
29 C.F.R. § 1990.151

Model standard pursuant to section 6(b) of the Act.

Occupational Exposure to _____

Permanent Standard (insert section number of standard)

(a) *Scope and application*—(1) *General*. This section applies to all occupational exposures to ____ or to (specify those uses or classes of uses of ____ [Chemical Abstracts Service Registry Number 0000] which are covered by the standard, including, where appropriate, the type of exposure to be regulated by the standard) except as provided in paragraph (a)(2).

(2) *Exemptions*. This section does not apply to (insert those uses or classes of uses of ____ which are exempted from compliance with the standard, including, where appropriate,

(i) Workplaces where exposure to ____ results from solid or liquid mixtures containing a specified percentage of ____ or less;

(ii) Workplaces where another Federal agency is exercising statutory authority to prescribe or enforce standards or regulations affecting occupational exposure to ____ or

(iii) Workplaces which are appropriately addressed in a separate standard).

(b) *Definitions*.

____ means (definition of the substance, group of substances, or combination of substances, to be regulated).

Action level means an airborne concentration of ____ of (insert appropriate level of exposure).

Note:

Where appropriate, consider an action level as a limitation on requirements for periodic monitoring (para. (e) (3)), medical surveillance (para. (n)), training (para. (o)), labels (para. (p)(3)), and other provisions.

Assistant Secretary means the Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, or designee.

Authorized person means any person specifically authorized by the employer whose duties require the person to enter regulated areas or any person entering such an area as a designated representative of employees for the purpose of exercising the opportunity to observe monitoring procedures under paragraph (r) of this section.

Director means the Director, National Institute for Occupational Safety and Health, U.S. Department of Health, and Health Services, or designee.

Emergency means in any occurrence such as, but not limited to, equipment failure, rupture of containers, or

failure of control equipment which may result in a massive release of _____ which is (insert appropriate quantitative or qualitative level of release which constitutes an emergency).

OSHA Area Office means the Area Office of the Occupational Safety and Health Administration having jurisdiction over the geographic area where the affected workplace is located.

(c) *Permissible exposure limits provisions*—(1) *Inhalation*—(i) *Time weighted average limit (TWA)*. Within (insert appropriate time period) of the effective date of this section, the employer shall assure that no employee is exposed to an airborne concentration of ____ in excess of: (insert appropriate exposure limit or when it is determined by the Secretary that there are available suitable substitutes for uses or classes of uses that are less hazardous to humans, the proposal shall permit no occupational exposure) as an eight (8)-hour-time-weighted average.

(Where the Secretary finds that suitable substitutes for ____ may exist, the determination of the ____ level shall include consideration of the availability, practicability, relative degree of hazard, and economic consequences of the substitutes.)

(ii) *Ceiling limit (if appropriate)*. Within (insert appropriate time period) of the effective date of this section, the employer shall assure that no employee is exposed to an airborne concentration of ____ in excess of: (insert exposure limit) as averaged over any: (insert appropriate time period) during the working day.

(2) *Dermal and eye exposure*. (As appropriate.) (i) Within (insert appropriate time period) of the effective date of this section, the employer shall (If eye exposure to ____ does not create a risk of cancer, insert exposure level or criteria which will prevent other adverse health effects of eye exposure to ____ if any. If eye exposure creates a risk of cancer, insert exposure level or criteria which represents the level of eye exposure to ____).

(ii) Within (insert appropriate time period) of the effective date of this section, the employer shall (If skin exposure to ____ does not create a risk of cancer, insert exposure level or criteria which will prevent other adverse health effects of skin exposure to ____ if any. If skin exposure creates a risk of cancer, insert exposure level or criteria which represents the level of skin exposure to ____).

(d) *Notification of use and emergencies*—(1) *Use*. Within (insert appropriate time period and additional information requirements if appropriate), of the effective date of this standard or within thirty days of the introduction of ____ into the workplace, every employer who has a place of employment in which ____ is present shall report the address and location of each place of employment to the OSHA Area Office and an estimate of the number of employees exposed.

(2) *Emergencies*. Emergencies, and the facts obtainable at that time, shall be reported within (insert appropriate number) hours of, or during the first federal working day after, the time the employer becomes aware of the emergency to the OSHA Area Office, whichever is longer. Upon request of the OSHA Area Office, the employer shall submit additional information in writing relevant to the nature and extent of employee exposures and measures taken to prevent future emergencies of a similar nature.

(e) *Exposure monitoring*—(1) *General*. (i) Determinations of airborne exposure levels shall be made from air samples that are representative of each employee's exposure to ____ over an eight (8) hour period. (Modify the time period as appropriate to be practical in the relevant industries yet reasonably representative of full shift exposures.) Monitoring of exposure levels required under this paragraph shall be made as follows: [insert method or alternative methods to be used to meet the requirements of this paragraph].

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