

# Which OSHA Standards Apply

## [29 CFR 1917](#)—MARINE TERMINALS STANDARDS

### OVERVIEW:

North Carolina is an [OSHA-approved State Plan](#) that covers both private and state and local government workers. With certain exceptions, the N.C. Department of Labor (NCDOL) adopts federal OSHA standards verbatim. [Standards information and activity](#) provides the status of the Occupational Safety and Health (OSH) Division's adoption of federal standards and compliance dates. When OSH Administrative rules differ from federal OSHA standards, employers must comply with the state-specific rules.

The OSH Division [enforcement procedures](#) provide guidance to compliance personnel, to ensure responsibilities related to enforcement of the OSHA standards are carried out in an effective, efficient and consistent manner. Some of the guidance documents are federal documents that have been adopted for use in N.C. while others have been created specifically for N.C. To learn more about the inspection process, go to the [compliance inspection process](#) webpage.

Many employers have questions regarding which Occupational Safety and Health standards apply to them. For this reason, the OSH Division has put together information at the following links that will help the employer determine which standards apply to them as it pertains to [recordkeeping](#), [general industry](#), [construction](#), [agriculture](#), [shipyard employment](#) (public sector only) and [marine terminals](#) (public sector only). This includes [North Carolina state-specific](#) standards. The OSH Division **does not** have enforcement jurisdiction for the longshoring standards.

## Does 29 CFR Part 1917 - Marine Terminals Standards Apply?

The regulations of [part 29 CFR 1917](#) apply to employment within a marine terminal as defined in [29 CFR 1917.2](#), including the loading, unloading, movement or other handling of cargo, ship's stores or gear within the terminal or into or out of any land carrier, holding or consolidation area, any other activity within and associated with the overall operation and functions of the terminal, such as the use and routine maintenance of facilities and equipment. All cargo transfer accomplished with the use of shore-based material handling devices shall be regulated by this part.

[Marine terminal](#) means wharves, bulkheads, quays, piers, docks and other berthing locations and adjacent storage or adjacent areas and structures associated with the primary movement of cargo or materials from vessel to shore or shore to vessel including structures which are devoted to receiving, handling, holding, consolidating and loading or delivery of waterborne shipments or passengers, including areas devoted to the maintenance of the terminal or equipment. The term does not include production or manufacturing areas nor does the term include storage facilities directly associated with those production or manufacturing areas.

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Although 29 CFR Part 1917 covers many hazards at marine terminals, it does not cover all hazards. Therefore, some of the 29 CFR Part 1910 General Industry Standards (Reference [Scope and Applicability](#)) may also be applicable at marine terminals.

In North Carolina, the OSH Division has authority to cite employers engaged in **public sector** marine terminal operations. The U.S. Coast Guard regulations do not preempt the OSH Division from citing these employers, however on inspected vessels, the OSH Division has no authority to cite the owner or operator of the vessel with respect to any working conditions of seamen (crew members), regardless of the work they are performing.

[Field Operations Manual Chapter 18 - Maritime Inspection Procedures](#) provides compliance guidance and reference documents specific to maritime inspections conducted by the OSH Division.

## INSTRUCTIONS:

To assist the employer in identifying which **Marine Terminals standards** apply to them, questions regarding the subparts (i.e., North Carolina subchapters) and subsequent standards are provided to help the employer identify which are applicable to the worksite. Once the standards have been identified, the employer is better able to develop their own safety and health management program.

To start this process, please go through each subpart below to identify the standards that apply to your organization by answering yes, no, or unsure. Be sure to come back to the subpart or standard for any answers that were identified as “unsure”.

## KEY POINTS:

- Whenever a standard provides a “scope” and/or “application”, be sure to read it. The scope and application state who, what or how a standard applies. It also provides any exemptions from the standard. In some cases, you may find that a standard does not apply to your organization based on the scope and application.
- If a standard provides “definitions”, be sure to read them. Information about a standard such as who and how it applies can also be found in a definition.
- Any time you see “general requirements” listed as a standard in a subpart that you need to comply with, that will generally be an automatic “yes”.
- Most standards have [interpretations](#) which should be referenced when available for clarification of the standard. Other useful [compliance enforcement documents](#) to reference include compliance directives (CPL), field operations manual (FOM), standards directives (STD), and operational procedure notices (OPN).

***Note:** These pages are to be used in conjunction with the [OSHA Standards With Special Requirements](#) webpages and [Marine Terminals Standards With Special Requirements](#) (29 CFR Part 1917). More resources can be found on the webpage on [QR Codes](#) and [Maritime Safety and Health Resources](#).*

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## **29 CFR Part 1917 - Marine Terminal Standards**

- [Subpart A - General Provisions](#)
- [Subpart B - Marine Terminal Operations](#)
- [Subpart C - Cargo Handling Gear and Equipment](#)
- [Subpart D - Specialized Terminals](#)
- [Subpart E - Personal Protection](#)
- [Subpart F - Terminal Facilities](#)
- [Subpart G - Related Terminal Operations and Equipment](#)
- [General Duty Clause](#)
- [Additional Assistance for Marine Terminals](#)
- [Special Emphasis Programs](#)

**Please note:** [Subpart A](#) also provides incorporation by reference of consensus standards, and OMB control numbers under the Paperwork Reduction Act.

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# WHICH 29 CFR PART 1917—MARINE TERMINALS STANDARDS APPLY?

## Subpart A—General Provisions

Does “[Subpart A—General Provisions](#)” apply to you? Yes / No / Unsure      If yes, please continue.

If you have [marine terminals](#), this should be a yes. [Subpart A](#) provides the [scope and applicability](#) of the marine terminal standards. These standards apply to the loading, unloading, movement or other handling of cargo, ship’s stores, or gear within the terminal or into or out of any land carrier, holding or consolidation area, and any other activity within and associated with the overall operations and functions of the terminal, except as noted in the standards. It also includes all cargo transfers using shore-based material handling devices. According to subpart A, the marine terminal standards do not apply to:

- Facilities used solely for the bulk storage, handling and transfer of flammable, non-flammable and combustible liquids and gases.
- Facilities subject to the regulations of the Office of Pipeline Safety Regulation of the Materials Transportation Bureau, Department of Transportation, to the extent such regulations apply.
- Fully automated bulk coal handling facilities contiguous to electrical power generating plants. Subpart A provides the [definitions](#) that are specific to marine terminals including the following:
- **Marine terminal** - wharves, bulkheads, quays, piers, docks and other berthing locations and adjacent storage or adjacent areas and structures associated with the primary movement of cargo or materials from vessel to shore or shore to vessel including structures which are devoted to receiving, handling, holding, consolidating and loading or delivery of waterborne shipments or passengers, including areas devoted to the maintenance of the terminal or equipment. The term does not include production or manufacturing areas nor does the term include storage facilities directly associated with those production or manufacturing areas.
- **Cargo packaging** - any method of containment for shipment, including cases, cartons, crates and sacks, but excluding large units such as intermodal containers, vans or similar devices.
- **Ship's stores** - materials that are aboard a vessel for the upkeep, maintenance, safety, operation, or navigation of the vessel, or for the safety or comfort of the vessel's passengers or crew. Learn more about the standards within Subpart A that have "[Special Requirements](#)" including programs and plans, training and other forms of communication, procedures and controls, signs and markings, qualified and competent persons, inspections and tests, recordkeeping and documentation, personal protective equipment, and references to other standards.

*Note: This subpart also lists the general industry standards that are applicable to maritime.*

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## Subpart A - General Provisions

**Do you have abrasive blasting operations?** Yes / No / Unsure

If yes, then according to [\(a\)\(2\)\(i\) - abrasive blasting](#), you need to comply with the abrasive blasting [paragraph \(a\)](#) of the general industry [ventilation](#) standard. By definition, **abrasive blasting** is the forcible application of an abrasive to a surface by pneumatic pressure, hydraulic pressure, or centrifugal force and **abrasive** is a solid substance used in an abrasive blasting operation.

**Paragraph (a)** requires complying with [subpart Z](#) - toxic and hazardous substances when respirable dust or fume are in the breathing zone of the abrasive-blasting operator or any other worker and complying with the referenced consensus standards (also see [incorporation by reference](#)). In addition, it provides requirements pertaining to blast-cleaning enclosures, exhaust ventilation systems, personal protective equipment, and operational procedures and general safety.

*Note: This standard does not apply to steam blasting, or steam cleaning, or hydraulic cleaning methods where work is done without the aid of abrasives. Also reference [prohibited operations](#) in Subpart G - Related Terminal Operations and Equipment.*

More related information can be found on our safety and health topics pages for [abrasive blasting](#), [personal protective equipment](#), [hierarchy of controls](#) and [respiratory protection](#).

**Do you conduct medical surveillance and/or exposure monitoring?** Yes / No / Unsure

If yes, then according to [\(a\)\(2\)\(ii\) - access to employee exposure and medical records](#), you need to comply with the general industry standard for [access to employee exposure and medical records](#). It applies to all employee exposure and medical records, and analyses thereof, of such employees, whether or not the records are mandated by specific occupational safety and health standards.

It is applicable to each general industry, maritime, and construction employer who makes, maintains, contracts for, or has access to employee exposure or medical records, or analyses thereof, pertaining to employees exposed to toxic substances or harmful physical agents. This standard applies to all employee exposure and medical records, and analyses thereof, made or maintained in any manner, including on an in-house or contractual (e.g., fee-for-service) basis.

This standard provides requirements for the preservation of records as follows: medical records for each employee shall be preserved and maintained for at least the duration of employment plus thirty (30) years and employee exposure records shall be preserved and maintained for at least thirty (30) years. It provides requirements pertaining to record access, trade secrets, employee information, and transfer of records. The appendices cover the following: [appendix A](#) provides a sample authorization letter for the release of employee medical record information to a designated representative and [appendix B](#) pertains to the availability of NIOSH registry of toxic effects of chemical substances (RTECS).

This standard also provides definitions such as:

[Exposure or exposed](#) means that an employee is subjected to a toxic substance or harmful physical agent in the course of employment through any route of entry (inhalation, ingestion, skin contact or absorption,

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etc.), and includes past exposure and potential (e.g., accidental or possible) exposure, but does not include situations where the employer can demonstrate that the toxic substance or harmful physical agent is not used, handled, stored, generated, or present in the workplace in any manner different from typical non-occupational situations.

Employee exposure record means a record containing any of the following kinds of information:

- Environmental (workplace) monitoring or measuring of a toxic substance or harmful physical agent, including personal, area, grab, wipe, or other form of sampling, as well as related collection and analytical methodologies, calculations, and other background data relevant to interpretation of the results obtained;
- Biological monitoring results which directly assess the absorption of a toxic substance or harmful physical agent by body systems (e.g., the level of a chemical in the blood, urine, breath, hair, fingernails, etc.) but not including results which assess the biological effect of a substance or agent or which assess an employee's use of alcohol or drugs;
- (Material) safety data sheets indicating that the material may pose a hazard to human health; **or**
- In the absence of the above, a chemical inventory or any other record which reveals where and when used and the identity (e.g., chemical, common, or trade name) of a toxic substance or harmful physical agent.

Employee medical record means a record concerning the health status of an employee which is made or maintained by a physician, nurse, or other health care personnel, or technician, including:

- Medical and employment questionnaires or histories (including job description and occupational exposures),
- The results of medical examinations (pre-employment, pre-assignment, periodic, or episodic) and laboratory tests (including chest and other X-ray examinations taken for the purpose of establishing a base-line or detecting occupational illnesses and all biological monitoring not defined as an "employee exposure record"),
- Medical opinions, diagnoses, progress notes, and recommendations,
- First aid records,
- Descriptions of treatments and prescriptions, **and**
- Employee medical complaints.

More related information can be found on our safety and health topics page for [recording and reporting](#), [medical services and first aid](#), [employee exposure and medical records](#) and [hierarchy of controls](#).

**Do you have commercial diving operations?** Yes / No / Unsure

If yes, then according to [\(a\)\(2\)\(iii\) - commercial diving operations](#), you need to comply with [subpart T](#) of the general industry standards. Subpart T provides the requirements for commercial diving operations and applies to [diving and related support operations](#) that are conducted in connection with all types of work and employments, including general industry, construction, ship repairing, shipbuilding, shipbreaking and longshoring. This standard does not apply to any diving operation:

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- Performed solely for instructional purposes, using open-circuit, compressed-air SCUBA and conducted within the no-decompression limits;
- Performed solely for search, rescue, or related public safety purposes by or under the control of a governmental agency; or
- Governed by [45 CFR Part 46](#) (Protection of Human Subjects, U.S. Department of Health and Human Services) or equivalent rules or regulations established by another federal agency, which regulate research, development, or related purposes involving human subjects.

This subpart provides applicable [definitions](#) along with the following requirements for commercial diving operations:

- *Qualifications of dive team;*
- *Safe practices manual;*
- *Pre-dive procedures;*
- *Procedures during dive;*
- *Post-dive procedures;*
- *SCUBA diving;*
- *Surface-supplied air diving;*
- *Mixed-gas diving;*
- *Liveboarding;*
- *Equipment;*
- *Recordkeeping requirements.*

To learn more about the standards in subpart T, go to the webpage [Does "Subpart T - Commercial Diving Operations" Apply to you?](#). Additional related best practice information for non-commercial diving operations can be found in our publication, [A Guide to Public Safety Diving](#).

**Do you have buildings, structures or other premises that have electrical installations and utilization equipment?** Yes / No / Unsure

If yes, then according to [\(a\)\(2\)\(iv\) - electrical](#), you need to comply with the following standards in [subpart S](#) of the general industry standards. Most employers have buildings, structures and/or other premises that have electrical installations and utilization equipment installed or used within them and are covered under [electric utilization systems](#). This includes:

- *Yards;*
- *Carnivals;*
- *Parking and other lots;*
- *Mobile homes;*
- *Recreational vehicles;*
- *Industrial substations;*
- *Conductors that connect the installations to a supply of electricity; and*
- *Other outside conductors on the premises.*

This section (design safety standards) does not apply to:

- *Installations in ships, watercraft, railway rolling stock, aircraft, or automotive vehicles other than mobile homes and recreational vehicles;*

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- *Installations underground in mines;*
- *Installations of railways for generation, transformation, transmission, or distribution of power used exclusively for operation of rolling stock or installations used exclusively for signaling and communication purposes;*
- *Installations of communication equipment under the exclusive control of communication utilities, located outdoors or in building spaces used exclusively for such installations;*
- *Installations under the exclusive control of electric utilities for the purpose of communication or metering; or*
- *Generation, control, transformation, transmission, and distribution of electric energy located in buildings used exclusively by utilities for such purposes or located outdoors on property owned or leased by the utility or on public highways, streets, roads, etc., or outdoors by established rights on private property.*

**Note:** According to [paragraph \(b\)](#) of the [electric utilization systems](#) standard, some requirements of the following standards do not apply based on installation dates: [general](#); [wiring design and protection](#); [wiring methods, components, and equipment for general use](#); [specific purpose equipment and installations](#); [hazardous locations](#); and [special systems](#). Reference **paragraph (b)** for more information.

This section of the subpart also contains the standard, [general](#) (general requirements), that pertains to examination, installation, and use of equipment; electrical connections; arcing parts; marking; disconnecting means and circuits; 600 volts, nominal or less (i.e., work space, guarding); over 600 volts, nominal (i.e., enclosures, entrance, exits, illumination); and other general requirements. The [wiring design and protection](#) standard provides additional requirements pertaining to use and identification of grounded and grounding conductors; branch circuits (i.e., ground fault circuit interrupters, competent person); outside conductors, 600 volts, nominal or less; location of outdoor lamps; services (i.e., disconnecting means); overcurrent protection; and grounding (i.e., generators, connections).

The standard on [wiring methods, components, and equipment for general use](#) provides requirements pertaining to wiring methods (i.e., temporary wiring, cable trays, open wiring on insulators); cabinets, boxes, and fittings (i.e., conductors, covers, canopies, junction boxes); switches; switchboards and panelboards; enclosures for damp or wet locations; conductors for general wiring; flexible cords and cables; portable cables over 600 volts, nominal; fixture wires; and equipment for general use (i.e., lighting fixtures, lampholders, lamps, receptacles, appliances, motors, batteries).

*Do you have any of the following or similar installations: electric signs, outline lighting, hoists, cranes, elevators, dumbwaiters, escalators, moving walks, wheelchair lifts, stairway chair lifts, electric welders, information technology equipment, x-ray equipment, induction heating equipment, dielectric heating equipment, electrolytic cells (i.e., electrolytic cell lines, process power supply for the production of aluminum, cadmium, chlorine, copper, fluorine, hydrogen peroxide, magnesium, sodium, sodium chlorate and zinc), irrigation machines (i.e., electrically driven or controlled), swimming pools, fountains, carnivals, fairs, and/or circuses?*

If yes, then you also need to comply with the standard on [specific purpose equipment and installations](#). This standard includes specific requirements for the equipment and installations listed above (or similar in nature) pertaining to disconnecting means, location, switches, operation, control panels, signs, identification, guarding and grounding, remote control, portable electric equipment, power supply

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circuits, receptacles, lighting fixtures, ceiling fans, cord and plug-connected equipment, distribution boxes, and termination boxes.

*Do you have any of the following or similar occupancy: aircraft hangars, gasoline dispensing and service stations, bulk storage plants for gasoline or other volatile flammable liquids, paint-finishing process plants, health care facilities, agricultural or other facilities where excessive combustible dusts may be present, marinas, boat yards, or petroleum and chemical processing plants?*

If yes, then you also need to comply with the standard on [hazardous \(classified\) locations](#). It covers electric equipment and wiring that are classified depending on the properties of the flammable vapors, liquids or gases, or combustible dusts or fibers that may be present and the likelihood that a flammable or combustible concentration or quantity is present. This standard provides the requirements pertaining to classifications (i.e., class 1, division 1), documentation, electrical installations, conduits, equipment in division 2 locations, protection techniques (i.e., explosion proof apparatus, dust ignition proof, purged and pressurized), and class 1, zone 0, 1, and 2 locations.

*Do you have systems operating at over 600 volts?*

If yes, then you also need to comply with the standard on [special systems](#). It contains the general requirements for all circuits and equipment operated at over 600 volts pertaining to aboveground wiring methods, insulation shielding, moisture or mechanical protection for metal-sheathed cables, interrupting and isolating devices, mobile and portable equipment, and tunnel installations. It also provides specific requirements for emergency power systems (i.e., signs); class 1, class 2, and class 3 remote control, signaling, and power-limited circuits; fire alarm systems; communication systems; solar photovoltaic systems; and integrated electrical systems.

Additional information can be found on the safety and health topic pages for [electrical safety](#), [flammable liquids](#), [lockout/tagout](#) and [personal protective equipment](#).

**Do employees work on or near exposed energized parts? Yes / No / Unsure**

If yes, then according to [\(a\)\(2\)\(iv\) - electrical](#), you need to comply with the following standards in [subpart S](#) of the general industry standards. According to the scope, the [electrical safety-related work practices](#) section applies to qualified and unqualified persons working on, near, or with installations of electric conductors and equipment within or on buildings or other structures, and on other premises such as yards, carnival, parking, and other lots, and industrial substations; installations of conductors that connect to the supply of electricity; and installations of other outside conductors on the premises; installations of optical fiber cable where such installations are made along with electric conductors.

[Qualified persons](#) are those who have training in avoiding the electrical hazards of working on or near exposed energized parts.

[Unqualified persons](#) those with little or no such training working on or near exposed energized parts.

This section does not apply to:

- *Generation, transmission, and distribution installations;*

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- *Installations of communication equipment;*
- *Installations in ships, watercraft, railway rolling stock, aircraft, or automotive vehicles other than mobile homes and recreational vehicles; or*
- *Installations of railways for generation, transformation, transmission, or distribution of power used exclusively for operation of rolling stock or installations of railways used exclusively for signaling and communication purposes.*

This section of subpart S provides [training](#) requirements for the employees who face a risk of electric shock that is not reduced to a safe level by the electrical installation requirements provided in the first section of this subpart. The training requirements for training content including safety-related work practices, skills to distinguish exposed live parts, determining the nominal voltage of exposed live parts, clearance distances, and type of training (i.e., classroom or on-the-job) determined by the risk to the employee.

It also provides [selection and use of work practices](#) standard which applies to work on or near exposed energized and deenergized parts that expose the employee to electrical hazards. This standard provides requirements for safety-related work practices, working on or near exposed deenergized parts (i.e., application of locks and tags, deenergizing equipment, reenergizing equipment), and working on or near exposed energized parts (i.e., overhead lines, vehicular and mechanical equipment, illumination, confined spaces, portable ladders, housekeeping duties, interlocks).

The standard on [use of equipment](#) applies to the use of cord and plug connected equipment, including flexible cord sets (extension cords) and provides requirements pertaining to handling portable electric equipment (i.e., inspections, grounding type equipment, conductive work locations), electric power and lighting circuits (i.e., routine opening and closing circuits, overcurrent protection modification), test instruments and equipment (i.e., use, inspections, rating of equipment, use of flammable or ignitable materials).

The [safeguards for personnel protection](#) standard provides additional requirements for employee protection including use of personal protective equipment (reference [subpart I](#) - personal protective equipment), and protective equipment and tools (i.e., insulating tools or handling equipment, fuse handling equipment, alerting techniques, safety signs and tags, barricades, attendants).

Additional information can be found on the safety and health topic pages for [electrical safety](#), [lockout/tagout](#), [confined spaces](#), [walking and working surfaces](#) and [personal protective equipment](#).

**Do you have grain handling facilities?** Yes / No / Unsure

If yes, then according to [\(a\)\(2\)\(v\) - grain handling facilities](#), you need to comply with the general industry standard for [grain handling facilities](#). It applies to grain elevators, feed mills, flour mills, rice mills, dust pelletizing plants, dry corn mills, soybean flaking operations, and the dry grinding operations of soybean and contains requirements for the control of grain dust fires and explosions, and certain other safety hazards associated with grain handling facilities and applies, in addition, to all other relevant provisions of the general industry standards (or [marine terminal](#) standards).

The requirements pertain to emergency action plans (reference the standard on [emergency action plans](#)), training, hot work permits, entry into grain storage structures, entry into flat storage structures,

contractors, housekeeping, grate openings, filter collectors, preventive maintenance, grain stream processing equipment, emergency escape, continuous-flow bulk raw grain dryers, and inside bucket elevators. [Appendix A](#) provides examples of achieving performance goals in the standard. It also includes definitions such as:

[Hot work](#) means work involving electric or gas welding, cutting, brazing, or similar flame producing operations.

[Grain elevator](#) means a facility engaged in the receipt, handling, storage, and shipment of bulk raw agricultural commodities such as corn, wheat, oats, barley, sunflower seeds, and soybeans.

[Fugitive grain dust](#) means combustible dust particles, emitted from the stock handling system, of such size as will pass through a U.S. Standard 40 mesh sieve (425 microns or less).

These standards also provide requirements for an emergency action plan, hot work permits, training, contractors, housekeeping, preventive maintenance, emergency escape, and inside bucket elevators.

Other related information can be found in the safety and health topics pages for [grain handling facilities](#), [emergency action plans](#), [combustible dust](#), [respiratory protection](#), [welding and cutting](#), and [personal protective equipment](#).

**Are employees exposed to any chemical during normal conditions or in foreseeable emergencies?**  
Yes / No / Unsure

If yes, then according to [\(a\)\(2\)\(vi\) - hazard communication](#), you need to comply with the general industry standard for [hazard communication](#). It applies to any chemical which is known to be present in the workplace in such a manner that employees may be exposed under normal conditions of use or in a foreseeable emergency.

This standard does not apply to:

- *Any hazardous waste as such term is defined by the Solid Waste Disposal Act, as amended by the Resource Conservation and Recovery Act of 1976, as amended (42 U.S.C. 6901 et seq.), when subject to regulations issued under that Act by the Environmental Protection Agency;*
- *Any hazardous substance as such term is defined by the Comprehensive Environmental Response, Compensation and Liability Act (CERCLA) (42 U.S.C. 9601 et seq.) when the hazardous substance is the focus of remedial or removal action being conducted under CERCLA in accordance with Environmental Protection Agency regulations.*
- *Tobacco or tobacco products;*
- *Wood or wood products, including lumber which will not be processed, where the chemical manufacturer or importer can establish that the only hazard they pose to employees is the potential for flammability or combustibility (wood or wood products which have been treated with a hazardous chemical covered by this standard, and wood which may be subsequently sawed or cut, generating dust, are not exempted);*
- *Articles; **Note:** Defined as a manufactured item other than a fluid or particle: (i) which is formed to a specific shape or design during manufacture; (ii) which has end use function(s) dependent in whole or in part upon its shape or design during end use; and (iii) which under normal conditions of use does not release more than very small quantities, e.g., minute or trace amounts of a*

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hazardous chemical (as determined under paragraph (d) of this section), and does not pose a physical hazard or health risk to employees.

- *Food or alcoholic beverages which are sold, used, or prepared in a retail establishment (such as a grocery store, restaurant, or drinking place), and foods intended for personal consumption by employees while in the workplace;*
- *Any drug, as that term is defined in the Federal Food, Drug, and Cosmetic Act when it is in solid, final form for direct administration to the patient (e.g., tablets or pills); drugs which are packaged by the chemical manufacturer for sale to consumers in a retail establishment (e.g., over-the-counter drugs); and drugs intended for personal consumption by employees while in the workplace (e.g., first aid supplies);*
- *Cosmetics which are packaged for sale to consumers in a retail establishment, and cosmetics intended for personal consumption by employees while in the workplace;*
- *Any consumer product or hazardous substance, as those terms are defined in the Consumer Product Safety Act and Federal Hazardous Substances Act, where the employer can show that it is used in the workplace for the purpose intended by the chemical manufacturer or importer of the product, and the use results in a duration and frequency of exposure which is not greater than the range of exposures that could reasonably be experienced by consumers when used for the purpose intended;*
- *Nuisance particulates where the chemical manufacturer or importer can establish that they do not pose any physical or health hazard covered under this section;*
- *Ionizing and nonionizing radiation; and*
- *Biological hazards.*

The standard does not require labeling of the following chemicals:

- *Any pesticide when subject to the labeling requirements of Federal Insecticide, Fungicide, and Rodenticide Act and labeling regulations issued under that Act by the Environmental Protection Agency;*
- *Any chemical substance or mixture that are subject to the labeling requirements the Toxic Substances Control Act and labeling regulations issued under that Act by the Environmental Protection Agency;*
- *Any food, food additive, color additive, drug, cosmetic, or medical or veterinary device or product, including materials intended for use as ingredients in such products (e.g. flavors and fragrances), when they are subject to the labeling requirements under Federal Food, Drug, and Cosmetic Act or the Virus-Serum-Toxin Act by either the Food and Drug Administration or the Department of Agriculture;*
- *Any distilled spirits (beverage alcohols), wine, or malt beverage intended for nonindustrial use, when subject to the labeling requirements of Federal Alcohol Administration Act and labeling regulations issued under that Act by the Bureau of Alcohol, Tobacco, Firearms and Explosives;*
- *Any consumer product or hazardous substance when subject to a consumer product safety standard or labeling requirement of Consumer Product Safety Act and Federal Hazardous Substances Act or regulations issued under those Acts by the Consumer Product Safety Commission; and*
- *Agricultural or vegetable seed treated with pesticides and labeled in accordance with the Federal Seed Act and the labeling regulations issued under that Act by the Department of Agriculture.*

This standard applies to laboratories only as follows:

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- Employers shall ensure that labels on incoming containers of hazardous chemicals are not removed or defaced;
- Employers shall maintain any safety data sheets that are received with incoming shipments of hazardous chemicals, and ensure that they are readily accessible during each workshift to laboratory employees when they are in their work areas;
- Employers shall ensure that laboratory employees are provided information and training; and
- Laboratory employers that ship hazardous chemicals are considered to be either a chemical manufacturer or a distributor under this rule, and thus must ensure that any containers of hazardous chemicals leaving the laboratory are correctly labeled and that a safety data sheet is provided to distributors and other employers per requirements of the standard.

This standard provides the requirements for a written hazard communication program, labels and other forms of warning, safety data sheets, information and training, trade secrets, hazard classification, chemical inventory, and non-routine tasks. The appendices for this standard cover the following: [appendix A](#) provides the health hazard criteria; [appendix B](#) provides the physical criteria; [appendix C](#) provides the allocation of label elements; [appendix D](#) provides the safety data sheets; [appendix E](#) provides definition of "trade secret"; and [appendix F](#) pertains to the guidance for hazard classifications re: carcinogenicity.

This standard also provides definitions such as:

[Chemical](#) means any substance, or mixture of substances.

[Article](#) means a manufactured item other than a fluid or particle: (i) which is formed to a specific shape or design during manufacture; (ii) which has end use function(s) dependent in whole or in part upon its shape or design during end use; and (iii) which under normal conditions of use does not release more than very small quantities, e.g., minute or trace amounts of a hazardous chemical, and does not pose a physical hazard or health risk to employees.

[Hazard class](#) means the nature of the physical or health hazards, e.g., flammable solid, carcinogen, oral acute toxicity.

[Foreseeable emergency](#) means any potential occurrence such as, but not limited to, equipment failure, rupture of containers, or failure of control equipment which could result in an uncontrolled release of a hazardous chemical into the workplace.

[Label](#) means an appropriate group of written, printed or graphic information elements concerning a hazardous chemical that is affixed to, printed on, or attached to the immediate container of a hazardous chemical, or to the outside packaging.

[Safety data sheet \(SDS\)](#) means written or printed material concerning a hazardous chemical that is prepared in accordance with the standard.

Additional information can be found on the safety and health topic pages for [hazard communication](#), [personal protective equipment](#), [eyewash stations and emergency showers](#), [organic solvents](#), [acids and bases](#), [flammable liquids](#), [hierarchy of controls](#), [employee exposure and medical](#)

*Note: This document is intended to be consistent with existing OSHA standards; therefore, if an area is considered by the reader to be inconsistent with a standard, then the OSHA standard should be followed.*

[records](#) and [respiratory protection](#).

**Do employees have occupational exposure to ionizing radiation? Yes / No / Unsure**

If yes, then according to [\(a\)\(2\)\(vii\) - ionizing radiation](#), you need to comply with the general industry standard for [ionizing radiation](#) as it applies to employee exposure to ionizing radiation. This standard provides the requirements pertaining to exposures of individuals in restricted areas, exposure to airborne radioactive material, precautionary procedures and personal monitoring, caution signs, labels, and signals, immediate evacuation warning signal, exceptions from posting requirements, exemptions for radioactive materials packaged for shipment, instruction of personnel (posting), storage of radioactive materials, waste disposal, notification if incidents, records, disclosure to former employee of individual employee's record, and Nuclear Regulatory Commission licensees - NRC contractors operating NRC plants and facilities - NRC Agreement State licensees or registrants. It also provides definitions such as:

[Radiation](#) includes alpha rays, beta rays, gamma rays, X-rays, neutrons, high-speed electrons, high-speed protons, and other atomic particles; but such term does not include sound or radio waves, or visible light, or infrared or ultraviolet light.

[Restricted area](#) means any area access to which is controlled by the employer for purposes of protection of individuals from exposure to radiation or radioactive materials.

[Rad](#) means a measure of the dose of any ionizing radiation to body tissues in terms of the energy absorbed per unit of mass of the tissue. One rad is the dose corresponding to the absorption of 100 ergs per gram of tissue (1 millirad (mrad)=0.001 rad).

Additional information can be found on our safety and health topics page for [radiation, ionizing and non-ionizing](#).

**Are employees exposed to air contaminants? Yes / No / Unsure**

This standard applies when breathing air is contaminated with harmful dusts, fogs, fumes, mists, gases, smokes, sprays, or vapors which can cause occupational diseases.

*Do you have harmful air contaminants? Note:* To answer this question, you may need to review safety data sheets, labels, conduct air monitoring, or gather other relevant data that can provide you with useful information regarding the hazards for the contaminant.

If the answer is yes, then according to [\(a\)\(2\)\(x\) - respiratory protection](#), you may need to comply with the general industry standard for [respiratory protection](#). **Note:** An employer should evaluate the use of engineering and administrative controls to minimize air contaminant exposures. If exposure levels are above the [permissible exposure limits \(PELs\)](#), (or in the absence of a PEL, another recommended level), then respirators must be provided and used in accordance with an effective respiratory protection program.

This standard applies to [general industry](#) (part 1910), [shipyards](#) (part 1915), [marine terminals](#) (part 1917), [longshoring](#) (part 1918), and [construction](#) (part 1926). This standard provides the requirements for

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using respirators when engineering control measures (e.g., ventilation, enclosures) are not effective in controlling air contaminants. This includes having a written respirator program, and providing for respirator selection, medical evaluations, fit testing, respirator use, maintenance and care, breathing air quality and use, identification of filters, cartridges and canisters, training and information, program evaluation, and recordkeeping (reference the standard on [access to employee exposure and medical records](#)). In addition, [appendix A](#) provides fit testing procedures, [appendix B-1](#) provides user seal check procedures, [appendix B-2](#) provides respirator cleaning procedures, and [appendix C](#) provides the medical questionnaire.

*Note: Voluntary Users of Respirators - [paragraph \(c\)\(2\)](#); An employer may provide respirators at the request of employees or permit employees to use their own respirators, if the employer determines that respirator use will not in itself create a hazard. If the employer determines that voluntary respirator use is permissible, they shall provide the information contained in [appendix D](#) to the employee. In addition, the employer must establish and implement those elements of a written respiratory protection program necessary to ensure that any employee using a respirator voluntarily is medically able to use that respirator, and that the respirator is cleaned, stored, and maintained so that its use does not present a health hazard to the user.*

**Exception:** Employers are not required to include in a written respiratory protection program those employees whose only use of respirators involves the voluntary use of filtering facepieces (dust masks).

This standard also provides definitions such as:

[Filtering facepiece \(dust mask\)](#) means a negative pressure particulate respirator with a filter as an integral part of the facepiece or with the entire facepiece composed of the filtering medium.

[Air-purifying respirator](#) means a respirator with an air-purifying filter, cartridge, or canister that removes specific air contaminants by passing ambient air through the air-purifying element. (i.e., N95)

[Fit test](#) means the use of a protocol to qualitatively or quantitatively evaluate the fit of a respirator on an individual.

Additional information can be found on the safety and health topics pages for [respiratory protection](#), [organic solvents](#), [hierarchy of controls](#), [personal protective equipment](#), [employee exposure and medical records](#) and [flammable liquids](#).

**Do employees use scaffolds?** Yes / No / Unsure

If the answer is yes, then according to [\(a\)\(2\)\(xi\) - safety requirements for scaffolding](#), the general industry standard for [scaffolds and rope descent systems](#) applies to you. It provides the requirements for rope descent systems including anchorages and use and requires that scaffolds used in general industry meet the requirements in 29 CFR part 1926, [subpart L](#) (Scaffolds). **Note:** [Scope and applicability](#) still references the old general industry standard for scaffolds, "Safety requirements for scaffolding".

[Scaffold](#) is defined as any temporary elevated or suspended platform and its supporting structure, including anchorage points, used to support employees, equipment, materials, and other items. For purposes of this subpart, a scaffold does not include a crane-suspended or derrick-suspended personnel

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platform or a rope descent system. **Note:** Scissorlifts meet the [definition of scaffolds](#) and fall under the requirements for scaffolds even when used for interior building maintenance.

It also covers rope descent systems that meet the following [definition](#), "A suspension system that allows an employee to descend in a controlled manner and, as needed, stop at any point during the descent." A rope descent system usually consists of a roof anchorage, support rope, a descent device, carabiner(s) or shackle(s), and a chair (seatboard). It is also called controlled descent equipment or apparatus. Rope descent systems do not include industrial rope access systems.

More information can be found on the safety and health topics pages for [walking and working surfaces](#) and [scaffolds](#).

### **Do employees service multi-piece and/or single piece rim wheels? Yes / No / Unsure**

If yes, then according to [\(a\)\(2\)\(xii\) - servicing multi-piece and single-piece rim wheels](#), you need to comply with the general industry standard for [servicing multi-piece and single piece rim wheels](#). This standard applies to the servicing of multi-piece and single piece rim wheels used on large vehicles such as trucks, tractors, trailers, buses and off-road machines. **Note:** This standard does not apply to the servicing of rim wheels used on automobiles, or on pickup trucks and vans utilizing automobile tires or truck tires designated "LT". This standard does not apply to employers and places of employment regulated under the [longshoring standards](#), [construction standards](#), or [agriculture standards](#).

It provides the requirements pertaining to employee training, tire servicing equipment, wheel component acceptability, and safe operating procedures. It also provides definitions such as:

It provides the requirements pertaining to employee training, tire servicing equipment, wheel component acceptability, and safe operating procedures. It also provides definitions such as:

[Multi-piece rim wheel](#) means the assemblage of a multi-piece wheel with the tire tube and other components.

[Multi-piece wheel](#) means a vehicle wheel consisting of two or more parts, one of which is a side or locking ring designed to hold the tire on the wheel by interlocking components when the tire is inflated.

[Single piece rim wheel](#) means the assemblage of single piece rim wheel with the tire and other components.

[Single piece wheel](#) means a vehicle wheel consisting of one part, designed to hold the tire on the wheel when the tire is inflated.

### **Are employees exposed to toxic and/or hazardous substances? Yes / No / Unsure**

If yes, then according to [\(a\)\(2\)\(xiii\) - toxic and hazardous substances](#), you need to comply with the general industry standards in [subpart Z](#) - toxic and hazardous substances as it applies to marine cargo handling activities except for the following:

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- *When a substance or cargo is contained within a sealed, intact means of packaging or containment complying with Department of Transportation or International Maritime Organization requirements*
- [Bloodborne pathogens](#)
- [Carbon monoxide](#) (See [carbon monoxide](#))
- [Hydrogen sulfide](#) [See [hydrogen sulfide paragraph \(a\)\(2\)](#)]
- [Hexavalent chromium](#) (See [chromium VI - \(Shipyard Employment\)](#))

If your employees have exposures to toxic and hazardous substances, reference the standard on [hazardous atmospheres and substances](#). It covers areas in which the employer is aware that a hazardous atmosphere or substance may exist, except where one or more of the following standards apply: [hazardous cargo](#); [carbon monoxide](#); [fumigants, pesticides, insecticides and hazardous preservatives](#); [terminal facilities handling menhaden and similar species of fish](#); [welding, cutting, and heating \(hot work\)](#); and [spray painting](#). Also reference the webpage [Does "Subpart Z - Toxic and Hazardous Substances" Apply to You?](#) to identify other applicable health standards in general industry that may apply to you.

Additional related information can be found on the safety and health topics pages for [respiratory protection](#), [personal protective equipment](#), [hazard communication](#), [employee exposure and medical records](#) and [organic solvents](#).

#### **Do employees use powered industrial trucks? Yes / No / Unsure**

If yes, then according to [\(a\)\(2\)\(xiv\) - powered industrial truck operator training](#), you need to comply with the general industry standard, [powered industrial trucks, paragraph \(l\)](#) - operator training. It includes requirements for safe operation, training program, and refresher training and evaluations.

If employees use powered industrial trucks, you should also reference the [powered industrial trucks](#) standard as it applies to every type of powered industrial truck used for material or equipment handling within a marine terminal. It does not apply to over-the-road vehicles. It provides requirements related to forklift trucks, maintenance, overhead guards, approved trucks, lifting employees, bulk cargo-moving vehicles, straddle trucks, and trailer-spotting tractors.

Additional related information can be found on the safety and health topics page for [powered industrial trucks](#) (forklifts).

#### **Do your employees have occupational exposure to chromium (vi)? Yes / No / Unsure**

If yes, you need to comply with the [chromium \(VI\)](#) standard. According to [29 CFR 1917.1\(b\)](#), 29 CFR 1915.1026 applies to any occupational exposures to hexavalent chromium in workplaces covered by this part. This standard applies to occupational exposures to chromium (VI) in all forms and compounds in general industry, except:

- *Exposures that occur in the application of pesticides regulated by the Environmental Protection Agency or another Federal government agency (e.g., the treatment of wood with preservatives);*
- *Exposures to portland cement; or*

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- *Where the employer has objective data demonstrating that a material containing chromium or a specific process, operation, or activity involving chromium cannot release dusts, fumes, or mists of chromium (VI) in concentrations at or above 0.5 µg/m<sup>3</sup> as an 8-hour time-weighted average (TWA) under any expected conditions of use.*

This standard provides requirements pertaining to permissible exposure limits, exposure determination, methods of compliance (i.e., engineering controls, work practice controls), respirator program (reference the [respiratory protection](#) general industry standard), housekeeping, protective work clothing and equipment, hygiene facilities and practices (reference the [sanitation](#) general industry standard and the shipyard employment [sanitation](#) standard), hazard communication program (reference the [hazard communication](#) general industry standard), medical surveillance, employee information and training, and recordkeeping (reference the general industry standard on [access to employee exposure and medical records](#)). Definitions for this standard include:

[Action level](#) means a concentration of airborne chromium (VI) of 2.5 micrograms per cubic meter of air (2.5 µg/m<sup>3</sup>) calculated as an 8-hour time-weighted average (TWA).

[Chromium \(VI\) \[hexavalent chromium or Cr\(VI\)\]](#) means chromium with a valence of positive six, in any form and in any compound.

[Emergency](#) means any occurrence that results, or is likely to result, in an uncontrolled release of chromium (VI). If an incidental release of chromium (VI) can be controlled at the time of release by employees in the immediate release area, or by maintenance personnel, it is not an emergency.

[Employee exposure](#) means the exposure to airborne chromium (VI) that would occur if the employee were not using a respirator.

Additional information can be found on the safety and health topics pages for [chromium VI](#), [personal protective equipment](#), [hazard communication](#), [eyewash stations and emergency showers](#), [hierarchy of controls](#), [employee exposure and medical records](#), and [respiratory protection](#).

In addition, occupational exposure to hexavalent chromium falls within the OSH Division [health hazards special emphasis program](#). Also reference [CPL 02-02-074](#) - Inspection Procedures for the Chromium (VI) Standards and [OPN 135, Special Emphasis Programs for Health Hazards](#).

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## Subpart B - Marine Terminal Operations

Does "**Subpart B —Marine Terminal Operations**" Apply to You? Yes / No / Unsure

If yes, please continue.

If you have marine terminal operations, then this subpart applies to you. [Subpart B](#) provides the requirements for [housekeeping](#) (i.e., clear of debris, access and egress unobstructed), eliminating [slippery conditions](#), [slinging](#) (i.e., no riding hooks, use of tag lines, hoisting), [stacking of cargo and pallets](#) (i.e., ensure stability), [coopering](#) (i.e., repair and reconditioning of cargo packaging), [line handling](#) (i.e., grab lines, rails, safe access), [railroad facilities](#) (i.e., chocking, use of dockboards, safeguarding employees, use of powered industrial trucks, posted warning signs, opening railcar doors), and [log handling](#) (i.e., support, hoisting, stacking, bunks, securing).

It also provides the requirements for [movement of barges and railcars](#) (i.e., cargo runners), [interference with communications](#) (i.e., no cargo handling operations if there is communication interference), [open fires](#) (i.e., open fires prohibited), [hazardous cargo](#) (i.e., special precautions, secured, clean-up, protective equipment, ventilation), [carbon monoxide](#) (i.e., exposure limits, testing, instrumentation, records), [fumigants, pesticides, insecticides and hazardous preservatives](#) (i.e., employee removal from area, testing, chemicals applied by designated persons, entering spaces with hazardous atmospheres, signage, aerating containers), [first aid and lifesaving facilities](#) (i.e., reporting injuries, first aid kits, stretchers, communication, life ring, flotation devices, ladders), [personnel](#) (i.e., qualifications of machinery operators, supervisor accident prevention proficiency), and [retention of DOT markings, placards and labels](#) (i.e., retain markings, labels and placards).

More related information can be found on our safety and health topics pages for [personal protective equipment](#), [hazard communication](#), [medical services and first aid](#), [confined spaces](#), [powered industrial trucks](#), [slings](#) and [respiratory protection](#).

Learn more about the standards within Subpart B that have "[Special Requirements](#)" including programs and plans, training and other forms of communication, procedures and controls, signs and markings, qualified and competent persons, inspections and tests, recordkeeping and documentation, personal protective equipment, and references to other standards.

Subpart B also provides additional requirements pertaining to hazardous atmospheres and emergency action plans.

## Subpart B - Marine Terminal Operations

**Do you have work areas that have or could have a hazardous atmosphere or substance?**

Yes / No / Unsure

If yes, then [hazardous atmospheres and substances](#) applies to you. This standard covers areas in which the employer is aware that a hazardous atmosphere or substance may exist, except where one or more of the following standards apply: [hazardous cargo](#); [carbon monoxide](#); [fumigants, pesticides, insecticides and](#)

[hazardous preservatives](#); [terminal facilities handling menhaden and similar species of fish](#); [welding, cutting, and heating \(hot work\)](#); and [spray painting](#).

Also reference [\(a\)\(2\)\(xiii\) - toxic and hazardous substances](#). This standard requires you to comply with the general industry standards in [subpart Z](#) - toxic and hazardous substances as it applies to marine cargo handling activities except for the following:

- *When a substance or cargo is contained within a sealed, intact means of packaging or containment complying with Department of Transportation or International Maritime Organization requirements*
- [Bloodborne pathogens](#)
- [Carbon monoxide](#) (See [carbon monoxide](#))
- [Hydrogen sulfide](#) [See [hydrogen sulfide paragraph \(a\)\(2\)](#)]
- [Hexavalent chromium](#) [See [chromium VI - \(Shipyard Employment\)](#)]

More related information can be found on our safety and health topics pages for [personal protective equipment](#), [organic solvents](#), [hazard communication](#), [confined spaces](#), and [respiratory protection](#).

#### **Do you need an emergency action plan? Yes / No / Unsure**

This will be a yes, as the standard, [emergency action plan](#), requires all employers to develop and implement an emergency action plan. The emergency action plan shall cover those designated actions employers and employees must take to ensure employee safety from fire and other emergencies. The standard has a footnote that states "When an employer directs his employees to respond to an emergency that is beyond the scope of the Emergency Action Plan developed in accordance with this standard, then [hazardous waste operations and emergency response \(q\)](#) shall apply.

More information can be found on our safety and health topic pages for [emergency action plans](#), [exits and exit routes](#), [hazard communication](#), [respiratory protection](#), [personal protective equipment](#) and [hazardous waste operations and emergency response](#).

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## Subpart C - Cargo Handling Gear and Equipment

Does "[Subpart C - Cargo Handling Gear and Equipment](#)" Apply to You? Yes / No / Unsure

If yes, please continue.

[Subpart C](#) provides the standards for cargo handling gear and equipment. *Do employees use powered industrial trucks? Do employees use cranes or derricks? Do employees use vehicles at the worksite? Do employees use winches, conveyors, and/or hand tools?* If you answered yes to any of these questions, please proceed to see if the requirements apply to you.

This subpart also provides the standards for [house falls](#), [miscellaneous auxiliary equipment](#) (i.e., wire rope, wire rope slings, synthetic rope, natural fiber rope, synthetic web slings, chains, chain slings, shackles, pallets), [load indicating devices](#), [spouts, chutes, hoppers, bins, and associated equipment](#) (i.e., power shovels, power supplies), and [certification of marine terminal material handling devices](#) (reference mandatory [appendix I](#)).

**House falls** - spans and supporting members, winches, blocks, and standing and running rigging forming part of a marine terminal and used with a vessel's cargo gear to load or unload by means of married falls. Learn more about the standards within Subpart C that have "[Special Requirements](#)" including programs and plans, training and other forms of communication, procedures and controls, signs and markings, qualified and competent persons, inspections and tests, recordkeeping and documentation, personal protective equipment, and references to other standards.

Additional information can be found on the safety and health topics page for [materials handling and storage](#), [hoists](#) and [amputations](#).

## Subpart C - Cargo Handling Gear and Equipment

Do employees use powered industrial trucks? Yes / No / Unsure

If yes, then the standard on [powered industrial trucks](#) applies to you. It applies to every type of powered industrial truck used for material or equipment handling within a marine terminal. It does not apply to over-the-road vehicles. It provides requirements related to forklift trucks, maintenance, overhead guards, approved trucks, lifting employees, bulk cargo-moving vehicles, straddle trucks, and trailer-spotting tractors.

If you use powered industrial trucks, per scope and applicability, [paragraph \(a\)\(2\)\(xiv\)](#) - powered industrial truck operator training, you should also reference the general industry standard for powered industrial trucks, [paragraph \(I\)](#) - operator training.

Additional information can be found on the safety and health topics page for [powered industrial trucks](#) and [amputations](#).

Do employees use vehicles within the marine terminals? Yes / No / Unsure

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If yes, then you need to comply with [general rules applicable to vehicles](#) as it applies to general vehicle use within marine terminals. This standard provides requirements for trailers, signs, vehicle routes, distance between vehicles, and unattended vehicles. It also provides requirements pertaining to servicing multi-piece and single piece rim wheels which includes employee training, servicing procedures, charts and manuals, restraining devices, and other equipment.

***Exception:** Provisions of [paragraph \(c\)](#) "Trailers shall not be disconnected from tractors at loading docks until the road wheels have been immobilized. The road wheels shall be immobilized from the time the brake system is disconnected until braking is again provided. Supplementary front-end support shall be employed as necessary to prevent tipping when a trailer is entered by a material handling vehicle. Rear end support shall be employed if rear wheels are so far forward as to allow tipping when the trailer is entered." and [paragraph \(l\)](#) "Only highway vehicle floors in safe condition shall be used." do not apply when preempted by applicable regulations of the Department of Transportation (DOT) "49 CFR Part 393, Subpart C - Brakes, address the immobilization of trailer road wheels prior to disconnection of the trailer and until braking is again provided. Section 49 CFR 393.84 addresses the condition of flooring. These DOT rules apply when the motor carrier is engaged in interstate commerce or in the transport of certain hazardous items wholly within a municipality or the commercial zone thereof."*

#### **Do employees use cranes or derricks? Yes / No / Unsure**

If yes, then [cranes and derricks](#) applies to you. It applies to every kind of crane and derrick and to any other type of equipment performing the functions of a crane or derrick. It does not apply to small industrial truck-type cranes, container handling top-loaders and sideloaders, chain hoists, and mobile straddle-type cranes incapable of straddling two or more intermodal containers (16 feet (4.88 m) in width). This standard includes the requirements pertaining to ratings, radius indicators, prohibited usage, outriggers, protective devices, operating controls, booms, foot pedals, operator's station, counterweights, fire extinguishers, exhaust gases, brakes, rail-mounted cranes, stabilizing locomotive cranes, operations, power-lines, protection for employees being hoisted, and routine inspections.

This standard also references complying with [certification of marine terminal material handling devices](#). Additional information can be found on the safety and health topics pages for [cranes and derricks](#) and [hoists](#).

#### **Do employees use winches? Yes / No / Unsure**

If yes, then you need to comply with the standard on [winches](#). The standard requires guarding of moving parts, accessible stop controls, use of limit switches, and that the provisions of cranes and derricks, [paragraph \(f\)\(11\)](#) applies to winches.

Additional information can be found on the safety and health topic page for [amputations](#).

#### **Do employees use conveyors? Yes / No / Unsure**

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If yes, then the standard on [conveyors](#) applies to you. This standard provides requirements for guarding, securing of moving parts, braking, stability, emergency stop devices, loading and unloading, starting powered conveyors, lockout/tagout, and safe practices.

Additional information can be found on the safety and health topic page for [amputations](#).

**Do employees use hand tools? Yes / No / Unsure**

If yes, then you need to comply with the standard on [hand tools](#). It provides for tools to be maintained in safe operating condition, use of cutting tools and circular saws and electric tools being equipped with switches.

Additional information can be found on the safety and health topic page for [amputations](#).

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## Subpart D - Specialized Terminals

Does "Subpart D - Specialized Terminals" Apply to You? Yes / No / Unsure If yes, please continue.

[Subpart D](#) provides the standards for specialized terminals. [General](#) states that the "provisions of Subpart D shall apply to specialized terminals in addition to any other applicable requirements of this [part \(1917\)](#)."

*Does the terminal handle intermodal containers or have roll-on roll-off operations? Does terminal facilities handle menhaden or other similar species of fish?*

If you answered yes to either of these questions, please proceed for more information.

[Intermodal container](#) means a reusable cargo container of a rigid construction and rectangular configuration; fitted with devices permitting its ready handling, particularly its transfer from one mode of transport to another; so designed to be readily filled and emptied; intended to contain one or more articles of cargo or bulk commodities for transportation by water and one or more other transport modes. The term includes completely enclosed units, open top units, fractional height units, units incorporating liquid or gas tanks and other variations fitting into the container system. It does not include cylinders, drums, crates, cases, cartons, packages, sacks, unitized loads or any other form of packaging.

Learn more about the standards within Subpart D that have "[Special Requirements](#)" including programs and plans, training and other forms of communication, procedures and controls, signs and markings, qualified and competent persons, inspections and tests, recordkeeping and documentation, personal protective equipment, and references to other standards.

## Subpart D - Specialized Terminals

Does the terminal have intermodal containers or roll-on roll-off operations? Yes / No / Unsure

If yes, then you need to comply with the standard on [terminals handling intermodal containers or roll-on roll-off operations](#). It provides the requirements of marking containers (i.e., weight of the container, maximum cargo weight and sum of container and cargo), conditions for hoisting by crane or derrick (i.e., gross weight), designated areas for employee passage, use of high visibility vests, lifting fittings, intermodal container inspections, vertical tandem lifts, transporting vertically coupled containers, and safe work zones.

Additional related information can be found on the safety and health topic pages for [cranes and derricks](#), [hoists](#) and [personal protective equipment](#).

Does the terminal handle menhaden or similar species of fish? Yes / No / Unsure

*Note: This document is intended to be consistent with existing OSHA standards; therefore, if an area is considered by the reader to be inconsistent with a standard, then the OSHA standard should be followed.*

If yes, then you need to comply with [terminal facilities handling menhaden and similar species of fish](#).

The standard provides requirements relating to tanks used for receiving or storing bailwater into vessel holds, testing for hydrogen sulfide and oxygen deficiency, use of respirators (complying with the [respiratory protection](#) standard, training and knowledge of hydrogen sulfide and oxygen deficiency, and use of respiratory and rescue equipment.

This standard also references the definition of [hazardous cargo, material, substance or atmosphere](#) which is defined as:

*(1) Any substance listed in 29 CFR Part 1910, [Subpart Z](#);*

*(2) Any material in the Hazardous Materials Table and Hazardous Materials Communications Regulations of the Department of Transportation, [49 CFR Part 172](#);*

*(3) Any article not properly described by a name in the Hazardous Materials Table and Hazardous Materials Communications Regulations of the Department of Transportation, 49 CFR Part 172 but which is properly classified under the definition of those categories of dangerous articles given in [49 CFR 173](#);*  
*or*

*(4) Any atmosphere with an oxygen content of less than, 19.5%.*

Additional related information can be found on the topics page for [personal protective equipment](#), [respiratory protection](#), [medical services and first aid](#) and [hazard communication](#).

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## Subpart E—Personal Protection

Does "[Subpart E - Personal Protection](#)" Apply to You? Yes / No / Unsure If yes, please continue.

[Subpart E](#) provides the standards for personal protection including eye and face protection, respiratory protection, head protection, foot protection, other protective measures and payment for protective equipment.

*Do you have hazards involving processes or the environment, chemical hazards, radiological hazards, or mechanical irritants that are capable of causing injury or impairment to any part of the body through absorption, inhalation or physical contact?*

If yes, then you may need to comply with all or sections of subpart E. This subpart also provides the standards regarding payment for protective equipment.

Learn more about the standards within Subpart E that have "[Special Requirements](#)" including programs and plans, training and other forms of communication, procedures and controls, signs and markings, qualified and competent persons, inspections and tests, recordkeeping and documentation, personal protective equipment, and references to other standards.

**Are employees exposed to eye or face hazards?** Yes / No / Unsure

If your employees are exposed to eye or face hazards from flying particles, molten metal, liquid chemicals, acids or caustic liquids, chemical gases or vapors, or potentially injurious light radiation, then you must comply with the requirements in the standard on [eye and face protection](#). The standard requires that the personal protection meet specific consensus standards, must be maintained in good condition, and that used eye protection equipment must be cleaned and disinfected before reissuance to another employee.

It provides additional requirements for eye protection against radiant energy that can be found in the standard on [welding, cutting and heating \(hot work\), paragraph \(h\)](#) - protection against radiant energy.

This standard also requires eye protection equipment must be of a type which can be worn over spectacles for employees that wear corrective spectacles. Prescription ground safety lenses may be substituted if they provide equivalent protection.

Additional information on PPE can be found on the safety and health topics pages for [personal protective equipment](#), [welding and cutting](#), and [radiation, ionizing and non-ionizing](#).

**Are employees exposed to air contaminants?** Yes / No / Unsure

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The [respiratory protection](#) standard (redirects to [\(a\)\(2\)\(x\) - respiratory protection](#)) applies when breathing air is contaminated with harmful dusts, fogs, fumes, mists, gases, smokes, sprays, or vapors which can cause occupational diseases. Do you have harmful air contaminants? **Note:** To answer this question, you may need to review safety data sheets, labels, conduct air monitoring, or gather other relevant data that can provide you with useful information regarding the hazards for the contaminant.

If the answer is yes, according to [\(a\)\(2\)\(x\) - respiratory protection](#), you may need to comply with the general industry standard for [respiratory protection](#). **Note:** An employer should evaluate the use of engineering and administrative controls to minimize air contaminant exposures. If exposure levels are above the [permissible exposure limits \(PELs\)](#), (or in the absence of a PEL, another recommended level), then respirators must be provided and used in accordance with an effective respiratory protection program.

**PELs, or Permissible Exposure Limits**, are regulations that establish the acceptable amount or concentration of a substance in the air in the workplace. They are intended to protect workers from adverse health effects related to hazardous chemical exposure.

This standard applies to [marine terminals](#) (part 1917), as well as [general industry](#) (part 1910), [shipyards](#) (part 1915), [longshoring](#) (part 1918), and [construction](#) (part 1926).

***Note:** Voluntary Users of Respirators - [paragraph \(c\)\(2\)\(i\)](#); An employer may provide respirators at the request of employees or permit employees to use their own respirators, if the employer determines that respirator use will not in itself create a hazard. If the employer determines that voluntary respirator use is permissible, they shall provide the information contained in [Appendix D](#) to the employee. In addition, the employer must establish and implement those elements of a written respiratory protection program necessary to ensure that any employee using a respirator voluntarily is medically able to use that respirator, and that the respirator is cleaned, stored, and maintained so that its use does not present a health hazard to the user.*

**Exception:** Employers are not required to include in a written respiratory protection program those employees whose only use of respirators involves the voluntary use of filtering facepieces (dust masks).

Additional related information can be found on the safety and health topics pages for [respiratory protection](#), [personal protective equipment](#), [organic solvents](#), [flammable liquids](#) and [hazard communication](#).

**Are employees exposed to falling objects?** Yes / No / Unsure

If your employees are exposed to work areas where there is a potential for injury to the head from falling objects, then you need to comply with the [head protection](#) standard. It provides requirements pertaining to

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complying with specific consensus standards along with cleaning and disinfecting previously worn protective hats before issuance to another employee.

Additional information can be found on the safety and health topics page for [personal protective equipment](#).

**Are employees exposed to falling or rolling objects, or objects that can pierce the sole of a shoe?**  
Yes / No / Unsure

If yes, then you need to comply with the [foot protection](#) standard. It provides requirements pertaining to complying with specific consensus standards.

Additional information can be found on the safety and health topics page for [personal protective equipment](#).

**Do your employees need other protective measures?** Yes / No / Unsure

Are employees' extremities exposed to hazardous substances? Are employees working on or near the water? Are employees exposed to hazardous substances? If you answered yes to any of the questions, then you need to comply with the standard on [other protective measures](#). This standard provides requirements pertaining to additional protective clothing (i.e., coveralls), personal flotation devices (i.e., life jackets), and providing employees with emergency facilities (i.e., emergency bathing, eye washing) when exposed to hazardous substances.

Additional information can be found on the safety and health topics pages for [personal protective equipment](#) and [medical services and first aid](#).

**Does the employer or the employee pay for protective clothing?** Yes / No / Unsure

Generally, this is a yes for the employer. The standard, [payment for protective equipment](#), states that protective equipment including personal protective equipment (PPE) must be provided by the employer at no cost to the employee, however, there are some exceptions.

The employer must pay for replacement PPE, **except** when the employee has lost or intentionally damaged the PPE. Other exceptions include:

- *The employer is not required to pay for non-specialty safety-toe protective footwear (including steel-toe shoes or steel-toe boots) and non-specialty prescription safety eyewear, provided that the employer permits such items to be worn off the job-site*

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- *When the employer provides metatarsal guards and allows the employee, at his or her request, to use shoes or boots with built-in metatarsal protection, the employer is not required to reimburse the employee for the shoes or boots.*
  
- *The employer is not required to pay for:*
  - *Everyday clothing, such as long-sleeve shirts, long pants, street shoes, and normal work boots; or*
  - *Ordinary clothing, skin creams, or other items, used solely for protection from weather, such as winter coats, jackets, gloves, parkas, rubber boots, hats, raincoats, ordinary sunglasses, and sunscreen.*
  - *Where an employee provides adequate protective equipment he or she owns, the employer may allow the employee to use it and is not required to reimburse the employee for that equipment.*

***Note:** When the provisions of another OSHA standard specify whether or not the employer must pay for specific equipment, the payment provisions of that standard shall prevail.*

## Subpart F - Terminal Facilities

**Does "Subpart F - Terminal Facilities" Apply to You?** Yes / No / Unsure If yes, please continue.

If you have terminal facilities, then this will be yes as all or parts of subpart F applies to terminals. [Subpart F](#) provides the standards related to terminal facilities including maintenance and load limits, guarding of edges, clearance heights, cargo doors, platforms, skids, elevators, escalators, manlifts, ladders, stairways, employee exits, illumination, dockboards, river banks, sanitation, signs, markings and guarding temporary hazards.

[Marine terminal](#) means wharves, bulkheads, quays, piers, docks and other berthing locations and adjacent storage or adjacent areas and structures associated with the primary movement of cargo or materials from vessel to shore or shore to vessel including structures which are devoted to receiving, handling, holding, consolidating and loading or delivery of waterborne shipments or passengers, including areas devoted to the maintenance of the terminal or equipment. The term does not include production or manufacturing areas nor does the term include storage facilities directly associated with those production or manufacturing areas.

All employers that have marine terminals need to comply with [maintenance and load limits](#) (i.e., maintaining the structural integrity of docks, piers, wharves, terminals and other working surfaces; posting of load limits), [guarding edges](#) (i.e., vehicle protection (i.e., curbs, bull rails, barriers) in areas where there are waterside (i.e., aprons, bulkheads) or other edges where vehicles may fall; employee protection (i.e., criteria for guardrails, toeboards, and stair railings where employees are exposed to floor or wall openings or waterside edges), [clearance heights](#) (prominently posted), and [cargo doors](#) (i.e., specific requirements for mechanically operated, tackle operated, horizontal sliding).

In addition, subpart F provides requirements for [employee exits](#) (i.e., markings, width, accessibility, signage), [illumination](#) (i.e., lighting intensity, supplemental lighting), [dockboards and bridge plates](#) (i.e., hand holds, properly maintained, strength, ramps, slip-resistant), [guarding temporary hazards](#) (i.e., ditches, pits, excavations), [sanitation](#) (i.e., washing and toilet facilities, drinking water, prohibited eating areas, garbage and overboard discharges) and [signs and markings](#) (i.e., legibility, clearly worded, key words, signs for first aid facilities, posted telephone numbers, emergency equipment signs).

Learn more about the standards within Subpart F that have "[Special Requirements](#)" including programs and plans, training and other forms of communication, procedures and controls, signs and markings, qualified and competent persons, inspections and tests, recordkeeping and documentation, personal protective equipment, and references to other standards.

Additional related information can be found on the safety and health topics pages for [exits and exit routes](#), [illumination](#), [signs, markings and tags](#) and [walking and working surfaces](#).

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## Subpart F - Terminal Facilities

**Do your employees use platforms or skids?** Yes / No / Unsure

If yes, then you need to comply with [platforms and skids](#). It provides requirements for guardrails, falling object protection, posted or marked safe working loads, and preventing accidental movement.

**Does your terminal have elevators or escalators?** Yes / No / Unsure

If yes, then you need to comply with [platforms and skids](#). It provides requirements for guardrails, falling object protection, posted or marked safe working loads, and preventing accidental movement.

**Does your terminal have elevators or escalators?** Yes / No / Unsure

If yes, then you need to comply with the standard on [elevators and escalators](#). It provides requirements for inspections, posting load limits, and for designated persons operating elevators. It also requires that elevator landings with openings need to be provided with doors, gates, or other equivalent protection when elevator is not at the landing.

[Elevator](#) means a permanent hoisting and lowering mechanism with a car or, platform moving vertically in guides and serving two or more floors of a structure. The term excludes such devices as conveyors, tiering or piling machines, material hoists, skip or furnace hoists, wharf ramps, lift bridges, car lifts and dumpers.

[Escalator](#) means a power-driven continuous moving stairway principally intended for the use of persons.

Also reference the safety and health topic page for [hoists](#).

**Does your terminal have manlifts?** Yes / No / Unsure

If yes, then you need to comply with the standard on [manlifts](#). It provides requirements for monthly inspections of manlifts by a designated person, weekly inspections of safety switches, maintaining inspection records for one year, and posting inspections. It has requirements for an emergency stop, posting manlift instructions, having warning signs and lights, upper limit stops, handholds and steps, emergency ladders, and landings. It also has requirements for maintenance, bottom pulleys, top clearance (at least 11 feet) and brakes.

More information can be found on the safety and health topics page for [manlifts](#).

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### **Does your terminal have fixed ladders?** Yes / No / Unsure

If yes, then you need to comply with the standard on [fixed ladders](#). This standard provides requirements for handling defective ladders, ladder specifications, protection against falls (i.e., cage, ladder safety device), and individual rung ladders.

It applies to all fixed ladders except:

- *Ladders forming an integral part of railway cars, highway carriers, cargo containers or other transportation carrier equipment.*
- *Climbing devices such as step bolts or structural members of tanks and towers;*
- *Ladders built into or vertically attached to tubular scaffold framing; and*
- *Ladders used only for firefighting or emergency purposes.*

[Fixed ladder](#) means a ladder including individual rung ladders, permanently attached to a structure, building or piece of equipment.

[Ladder safety device](#) means a support system limiting an employee's drop or fall from the ladder, and which may incorporate friction brakes, lifelines and lanyards, or sliding attachments.

[Cage](#) (basket guard) means a barrier enclosing or nearly enclosing a ladder's climbing space and fastened to one or both of the ladder's side rails or to another structure.

Related information can be found on the safety and health topics page for [stairways and ladders](#).

### **Do your employees use portable ladders?** Yes / No / Unsure

If yes, then you need to comply with the standard on [portable ladders](#). This standard applies to all portable ladders, including job-made ladders for temporary use. It provides criteria for manufactured portable ladders (i.e., rung spacing, side rail width), meeting American National Standards Institute (ANSI) requirements, and criteria for job-made portable ladders. It also provides requirements for maintenance and inspections (i.e., daily, after an occurrence), and ladder usage (i.e., slip-resistant bases, extending 36 inches above support level).

Related information can be found on the safety and health topics page for [stairways and ladders](#).

### **Does your terminal have fixed stairways?** Yes / No / Unsure

If yes, then you need to comply with the standard on [fixed stairways](#). This standard provides requirements related to landings, handrails, railing height, restricted areas and maintenance.

[Fixed stairway](#) means interior and exterior stairs serving machinery, tanks and equipment, and stairs to or from floors, platforms or pits. The term does not apply to stairs intended only for fire exit purposes, to

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articulated stairs (the angle of which changes with the rise and fall of the base support) or to stairs forming an integral part of machinery.

Related information can be found on the safety and health topics page for [stairways and ladders](#).

**Does your terminal have spiral stairways? Yes / No / Unsure**

If yes, then you need to comply with the standard on [spiral stairways](#). This standard provides minimal dimensions for spiral stairways, loading capacity, railing criteria, vertical clearance and maintenance.

[Spiral stairway](#) means one with closed circular form, uniform sector-shaped treads and a supporting column.

Related information can be found on the safety and health topics page for [stairways and ladders](#).

**Is your terminal near a riverbank? Yes / No / Unsure**

If yes, you may need to comply with the standard on [riverbanks](#). This standard applies to temporary installations or temporary operations near a riverbank. It states that when working surfaces at river banks slope that are so steep that an employee could slip or fall into the water, the outer perimeter of the working surface shall be protected by posting or other portable protection such as roping off. In these situations, employees must wear a personal flotation device meeting the requirements of other protective devices, [paragraph \(b\)](#).

Related information can be found on the safety and health topics page for [personal protective equipment](#).

## Subpart G - Related Terminal Operations and Equipment

Does "[Subpart G - Related Terminal Operations and Equipment](#)" Apply to You? Yes / No / Unsure  
If yes, please continue.

[Subpart G](#) provides the requirements for machine guarding, welding, cutting and heating, spray painting, compressed air, air receivers, fuel handling and storage, battery charging and changing, and prohibited operations (spray painting, abrasive blasting, welding, burning operations). *Do you have any of these operations at your terminal?* If yes, please proceed for more information.

Learn more about the standards within Subpart G that have "[Special Requirements](#)" including programs and plans, training and other forms of communication, procedures and controls, signs and markings, qualified and competent persons, inspections and tests, recordkeeping and documentation, personal protective equipment, and references to other standards.

## Subpart G - Related Terminal Operations and Equipment

Are your employees using machines or machinery? Yes / No / Unsure

If yes, then the standard on [machine guarding](#) applies to you. It provides general guarding requirements (i.e., securing machinery, protective devices, lockout/tagout) along with requirements for radial saws, swing cutoff saws, ripsaws, table saws, bandsaws, band resaws, abrasive wheel machinery, rotating parts, drives and connections.

[Guarded](#) means shielded, fenced, or enclosed by covers, casings, shields, troughs, spillways or railings, or guarded by position or location. Examples of guarding methods are guarding by location (positioning hazards so they are inaccessible to employees) and point of operation guarding (using barrier guards, two-hand tripping devices, electronic safety devices, or other such devices).

Related information can be found on the safety and health topics pages for [machine guarding](#), [personal protective equipment](#), [lockout/tagout](#), [amputations](#) and [abrasive wheels](#). Also reference [OPN 149 - Special Emphasis Program for Amputations](#).

Do your employees perform welding, cutting or heating operations? Yes / No / Unsure

If yes, then you need to comply with the standard on [welding, cutting and heating \(hot work\)](#). This standard includes requirements for hot work in confined spaces, fire protection, gas welding and cutting, arc welding and cutting, ventilation, employee protection, working with toxic metals and preservative coatings, and protection against radiant energy. Also reference [prohibited operations](#) for additional requirements pertaining to welding operations.

[Hot work](#) means riveting, welding, flame cutting or other fire or spark-producing operation.

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Confined space (i.e., intermodal tank containers, bailwater tanks, portable tanks) means a space having all of the following characteristics:

- *Small size;*
- *Severely limited natural ventilation;*
- *Capability to accumulate or contain a hazardous atmosphere;*
- *Exits that are not readily accessible; and*
- *A design not meant for continuous human occupancy.*

Additional related information can be found on the safety and health topics pages for [welding and cutting](#), [confined spaces](#), [hazard communication](#), [radiation, ionizing and non-ionizing](#), [compressed gases](#), [respiratory protection](#) and [personal protective equipment](#).

### **Do you have spray painting operations? Yes / No / Unsure**

If yes, then you need to comply with [spray painting](#). This standard covers painting operations connected with maintenance of structures, equipment and gear at the marine terminal and of transient equipment serviced at the terminal. It does not apply to overall painting of terminal structures under construction, major repair or rebuilding of terminal structures, or portable spraying apparatus not used regularly in the same location. It includes definitions, indoor and outdoor spraying areas and booths, and requirements for spray booths. Also reference [prohibited operations](#) for additional requirements pertaining to spray painting and the definition for [hazardous cargo, material, substance or atmosphere](#).

Spraying area means any area where flammable vapors, mists or combustible residues, dusts or deposits may be present due to paint spraying operations.

Spray booth means an enclosure containing a flammable or combustible spraying operation and confining and limiting the escape of paint, vapor and residue by means of a powered exhaust system.

Additional information can be found on the safety and health topics pages for [respiratory protection](#), [personal protective equipment](#), [hazard communication](#), [organic solvents](#), [spray finishing operations](#) and [flammable liquids](#). Also reference [STD 01-05-010](#) - Spray Booths - Average Air Velocity, [SN 19](#) - Class I and Class II, Division 2 Hazardous Locations for Spray Finishing and OSHA Technical Manual ([TED 01-00-015](#)).

### **Do your employees work with compressed air? Yes / No / Unsure**

If yes, then you need to comply with the standard on [compressed air](#). This standard requires that employees be protected by chip guarding and personal protective equipment (reference [subpart E](#) - personal protection). It also provides that compressed air used for cleaning shall not exceed a pressure of 30 psi and that compressed air will not be used to clean employees.

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[Chip guarding](#) means any method or equipment which will prevent a chip or particle (of whatever size) from being blown into the eyes or unbroken skin of the operator or other workers. Effective chip guarding may be separate from the air nozzle as in the case where screens or barriers are used. The use of protective cone air nozzles are acceptable in general for protection of the operator but barriers, baffles or screens may be required to protect other workers if they are exposed to flying chips or particles.

Additional information can be found on the safety and health topics pages for [compressed air and compressed air equipment](#) and [personal protective equipment](#).

**Do you have air receivers? Yes / No / Unsure**

If yes, then you need to comply with the standard on [air receivers](#). This standard applies to compressed air receivers and equipment used for operations such as cleaning, drilling, hoisting and chipping. It does not apply to equipment used to convey materials or in such transportation applications as railways, vehicles or cranes. It provides requirements for gauges and valves.

Additional related information can be found on the safety and health topics pages for [compressed air and compressed air equipment](#) and [personal protective equipment](#).

**Do you have fuel handling and storage areas? Yes / No / Unsure**

If yes, then you need to comply with the standard on [fuel handling and storage](#). This standard provides liquid fuel requirements such as having designated persons for fueling, prohibited smoking areas, use of portable containers, use of tanks, in case of spillage, designated fueling locations, along with dispensing hoses and nozzles. It also provides requirements for liquefied gas fuels such as fueling locations, fuel containers, fueling operations, fuel storage, vehicle storage and vehicle servicing.

Additional information can be found on the safety and health topics pages for [flammable liquids](#), [hazard communication](#) and [personal protective equipment](#).

**Do you have battery charging and/or changing areas? Yes / No / Unsure**

If yes, then you need to comply with the standard on [battery charging and changing](#). This standard provides requirements for having designated areas for charging and changing batteries, prohibition of smoking and ignition sources, use of parking brakes, providing adequate ventilation, and having flushing facilities.

Additional information can be found on the safety and health topics pages for [eyewash stations and emergency showers](#) and [personal protective equipment](#).

**Do you have prohibited operations (spray painting, blasting operations, welding, burning operations)?** Yes / No / Unsure

If yes, then you need to comply with the standard, [prohibited operations](#). This standard requires that spray painting and abrasive blasting operations are not to be conducted in the vicinity of cargo handling operations. It also states that welding and burning operations are not to be conducted in the vicinity of cargo handling operations unless hot work is part of the cargo operation. [Appendix I](#) provides requirements for special cargo gear and container spreader tests.

If you have spray painting operations, reference the standard on [spray painting](#) for additional requirements. If you conduct welding and burning operations, reference the requirements in the [welding, cutting and heating](#) standard.

Additional information can be found on the safety and health topics pages for [welding and cutting](#), [respiratory protection](#), [personal protective equipment](#), [hazard communication](#), [organic solvents](#), and [flammable liquids](#).

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# General Duty Clause

**Does the "General Duty Clause" Apply to You? Yes / No / Unsure**

This is an automatic yes. The general duty clause applies to everyone covered under the OSH Act. The GDC is used when there isn't a standard for a recognized hazard that can cause death or serious injury or serious physical harm. Examples of general duty clause violations can include hazards such as heat stress, seatbelt not on a forklift, and ergonomics.

[NCGS 95-129\(1\)](#) - General Duty Clause

- *"Each employer shall furnish to each of his employee's conditions of employment and a place of employment free from recognized hazards that are causing or are likely to cause death or serious injury or serious physical harm to his employees."*

There are four elements necessary for a GDC violation:

- *The employer failed to keep the workplace free of a hazard to which employees of that employer were exposed;*
- *The hazard was recognized in the industry;*
- *The hazard was causing or was likely to cause death or serious physical harm; and*
- *There was a feasible and useful method to correct the hazard.*

Additional information relating to GDC violations can be found in the North Carolina field operations manual, [chapter IV](#) - violations.

Learn more about the "[Special Requirements](#)" within NCGS 95-129(1) that have programs and plans, training and other forms of communication, procedures and controls, signs and markings, qualified and competent persons, inspections and tests, recordkeeping and documentation, personal protective equipment, and references to other standards.

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## Additional Assistance for Marine Terminals

If the employer still has questions regarding the OSHA standards or North Carolina state-specific standards, they can submit an inquiry about safety and health requirements to Ask OSH through the [online form](#) or by phone at 919-707-7876.

Resource information can be found on the [safety and health topics pages](#), [Maritime Safety and Health Resources \(Scan QR Code\)](#) and [29 CFR 1917 - Marine Terminals Standards With Special Requirements](#), along with the webpages for [Which OSHA Standards Apply](#) and [OSHA Standards With Special Requirements](#).

Example safety and health [programs](#) and [presentations \(pre-recorded webinars\)](#) along with [publications](#) are available to assist the employer in meeting standards requirements. Specifically, the brochure on [top ten most frequently cited serious violations](#) can be useful in identifying frequently cited violations by industry. For more information regarding the required state and federal workplace posters, go to the [NCDOL State and Federal workplace posters](#) webpage.

The [NCDOL Library](#) also offers free safety and health videos and related research assistance on consensus standards (i.e., ANSI, NFPA, NEC). The education, training and technical assistance bureau provides [free online safety and health training](#) and [outreach services](#) (i.e., speaker's bureau requests, safety booths) upon request. In addition, the [consultative services bureau](#) provides free confidential on-site employer assistance.

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## **OSH DIVISION OUTREACH RESOURCES AND SERVICES:**

*[Safety and health programs and plans](#) (i.e., example programs to be made site-specific)*

*[Safety and health topics](#) (i.e., learn more about safety and health topics)*

*[Which OSHA standards apply?](#) (identify the standards applicable to your worksite)*

*[OSHA standards with special requirements](#) (identify standards that have programs, plans, training, etc.)*

*[Safety and health presentations](#) (downloadable presentations to be made site-specific)*

*[OSHA training calendar](#) (i.e., register for webinars, in-person classroom training, virtual events)*

*[Streaming video services](#) (on-demand training)*

*[Request outreach services](#) (i.e., request training, booths, guest speaker)*

*[AskOSHA](#) (interpretations)*

*[NCDOL library](#) (i.e., consensus standards, research assistance)*

*[Inspections](#) (general industry standards that require inspections)*

*[Programs, plans and procedures](#) (general industry standards that require programs, plans, procedures)*

*[Training](#) (general industry standards that require training)*

*[OSHA enforcement procedures](#) (e.g., compliance directives, operational procedure notices)*

*[OSHA division resources](#) (provides all training and resources available on the NCDOL website via QR Codes)*

## **OTHER OUTREACH RESOURCES:**

*[Establishment search](#) (search OSHA enforcement inspections nationwide)*

*[Interpretations](#) (federal OSHA interpretations for general industry)*

*[Training](#) (Susan Harwood Grant PowerPoints)*

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