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

Oregon OSHA Admin. Order 5-2009
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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 training 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 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[ies]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.
The employer shall institute a training program for all employees. Each employee who 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 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 complies 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 complies with the requirements of this paragraph. Respirators must be used during:

3
(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 training 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 the participation of all each 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 training 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 exits, 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. 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 comply 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 train each employee who is potentially exposed to cadmium 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 comply 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.

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 comply 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 complies 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 training 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 complies 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) The employer shall institute a training 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 complies with the requirements of this paragraph. Respirators must be used during:

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

(o)
(1) [By January 2, 1979,] The employer shall institute a training 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.]
(g)
(1) General. For employees who use respirators required by this section, the employer must provide each employee an appropriate respirator[s] that complies with the requirements of this paragraph. Respirators must be used during:

(2) Respiratory program.
[(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.

(h)
(1) General. For employees who use respirators required by this section, the employer must provide each employee an appropriate respirator[s] that complies 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.
(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.

(ii) The employer shall institute a training 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 complies 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.
(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 complies 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 complies 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.
(l) [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[ies]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, the employer must provide each employee an appropriate respirator that complies with the requirements of this paragraph. Respiratory protection 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 that complies 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 train each employee who is potentially exposed to cadmium 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 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]he 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 training 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[, the employer [shall] must provide each employee an appropriate respirator that complies with the requirements of this paragraph. [r] 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.