
29 C.F.R. § 1990.152

Model emergency temporary standard pursuant to section 6(c) of the Act.

Occupational Exposure to _____

Emergency Temporary Standard (insert section number of standard)

(a) *Scope and application*—(1) *General*. This section applies to all occupational exposures to _____, or to (specify the uses of classes of uses of _____ [Chemical Abstracts Service Registry Number 00000], 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) *Exemption*. 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)), 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 a regulated area or any person entering such an area as a designated representative of employees 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, Education and Welfare, or designee.

Emergency means any occurrence such as, but not limited to, equipment failure, rupture of containers, or failure of control equipment which may result in a 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*—(1) *Inhalation*—(i) *Time-weighted average limit (TWA)*. Within (insert appropriate time) from the effective date of this emergency temporary standard, the employer shall assure that no employee is exposed to an airborne concentration of _____ in excess of: (insert appropriate exposure limit representing a level that can be complied with immediately) as an eight (8)-hour-time-weighted average.

(ii) *Ceiling limit (if appropriate)*. The employer shall assure that no employee is exposed to an airborne concentration of _____ in excess of: (insert appropriate exposure limit representing a level that can be complied with immediately) 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 effects of eye exposure to _____, if any. If eye exposure creates a risk of cancer, insert exposure level or criteria which represent 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 affects 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*. Within (insert appropriate time and omit specific categories of information if appropriate) of the effective date of this section, or within fifteen (15) days following the introduction of _____ into the workplace, every employer shall report the following information to the nearest OSHA Area Office for each such workplace:

(1) The address and location of each workplace in which _____ is present;

(2) A brief description of each process or operation which may result in employee exposure to _____;

(3) The number of employees engaged in each process or operation who may be exposed _____ and an estimate of the frequency and degree of exposure that occurs; and

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