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Revision of OSHA Emergency Evacuation Rules

1910.33 thru 1910.39

Workplace emergencies can strike anyone, anywhere at anytime. They are unforeseen situations that threaten employees and possibly the public. They can disrupt or shut down a facility operation. They include natural and manmade conditions, such as: floods, hurricanes, tornadoes, fires, hazardous chemical releases, and civil disturbances. At times, these circumstances will require that personnel be evacuated either outside or to another area in the facility for safety.

Moving people during emergency conditions can be dangerous. A disorganized evacuation can result in confusion, injury, and possible property damage. For this reason OSHA has had standards for exit routes and emergency action plans, since its start-up in 1971.

Recently many of these "start-up standards" have been criticized for their wordiness, repetitiveness and difficulty of understanding. In 1996 OSHA began to rewrite the Means of Egress standard in an effort to simplify the standard. The revised standard, now called "Exit Routes, Emergency Action Plans, and Fire Prevention Plans", became final December 9, 2002. *(Note: If an employer was in compliance with the original standard they will still continue to be in compliance with the revised rule.)*

The basic revision was in the organization of the standard. A Table of Contents is now listed in 1910.33. The paragraphs delineating which employers were covered by this standard, and several definitions were organized into 1910.34.

OSHA added one compliance ruling - employers who wish to follow the NFPA Life Safety Code instead of the OSHA Exit standard may do so. After evaluating the National Fire Protection Associations Standard 101, Life Safety Code, 2000 Edition (NFPA 101-2000), OSHA concluded that the standard provides comparable safety to OSHA's Exit Routes standard. This became 1910.35.

OSHA also used the Life Safety Code as a reference to specific guidelines for such determinations as "occupant load" and the "number of exits" necessary for a facility.

The requirements for exit routes were reorganized into two sections:

- (1) Design and construction requirements (1910.36); and
- (2) Maintenance, safeguards, and operational requirements (1910.37).

(Note: The following page shows examples of the newly written standard)

The Emergency Action Plan requirements remained 1910.38, but the Fire Prevention Plan requirements were given their own designation - 1910.39.

Examples from revised 1910.36

Design and Construction of Exit Routes

- An exit route must be permanent.
- An exit must be separated by fire resistant materials.
- The number of exit routes must be adequate. (*Note: OSHA directs you to the NFPA Life Safety Code for the determination of “adequate”.*)
- An exit door must be unlocked.
- A side-hinged door must be used to connect any room to an exit route.
- At least two exit routes must be available in a workplace to permit prompt evacuation... (*there is an exception*). The exit routes must be located as far away as practical from each other ...
- Exit routes must support the maximum permitted occupant load for each floor served. (*Note: OSHA directs you to the NFPA Life Safety Code for the determination of “occupant load”.*)

Examples from revised 1910.37

Maintenance, Safeguards and Operational Features of Exit Routes

- Exit routes must be free and unobstructed. No materials or equipment may be placed, either permanently or temporarily, within the exit route.
- Safeguards designed to protect employees during an emergency (e.g., sprinkler systems, alarms systems, fire doors, exit lighting) must be in proper order at all times.
- Each exit route must be adequately lighted so that an employee with normal vision can see along the exit route.
- The fire retardant properties of paints or solutions must be maintained.
- Exit routes must be maintained during construction, repairs, or alterations.
- Employees must not be exposed to hazards of flammable or explosive substances or equipment used during construction, repairs, or alteration, that are beyond the normal permissible conditions in the workplace, or that would impede exiting the workplace.
- Employers must install and maintain an operable employee alarm system that has a distinctive signal to warn employees of fire or other emergencies ...

If some of these points seem unfamiliar, it would be beneficial to review these rewritten requirements!

Evacuation Plan Elements

Emergency Action Plan -1910.38

OSHA expresses that the purpose of an Emergency Action Plan is to “facilitate and organize employer and employee actions during workplace emergencies.” When developing your facility plan, it is important to determine:

- Conditions under which an evacuation would be necessary. Different emergencies require different responses.
- A clear chain of command. Designate personnel to have the responsibility for authorizing an evacuation or shutdown.
- Specific evacuation procedures for employees. These should include exits, routes, assembly points, and any equipment that might be needed during the emergency.
- Procedures for assisting contractor and their employees, facility visitors, those visitors or employees with disabilities, or who do not speak or read English.
- A means of accounting for employees, and other person at the facility, after and evacuation.
- Special equipment. Do a hazard analysis to find out if a particular work area may need unique equipment to do an evacuation under certain conditions. This can include eye protection, hard hats, respirators, or other tools and equipment.

For further detail about the Exit Standard, OSHA has created a web page. Access it by going to www.osha.gov, then click on the letter “E” of the site index at the top, and look for Evacuation Plans and Procedures eTool. After clicking on this, go to the “Site Map” (top, far right of page). This “table of contents” page will give an overview of information that is available for this standard.



If you are responsible for exits, exit lighting, exit routes, and the facility evacuation plans, it is highly recommended that you review these revised standards and evaluate any discrepancies that may be present in your current facility plan.

Industrial Consultants works with companies across the United States to help identify and remedy safety concerns. Let us help you!

Incident Commander – 1910.120(q)

What training is required?

There seems to be some question as to the training that is required for an Incident Commander in charge of an Emergency Response Team.

The HAZWOPER standard, OSHA 1910.120, paragraph (q)(6), delineates the levels of responders and their training requirements.

The OSHA CPL (Compliance Directive – 2-2.59A) for this standard lists **responders as**: first responder awareness level; first responder operations level; hazardous materials technician; hazardous materials specialist; and, on-scene incident commander.

Paragraph (q)(6)(v) describes the initial incident commander preparation as 24 hours of training at least equal to first responder awareness level and in addition have competency in:

- Implementing an Incident Command System.
- Implementing the employer's emergency response plan.
- Implementing the local, state and federal emergency response plans.
- Understanding and knowledge of the hazards and risks associated with employees working in chemical protective suits.
- Understanding the importance of decontamination.

The yearly refresher training is cited in (q)(8).

As OSHA still received questions concerning training requirements; interpretative letters were written for further clarification. Following are excerpts:

05/13/1991: "This individual is the key player of the HAZMAT team. Section (q) requires that someone be identified as the on scene incident commander and trained to a level commensurate with his duties as such."

"Section (q) requires yearly refresher training for all levels of emergency responders to maintain a level of competency in line with responsibilities of the job."

08/20/1991: "HAZMAT technicians, specialists and incident commanders for the employer must certify competency in a number of areas specific to the employer and area. Consequently past training and experience alone could not be sufficient to meet all requirements. In addition refresher training ... is required annually."

12/24/1991: "The intent of the standard is to provide an incident command system that is headed up by a single person ... who is able to manage emergencies of differing severity, as well as oversee the rest of the HAZMAT team..." "Consequently, the Incident Commander requires more extensive training in general matters, plus extensive training in command and management. Hence, the Incident Commander will require more than 24 hours of total training. The training hours suggested in the standard are minimums..."

To provide clarification to OSHA inspectors, and to ensure uniform enforcement of the regulation, the OSHA CPL provided interview questions that are to be used during a review of the Emergency Response standard at a facility.

Section VI(H) of that survey lists interview questions for an Incident Commander - to determine if the individual:

1. Is aware of the potential hazards and/or benefits associated with certain PPE and engineering controls;
2. Is capable of implementing appropriate emergency operations;
3. Can really designate a safety official;
4. Can implement appropriate decontamination procedures.
5. Has received training as an On-Scene Incident Commander.

... and in Section VI(I): Has the employee gone through refresher training or demonstrated competency annually?

We at Industrial Consultants hope this will help to answer questions concerning OSHA's intent concerning the training of Incident Commanders for emergency response.

Your facility should have a minimum of two trained incident commanders per shift. These personnel can come from a cross section of management, engineering maintenance refrigeration, safety and production.

Industrial Consultants offers two courses that can be of assistance in meetings these requirements – Basic and Advanced On-Scene Incident Commander Training.

Call: (918) 274-8639 for further information!

