[F]Respiratory protection [for employees]~~ **is required** during:

(2) Respiratory protection program. Where respirator use is required by this section, the employer shall institute a respiratory protection program in accordance with 29 CFR 1910.134, **which covers each employee required to use a respirator.**

1910.1027(g)(1), (2)(i), (m)(4)(i)

(g)

(1) General. For employees who use respirators required by this section, the employer must provide **each employee an appropriate** respirator[s] that compl[y]ies with the requirements of this paragraph. Respirators must be used during:

(2)

(i) The employer must implement a respiratory protection program in accordance with 29 CFR 1910.134(b) through (d) (except (d)(1)(iii)), and (f) through (m), **which covers each employee required by this section to use a respirator.**

(m)

(4)

(i) The employer shall [~~institute a~~] train[ing program for all] **each** employee[s] who [are] **is** potentially exposed to cadmium[, assure] **in accordance with the requirements of this section. The employer shall institute a training program, ensure** employee participation in the program, and maintain a record of the contents of such program.

1910.1028(g)(1), (2)(i)

(g)

(1) General. For employees who use respirators required by this section, the employer must provide **each employee an appropriate** respirator[s] that compl[y]ies with the requirements of this paragraph. Respirators must be used during:

(2)

(i) **The** [E]employer[s] must implement a respiratory protection program in accordance with 29 CFR 1910.134(b) through (d) (except (d)(1)(iii), **(d)(3)(iii)(B)(1) and (2)**), and (f) through (m), **which covers each employee required by this section to use a respirator.**

1910.1029(g)(1), (2), (k)(1)(i)

(g)

(1) General. For employees who use respirators required by this section, the employer must provide **each employee an appropriate** respirator[s] that compl[y]ies with the requirements of this paragraph. [~~Compliance with the permissible exposure limit may~~

not be achieved by the use of respirators except during:] **Respirators must be used during:**

(2) Respirator program. The employer must implement a respiratory protection program in accordance with 29 CFR 1910.134(b) through (d) (except (d)(1)(iii)), and (f) through (m), **which covers each employee required by this section to use a respirator.**

(k)

(1)

(i) **The employer shall train each employee who is employed in a regulated area in accordance with the requirements of this section.** The employer shall institute a training program [~~for employees who are employed in the regulated area~~] and **ensure employee** [~~shall assure their~~] participation **in the program.**

1910.1030(g)(2)(i)

(g)

(2)

(i) **The employer shall train each employee with occupational exposure in accordance with the requirements of this section.** [~~Employers shall ensure that all employees with occupational exposure participate in a training program which~~] **Such training** must be provided at no cost to the employee and during working hours. **The employer shall institute a training program and ensure employee participation in the program.**

1910.1043(f)(1), (2)(i), (i)(1)(i)

(f)

(1) General. For employees who are required to use respirators by this section, the employer must provide **each employee an appropriate** respirator[s] that compl[~~y~~]ies with the requirements of this paragraph. Respirators must be used during:

(2)

(i) The employer must implement a respiratory protection program in accordance with 29 CFR 1910.134(b) through (d) (except (d)(1)(iii)), and (f) through (m), **which covers each employee required by this section to use a respirator.**

(i)

(1)

(i) The employer shall [~~provide~~] a train[~~ing program for all~~] **each** employee[s] exposed to cotton dust [~~and shall assure that each employee is informed of the following:~~] **in accordance with the requirements of this section. The employer shall institute a training program and ensure employee participation in the program.**

1910.1044(h)(1), (2), (n)(1)(i)

(h)

(1) General. For employees who are required to use respirators by this section, the employer must provide **each employee an appropriate** respirator[s] that compl[y]ies with the requirements of this paragraph. Respirators must be used during:

(2) Respirator program. The employer must implement a respiratory protection program in accordance with 29 CFR 1910.134(b) through (d) (except (d)(1)(iii)), and (f) through (m), **which covers each employee required by this section to use a respirator.**

(n)

(1)

(i) The employer shall ~~[institute a train[ing program for all]~~ **each** employee[s] who may be exposed to DBCP **in accordance with the requirements of this section. The employer shall institute a training program** and **ensure employee** ~~[shall assure their]~~ participation in ~~[such training]~~ **the** program.

1910.1045(h)(1), (2)(i), (o)(1)(i)

(h)

(1) General. For employees who use respirators required by this section, the employer must provide **each employee an appropriate** respirator[s] that compl[y]ies with the requirements of this paragraph. Respirators must be used during:

(2)

(i) **The [E]employer[s]** must implement a respiratory protection program in accordance with 29 CFR 1910.134(b) through(d) (except (d)(1)(iii), **(d)(3)(iii)(B)(1), and (2)**), and (f) through (m), **which covers each employee required by this section to use a respirator.**

(o)

(1)

(i) ~~[By January 2, 1979,]~~ **I[t]**he employer shall ~~[institute a] train[ing program for and assure the participation of all]~~ **each** employee[s] exposed to AN above the action level, ~~[all]~~ **each** employee[s] whose exposures are maintained below the action level by engineering and work practice controls, and ~~[all]~~ **each** employee[s] subject to potential skin or eye contact with liquid AN **in accordance with the requirements of this section. The employer shall institute a training program and ensure employee participation in the program.**

1910.1047(g)(1), (2)

(g)

(1) General. For employees who use respirators required by this section, the employer must provide **each employee an appropriate** respirator[s] that compl[y]ies with the requirements of this paragraph. Respirators must be used during:

(2) Respiratory program.

[+] The employer must implement a respiratory protection program in accordance with 29 CFR 1910.134(b) through (d) (except (d)(1)(iii)), and (f) through (m), **which covers each employee required by this section to use a respirator.**

1910.1048(g)(1), (2)(i)

(g)

(1) General. For employees who use respirators required by this section, the employer must provide **each employee an appropriate** respirator[s] that compl[y]ies with the requirements of this paragraph. Respirators must be used during:

(2)

(i) **The [E]employer[s]** must implement a respiratory protection program in accordance with 29 CFR 1910.134(b) through (d) (except (d)(1)(iii), **(d)(3)(iii)(B)(1), and (2)**), and (f) through (m), **which covers each employee required by this section to use a respirator.**

1910.1050(h)(1), (2)

(h)

(1) General. For employees who use respirators required by this section, the employer must provide **each employee an appropriate** respirator[s] that compl[y]ies with the requirements of this paragraph. Respirators must be used during:

(2) Respirator program. The employer must implement a respiratory protection program in accordance with 29 CFR 1910.134(b) through (d) (except (d)(1)(iii)), and (f) through (m), **which covers each employee required by this section to use a respirator.**

1910.1051(h)(1), (2)(i), (l)(2)(ii)

(h)

(1) General. For employees who use respirators required by this section, the employer must provide **each employee an appropriate** respirator[s] that compl[y]ies with the requirements of this paragraph. Respirators must be used during:

(2)

(i) The employer must implement a respiratory protection program in accordance with 29 CFR 1910.134(b) through (d) (except (d)(1)(iii), (d)(3)(iii)(B)(1), and (2)), and (f) through (m), **which covers each employee required by this section to use a respirator.**

(1)

(2)

(ii) The employer shall ~~[institute a]~~ train~~[ing program for all]~~ **each** employee[s] who ~~[are]~~ **is** potentially exposed to BD at or above the action level or the STEL **in accordance with the requirements of this section. The employer shall institute a training program,** ensure employee participation in the program, and maintain a record of the contents of such program.

1910.1052(g)(1), (2)(i)

(g)

(1) General. For employees who use respirators required by this section, the employer must provide **each employee an appropriate** respirator[s] that compl[y]ies with the requirements of this paragraph. Respirators must be used during:

(2)

(i) The employer must implement a respiratory protection program in accordance with 29 CFR 1910.134(b) through (m) (except (d)(1)(iii) ~~[and (d)(3)(iii)(B)(1) and (2)]~~), **which covers each employee required by this section to use a respirator.**

Division 3 – Construction

Subdivision C – General Safety and Health Provisions

1926.20(f) new

(f) Compliance duties owed to each employee.

(1) 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.

(2) 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.

Subdivision D – Occupational Health and Environmental Controls

1926.60(i)(1), (2)

(i)

(1) General. For employees who use respirators required by this section, the employer must provide **each employee an appropriate** respirator[s] that compl[y]ies with the requirements of this paragraph. Respirators must be used during:

(2) Respirator program. The employer must implement a respiratory protection program in accordance with 29 CFR 1910.134(b) through (d) (except (d)(1)(iii)), and (f) through (m), **which covers each employee required by this section to use a respirator.**

1926.62(f)(1), (2)(i), (l)(ii)

(f)

(1) General. For employees who use respirators required by this section, the employer must provide **each employee an appropriate** respirator[s] that compl[y]ies with the requirements of this paragraph. Respirators must be used during:

(2)

(i) The employer must implement a respiratory protection program in accordance with 29 CFR 1910.134(b) through (d) (except (d)(1)(iii)), and (f) through (m), **which covers each employee required by this section to use a respirator.**

(l)

(ii) ~~[For all]~~ **The employer shall train each** employee[s] who ~~[are]~~ **is** subject to exposure to lead at or above the action level on any day, or who ~~[are]~~ **is** subject to exposure to lead compounds which may cause skin or eye irritation (e.g., lead arsenate, lead azide), **in accordance with the requirements of this section.** ~~[†]The employer shall~~ **institute** ~~[provide]~~ a training program ~~[in accordance with paragraph (l)(2) of this section]~~ and ~~[assure]~~ **ensure** employee participation **in the program.**

Subdivision R – Steel Erection

1926.761(b)

(b) Fall hazard training. The employer shall ~~[provide a]~~ train~~[ing program for all]~~ **each** employee[s] exposed to ~~a~~ fall hazard[s] **in accordance with the requirements of this section.** The ~~[program]~~ **employer** shall ~~[include]~~ **institute a** training **program** and **ensure employee participation in the program.** ~~[instruction in the following areas:]~~

Subdivision Z – Toxic and Hazardous Substances

1926.1101(h)(1), (2)(i), (k)(9)(i)

(h)

(1) General. For employees who use respirators required by this section, the employer must provide **each employee an appropriate** respirator[s] that compl~~y~~**ies** with the requirements of this paragraph. Respirators must be used during:

(2)

(i) The employer must implement a respiratory protection program in accordance with 29 CFR 1910.134(b) through (d) (except (d)(1)(iii)), and (f) through (m), **which covers each employee required by this section to use a respirator.**

(k)

(9)

(i) The employer shall~~[, at no cost to the employee, institute a]~~ train~~[ing program for all]~~ **each** employee[s] who ~~[are]~~ **is** likely to be exposed in excess of a PEL, and ~~[for all]~~ **each** employee[s] who performs Class I through IV asbestos operations, **in accordance with the requirements of this section. Such training shall be conducted at no cost to the employee. The employer shall institute a training program** and ~~[shall]~~ ensure ~~[their]~~ **employee** participation in the program.

1926.1126(f)(1), (2)

(f)

(1) General. **Where respiratory protection is required by this section, [T]the employer [shall] must provide each employee an appropriate respirator[y] that complies with the requirements of this paragraph. Respiratory protection [for employees] is required** during:

(2) Respiratory protection program. Where respirator use is required by this section, the employer shall institute a respiratory protection program in accordance with 29 CFR 1910.134, **which covers each employee required to use a respirator.**

1926.1127(g)(1), (2)(i), (m)(4)(i)

(g)

(1) General. For employees who use respirators required by this section, the employer must provide **each employee an appropriate** respirator[s] that compl[y]ies with the requirements of this paragraph. Respirators must be used during:

(2)

(i) The employer must implement a respiratory protection program in accordance with 29 CFR 1910.134(b) through (d) (except (d)(1)(iii)), and (f) through (m), **which covers each employee required by this section to use a respirator.**

(m)

(4)

(i) The employer shall [~~institute a] train[ing program for all] **each** employee[s] who [are] **is** potentially exposed to cadmium[~~, assure] **in accordance with the requirements of this section. The employer shall institute a training program, ensure** employee participation in the program, and maintain a record of the contents of [~~such] **the training** program.~~~~~~

Division 5 – Maritime Activities

1915 – Occupational Safety and Health Standards for Shipyard Employment

Subpart A – General Provisions

1915.9 new

1915.9 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.

Subpart Z – Toxic and Hazardous Substances

1915.1001(h)(1), (3)(i), (k)(9)(i)

(h)

(1) General. For employees who use respirators required by this section, [T]the employer [shall]must provide each employee an appropriate respirator[s and ensure that they are used, where required by this section] that complies with the requirements of this paragraph. Respirators [shall]must be used in the following circumstances:

(3)

(i) Where respirator[y protection is used] use is required by this section, the employer shall institute a respiratory protection program in accordance with 29 CFR 1910.134(b), (d), (e), and (f), which covers each employee required by this section to use a respirator.

(k)

(9)

(i) The employer shall~~[-, at no cost to the employee, institute a]~~ train~~[ing program for all]~~ **each** employee[s] who ~~[are]~~ **is** likely to be exposed in excess of a PEL and ~~[for all]~~ **each** employee[s] who performs Class I through IV asbestos operations~~[-]~~ **in accordance with the requirements of this section. Training shall be provided at no cost to the employee. The employer shall institute a training program** and ~~[shall]~~ ensure ~~[their]~~ **employee** participation in the program.

1915.1026(f)(1), (2)

(f)

(1) General. **Where respiratory protection is required by this section, [T]the employer [shall] must provide each employee an appropriate respirator that complies with the requirements of this paragraph. [F]Respiratory protection [for employees]is required** during:

(2) Respiratory protection program. Where respirator use is required by this section, the employer shall institute a respiratory protection program in accordance with 29 CFR 1910.134, **which covers each employee required to use a respirator.**

1917 – Marine Terminals

Subpart A – General Provisions

1917.5 new

1917.5 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.

1918 – Safety and Health Regulations for Longshoring

Subpart A – General Provisions

1918.5 new

1918.5 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.