

# Q&A: Which OSHA standards require emergency action plans?

Two answers are provided below — one for general industry and another for construction.

## General industry answer

OSHA's Emergency Action Plan Standard, found at 29 CFR 1910.38, technically applies only to those employers who are required to have an emergency action plan by a particular OSHA standard, including:

- §1910.119(n), Process Safety Management of Highly Hazardous Chemicals
- §1910.120(l), (p)(8), and (q)(1) Hazardous Waste Operations and Emergency Response (HAZWOPER)
- §1910.157(a)-(b), Portable Fire Suppression Equipment
- §1910.160(c), Fixed Extinguishing Systems, general
- §1910.164(e)(3), Fire Detection Systems
- §1910.272(d) and (i)(2), Grain Handling Facilities
- §1910.1047(h), Ethylene Oxide (EtO)
- §1910.1050(d), Methylenedianiline (MDA)
- §1910.1051(j), 1,3-Butadiene

However, for all practical purposes, all employers should develop a plan to ensure the safety of their employees should an emergency occur. Most reasonable people would agree that this action makes sense.

It should also be noted that several other general industry regulations require or recommend emergency-related plans, but these regulations do not state specifically that an emergency action plan in accordance with §1910.38 is required. These include:

- §1910.66(e)(9), Powered Platforms for Building Maintenance
- §1910.1017(i), Vinyl Chloride
- §1910.1027(h), Cadmium
- §1910.1044(i), 1,2-dibromo-3-chloropropane (DBCP)
- §1910.1045(i), Acrylonitrile
- §1910.1450 (Appendix A), Occupational Exposure to Hazardous Chemicals in Laboratories

## Construction answer

Similarly, OSHA's Emergency Action Plan Standard for construction, found at 29 CFR 1926.35, applies only to those sites which are required by a particular OSHA standard to have an emergency action plan. Under 29 CFR 1926, these standards include:

- §1926.64(n), Process Safety Management of Highly Hazardous Chemicals
- §1926.65(l), (p)(8), and (q)(1), Hazardous Waste Operations and Emergency Response (HAZWOPER)
- §1926.1147, Ethylene Oxide

In addition, according to §1926.60(e)(1)(iii), the Methylenedianiline (MDA) Standard also requires an emergency action plan, but this standard references the general industry emergency action plan requirement at §1910.38.

Note that a number of other construction regulations call for emergency-related plans, but these regulations do not state specifically that an emergency action plan in accordance with either §1910.38 or §1926.35 is required, including:

- §1926.1117, Vinyl Chloride
- §1926.1127(h), Cadmium
- §1926.1144, 1,2-dibromo-3-chloropropane (DBCP)
- §1926.1145, Acrylonitrile

Again, for all practical purposes, all employers should develop a plan to ensure the safety of their employees should an emergency occur, whether or not OSHA requires such a plan.