

AMENDATORY SECTION (Amending WSR 09-01-158, filed 12/23/08, effective 3/1/09)

**WAC 296-800-370 Definitions.**

**Abatement action plans**

Refers to your written plans for correcting a WISHA violation.

**Abatement date**

The date on the citation when you must comply with specific safety and health standards listed on the citation and notice of assessment or the corrective notice of redetermination.

**Acceptable**

As used in **Electrical**, **WAC 296-800-280** means an installation or equipment is acceptable to the director of labor and industries, and approved:

- If it is accepted, or certified, or listed, or labeled, or otherwise determined to be safe by a nationally recognized testing laboratory; or

- With respect to an installation or equipment of a kind which no nationally recognized testing laboratory accepts, certifies, lists, labels, or determines to be safe, if it is inspected or tested by another federal agency, or by a state, municipal, or other local authority responsible for enforcing occupational safety provisions of the National Electrical Code, and found in compliance with the provisions of the National Electrical Code as applied in this section;

OR

- With respect to custom-made equipment or related installations which are designed, fabricated for, and intended for use by a particular customer, if it is determined to be safe for its intended use by its manufacturer on the basis of test data which the employer keeps and makes available for inspection to the director and his/her authorized representatives. Refer to federal regulation 29 CFR 1910.7 for definition of nationally recognized testing laboratory.

**Accepted**

As used in **Electrical**, **WAC 296-800-280** means an installation is accepted if it has been inspected and found by a nationally recognized testing laboratory to conform to specified plans or to procedures of applicable codes.

**Access**

As used in material safety data sheets (MSDSs) as Exposure Records, **WAC 296-800-180** means the right and opportunity to examine and copy exposure records.

**Affected employees**

As used in WISHA appeals, penalties and other procedural rules, **WAC 296-800-350** means employees exposed to hazards identified as violations in a citation.

### **Analysis using exposure or medical records**

● An analysis using exposure records or medical records can be any collection of data or a statistical study. It can be based on either:

- Partial or complete information from individual employee exposure or medical records or

- Information collected from health insurance claim records

● The analysis is not final until it has been:

- Reported to the employer or

- Completed by the person responsible for the analysis

### **ANSI**

This is an acronym for the American National Standards Institute.

### **Approved means:**

● Approved by the director of the department of labor and industries or their authorized representative, or by an organization that is specifically named in a rule, such as Underwriters' Laboratories (UL), Mine Safety and Health Administration (MSHA), or the National Institute for Occupational Safety and Health (NIOSH).

● As used in Electrical, WAC 296-800-280 means acceptable to the authority enforcing this section. The authority enforcing this section is the director of labor and industries. The definition of acceptable indicates what is acceptable to the director and therefore approved.

### **Assistant director**

The assistant director for the WISHA services division at the department of labor and industries or his/her designated representative.

### **ASTM**

This is an acronym for American Society for Testing and Materials.

### **Attachment plug or plug**

As used in the basic electrical rules, WAC 296-800-280 means the attachment at the end of a flexible cord or cable that is part of a piece of electrical equipment. When it is inserted into an outlet or receptacle, it connects the conductors supplying electrical power from the outlet to the flexible cable.

### **Bare conductor**

A conductor that does not have any covering or insulation.

### **Bathroom**

A room maintained within or on the premises of any place of employment, containing toilets that flush for use by employees.

### **Biological agents**

Organisms or their by-products.

### **Board**

As used in WISHA appeals, penalties and other procedural rules, WAC 296-800-350 means the board of industrial insurance appeals.

### **Ceiling**

An exposure limit that must not be exceeded during any part of the employee's workday. The ceiling must be determined over the

shortest time period feasible and should not exceed fifteen minutes.

**Certification**

As used in WISHA appeals, penalties and other procedural rules, WAC 296-800-350 means refers to an employer's written statement describing when and how a citation violation was corrected.

**CFR**

This is an acronym for Code of Federal Regulations.

**Chemical**

Any element, chemical compound, or mixture of elements and/or compounds.

**Chemical agents (airborne or contact)**

A chemical agent is any of the following:

- Airborne chemical agent which is any of the following:
  - Dust - solid particles suspended in air, that are created by actions such as:
    - Handling.
    - Drilling.
    - Crushing.
    - Grinding.
    - Rapid impact.
    - Detonation.
    - Decrepitation of organic or inorganic materials such as rock, ore, metal, coal, wood, and grain.
  - Fume - solid particles suspended in air, that are created by condensation from the gaseous state.
  - Gas - a normally formless fluid, such as air, which can be changed to the liquid or solid state by the effect of increased pressure or decreased temperature or both.
  - Mist - liquid droplets suspended in air. Mist is created by:
    - Condensation from the gaseous to the liquid state;
- OR
  - Converting a liquid into a dispersed state with actions such as splashing, foaming, spraying or atomizing.
  - Vapor - the gaseous form of a substance that is normally in the solid or liquid state.
  - Contact chemical agent which is any of the following:
    - Corrosive - a substance that (~~(, upon contact, causes destruction of living tissue by chemical action, including acids with a pH of 2.5 or below or caustics with a pH of 11.0 or above)~~) causes visible destruction of, or irreversible alterations in, living tissue (not inanimate surfaces) by chemical action at the site of contact.
      - Irritant - a substance that will induce a local inflammatory reaction upon immediate, prolonged, or repeated contact with normal living tissue.
      - Toxicant - a substance that has the inherent capacity to produce personal injury or illness to individuals by absorption through any body surface.

**Chemical manufacturer**

An employer with a workplace where one or more chemicals are produced for use or distribution.

**Chemical name**

The scientific designation of a chemical in accordance with one of the following:

- The nomenclature system developed by the International Union of Pure and Applied Chemistry (IUPAC)
- The Chemical Abstracts Service (CAS) rules of nomenclature
- A name which will clearly identify the chemical for the purpose of conducting a hazard evaluation.

**Circuit breaker**

● Is a device used to manually open or close a circuit. This device will also open the circuit automatically and without damage to the breaker when a predetermined overcurrent is applied. (600 volts nominal or less)

● Is a switching device capable of making, carrying, and breaking currents under normal circuit conditions, and also making, carrying for a specified time, and breaking currents under specified abnormal circuit conditions, such as those of short circuit. (Over 600 volts nominal)

**Citation**

Refers to the citation and notice issued to an employer for any violation of WISHA safety and health rules. A citation and notice may be referred to as a citation and notice of assessment but is more commonly referred to as a citation.

**Combustible liquid**

A combustible liquid has a flashpoint of at least 100°F (37.8°C) and below 200°F (93.3°C). Mixtures with at least 99% of their components having flashpoints of 200°F (93.3°C) or higher are not considered combustible liquids.

**Commercial account**

As used in Employer Chemical Hazard Communication, WAC 296-800-170 means an arrangement in which a retail distributor sells hazardous chemical(s) to an employer, generally in large quantities over time, and/or at costs that are below the regular retail price.

**Common name**

As used in Employer Chemical Hazard Communication, WAC 296-800-170 means any designation or identification such as:

- Code name
- Code number
- Trade name
- Brand name
- Generic name used to identify a chemical other than by its chemical name.

**Compressed gas**

A gas or mixture of gases that, when in a container, has an absolute pressure exceeding:

- 40 psi at 70°F (21.1°C)

OR

- 104 psi at 130°F (54.4°C) regardless of the pressure at 70°F (21.1°C)

Compressed gas can also mean a liquid with a vapor pressure

that exceeds 40 psi at 100°F (37.8°C)

**Conductor**

A wire that transfers electric power.

**Container**

As used in Employer Chemical Hazard Communication, WAC 296-800-170 means any container, except for pipes or piping systems, that contains a hazardous chemical. It can be any of the following:

- Bag
- Barrel
- Bottle
- Box
- Can
- Cylinder
- Drum
- Reaction vessel
- Storage tank

**Correction date**

The date by which a violation must be corrected. Final orders or extensions that give additional time to make corrections establish correction dates. A correction date established by an order of the board of industrial insurance appeals remains in effect during any court appeal unless the court suspends the date.

**Corrective notice**

Refers to a notice changing a citation and is issued by the department after a citation has been appealed.

**Corrosive**

A substance that (~~(, upon contact, causes destruction of living tissue by chemical action, including acids with a pH of 2.5 or below or caustics with a pH of 11.0 or above)~~) causes visible destruction of, or irreversible alterations in, living tissue (not inanimate surfaces) by chemical action at the site of contact.

**Covered conductor**

A conductor that is covered by something else besides electrical insulation.

**Damp location**

As used in basic electrical rules, WAC 296-800-280 means partially protected areas that are exposed to moderate moisture. Outdoor examples include roofed open porches and marquees. Interior examples include basements and barns.

**Department**

Those portions of the department of labor and industries responsible for enforcing the Washington Industrial Safety Act (WISHA).

**Designated representative**

- Any individual or organization to which an employee gives written authorization.
- A recognized or certified collective bargaining agent without regard to written authorization.
- The legal representative of a deceased or legally incapacitated employee.

**Director**

The director means the director of the department of labor and industries or their designee.

**Distributor**

A business, other than a chemical manufacturer or importer, that supplies hazardous chemicals to other distributors or to employers.

**Documentation**

As used in WISHA appeals, penalties and other procedural rules, WAC 296-800-350 means material that you submit to prove that a correction is completed. Documentation includes, but is not limited to, photographs, receipts for materials and/or labor.

**Dry location**

As used in basic electrical rules, WAC 296-800-280 means areas not normally subjected to damp or wet conditions. Dry locations may become temporarily damp or wet, such as when constructing a building.

**Dust**

Solid particles suspended in air that are created by actions such as:

- Handling.
- Drilling.
- Crushing.
- Grinding.
- Rapid impact.
- Detonation.
- Decrepitation of organic or inorganic materials such as rock, ore, metal, coal, wood, and grain.

**Electrical outlets**

Places on an electric circuit where power is supplied to equipment through receptacles, sockets, and outlets for attachment plugs.

**Emergency washing facilities**

Emergency washing facilities are emergency showers, eyewashes, eye/face washes, hand-held drench hoses, or other similar units.

~~((**Electrical outlets**~~

~~Places on an electric circuit where power is supplied to equipment through receptacles, sockets, and outlets for attachment plugs.))~~

**Employee**

Based on chapter 49.17 RCW, the term employee and other terms of like meaning, unless the context of the provision containing such term indicates otherwise, means an employee of an employer who is employed in the business of his or her employer whether by way of manual labor or otherwise and every person in this state who is engaged in the employment of or who is working under an independent contract the essence of which is personal labor for an employer under this standard whether by way of manual labor or otherwise.

**Employee exposure record**

As used in material safety data sheets (MSDSs) as exposure records, WAC 296-800-180 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.

#### **Employer**

Based on chapter 49.17 RCW, an employer is any person, firm, corporation, partnership, business trust, legal representative, or other business entity which engages in any business, industry, profession, or activity in this state and employs one or more employees or who contracts with one or more persons, the essence of which is the personal labor of such person or persons and includes the state, counties, cities, and all municipal corporations, public corporations, political subdivisions of the state, and charitable organizations: Provided, That any persons, partnership, or business entity not having employees, and who is covered by the Industrial Insurance Act must be considered both an employer and an employee.

#### **Exit**

Provides a way of travel out of the workplace.

#### **Exit route**

A continuous and unobstructed path of exit travel from any point within a workplace to safety outside.

#### **Explosive**

A chemical that causes a sudden, almost instant release of pressure, gas, and heat when exposed to a sudden shock, pressure, or high temperature.

#### **Exposed live parts**

Electrical parts that are:

- Not suitably guarded, isolated, or insulated

**AND**

- Capable of being accidentally touched or approached closer than a safe distance.

#### **Exposed wiring methods**

Involve working with electrical wires that are attached to surfaces or behind panels designed to allow access to the wires.

#### **Exposure or exposed**

As used in employer chemical hazard communication, WAC 296-800-170 and material safety data sheets (MSDSs) as exposure records, WAC 296-800-180. An employee has been, or may have

possibly been, subjected to a hazardous chemical, toxic substance or harmful physical agent while working. An employee could have been exposed to hazardous chemicals, toxic substances, or harmful physical agents in any of the following ways:

- Inhalation
- Ingestion
- Skin contact
- Absorption
- Related means.

The terms exposure and exposed only cover workplace exposure involving a toxic substance or harmful physical agent in the workplace different from typical nonoccupational situations in the way it is:

- Used
- Handled
- Stored
- Generated
- Present

**Exposure record**

See definition for employee exposure record.

**Extension ladder**

A portable ladder with 2 or more sections and is not self-supporting. The 2 or more sections travel in guides or brackets that let you change the length. The size of a portable ladder is determined by adding together the length of each section.

**Failure-to-abate**

Any violation(s) resulting from not complying with an abatement date.

**Final order**

Any of the following (unless an employer or other party files a timely appeal):

- Citation and notice;
- Corrective notice;
- Decision and order from the board of industrial insurance appeals;
- Denial of petition for review from the board of industrial insurance appeals; or
- Decision from a Washington State superior court, court of appeals, or the state supreme court.

**Final order date**

The date a final order is issued.

**First aid**

The extent of treatment you would expect from a person trained in basic first aid, using supplies from a first-aid kit.

Tests, such as X rays, must not be confused with treatment.

**Flammable**

A chemical covered by one of the following categories:

- Aerosol flammable means an aerosol that, when tested by the method described in 16 CFR 1500.45 yields either a flame projection more than 18 inches at full valve opening or a flashback (a flame extending back to the valve) at any degree of valve opening;
- Gas, flammable means:

- A gas that, at temperature and pressure of the surrounding area, forms a flammable mixture with air at a concentration of 13% by volume or less or

- A gas that, at temperature and pressure of the surrounding area, forms a range of flammable mixtures with air wider than 12% by volume, regardless of the lower limit.

● Liquid, flammable means any liquid having a flashpoint below 100°F (37.8°C), except any mixture having components with flashpoints of 100°F (37.8°C) or higher, the total of which make up 99% or more of the total volume of the mixture.

● Solid, flammable means a solid, other than a blasting agent or explosive as defined in 29 CFR 1910.109(a), that is likely to cause fire through friction, moisture absorption, spontaneous chemical change, or retained heat from manufacturing or processing, or which can be ignited readily. Solid, inflammable also means that when the substance is ignited, it burns so powerfully and persistently that it creates a serious hazard. A chemical must be considered to be a flammable solid if, when tested by the method described in 16 CFR 1500.44, it ignites and burns with a self-sustained flame at a rate greater than one-tenth of an inch per second along its major axis.

#### **Flashpoint**

● The minimum temperature at which a liquid gives off a vapor in sufficient concentration to ignite when tested by any of the following measurement methods:

- Tagliabue closed tester: (See American National Standard Method of Test for Flash Point by Tag Closed Tester, Z11.24-1979 (ASTM D 56-79)) for liquids with a viscosity of less than 45 Saybolt Universal Seconds (SUS) at 100°F (37.8°C), that do not contain suspended solids and do not have a tendency to form a surface film under test; or

- Pensky-Martens closed tester: (See American National Standard Method of Test for Flash Point by Pensky-Martens Closed Tester, Z11.7-1979 (ASTM D 93-79)) for liquids with a viscosity equal to or greater than 45 SUS at 100°F (37.8°C), or that contain suspended solids, or that have a tendency to form a surface film under test; or

- Setaflash closed tester: (See American National Standard Method of Test for Flash Point by Setaflash Closed Tester (ASTM D 3278-78).)

**Note:** Organic peroxides, which undergo auto accelerating thermal decomposition, are excluded from any of the flashpoint measurement methods specified above.

#### **Flexible cords and cables**

Typically used to connect electrical equipment to an outlet or receptacle. These cords can have an attachment plug to connect to a power source or can be permanently wired into the power source. Flexible cords, extension cords, cables and electrical cords are all examples of flexible cord.

#### **Floor hole**

An opening in any floor, platform, pavement, or yard that measures at least one inch but less than 12 inches at its smallest dimension and through which materials and tools (but not people)

can fall.

Examples of floor holes are:

- Belt holes
- Pipe openings
- Slot openings

**Floor opening**

An opening in any floor, platform, pavement, or yard that measures at least 12 inches in its smallest dimension and through which a person can fall.

Examples of floor openings are:

- Hatchways
- Stair or ladder openings
- Pits
- Large manholes

The following are NOT considered floor openings:

- Openings occupied by elevators
- Dumbwaiters
- Conveyors
- Machinery
- Containers

**Foreseeable emergency**

As used in Employer Chemical Hazard Communication, WAC 296-800-170 means any potential event that could result in an uncontrolled release of a hazardous chemical into the workplace. Examples of foreseeable emergencies include equipment failure, rupture of containers, or failure of control equipment.

**Fume**

Solid particles suspended in air that are created by condensation from the gaseous state.

**Gas**

A normally formless fluid, such as air, which can be changed to the liquid or solid state by the effect of increased pressure or decreased temperature or both.

**Ground**

As used in Electrical, WAC 296-800-280, a connection between an electrical circuit or equipment and the earth or other conducting body besides the earth. This connection can be intentional or accidental.

**Grounded**

A connection has been made between an electrical circuit or equipment and the earth or another conducting body besides the earth.

**Grounded conductor**

A system or circuit conductor that is intentionally grounded.

**Ground-fault circuit-interrupter**

A device whose function is to interrupt the electric circuit to the load when a fault current to ground exceeds some predetermined value that is less than that required to operate the overcurrent protective device of the supply circuit.

**Grounding conductor**

Is used to connect equipment or the grounded circuit of a wiring system to a grounding electrode or electrodes.

**Grounding conductor, equipment**

A conductor used to connect noncurrent-carrying metal parts of equipment, raceways, and other enclosures to the system grounded conductor and/or the grounding electrode conductor at the service equipment or at the source of a separately derived system.

**Guarded**

Covered, shielded, fenced, enclosed, or otherwise protected by means of suitable covers, casings, barriers, rails, screens, mats, or platforms to remove the likelihood of being accidentally touched or approached closer than a safe distance.

**Hand-held drench hoses**

Hand-held drench hoses are single-headed emergency washing devices connected to a flexible hose that can be used to irrigate and flush the face or other body parts.

**Handrail**

A single bar or pipe supported on brackets from a wall or partition to provide a continuous handhold for persons using a stair.

**Harmful physical agent**

Any physical stress such as noise, vibration, repetitive motion, heat, cold, ionizing and nonionizing radiation, and hypo- or hyperbaric pressure which:

- Is listed in the latest edition of the National Institute for Occupational Safety and Health (NIOSH) *Registry of Toxic Effects of Chemical Substances* (RTECS); or
- Has shown positive evidence of an acute or chronic health hazard in testing conducted by, or known to, the employer;

OR

- Is the subject of a material safety data sheet kept by or known to the employer showing that the material may pose a hazard to human health.

**Hazard**

Any condition, potential or inherent, which can cause injury, death, or occupational disease.

**Hazard warning**

As used in Employer Chemical Hazard Communication, WAC 296-800-170 can be a combination of words, pictures, symbols, or combination appearing on a label or other appropriate form of warning which shows the specific physical and health hazard(s), including target organ effects, of the chemical(s) in the container(s).

**Note:** See definition for physical hazard and health hazard to determine which hazards must be covered.

**Hazardous chemical**

Any chemical that is a physical or health hazard.

**Health hazard**

A chemical, mixture, biological agent, or physical agent that may cause health effects in short- or long-term exposed employees. Based on statistically significant evidence from at least one study conducted using established scientific principles. Health hazards include:

- Carcinogens

- Toxic or highly toxic agents
- Reproductive toxins
- Irritants
- Corrosives
- Sensitizers
- Hepatotoxins (liver toxins)
- Nephrotoxins (kidney toxins)
- Neurotoxins (nervous system toxins)
- Substances that act on the hematopoietic system (blood or blood-forming system)
- Substances that can damage the lungs, skin, eyes, or mucous membranes
- Hot or cold conditions.

**Hospitalization**

To be admitted to a hospital or an equivalent medical facility on an emergent in-patient basis requiring an overnight stay.

**Identity**

As used in Employer Chemical Hazard Communication, WAC 296-800-170 means any chemical or common name listed on the material safety data sheet (MSDS) for the specific chemical. Each identity used must allow cross-references among the:

- Required list of hazardous chemicals
- Chemical label
- MSDSs

**Imminent danger violation**

Any violation(s) resulting from conditions or practices in any place of employment, which are such that a danger exists which could reasonably be expected to cause death or serious physical harm, immediately or before such danger can be eliminated through the enforcement procedures otherwise provided by the Washington Industrial Safety and Health Act.

**Importer**

The first business within the Customs Territory of the USA that:

- Receives hazardous chemicals produced in other countries

AND

- Supplies them to distributors or employers within the USA

**Insulated**

A conductor has been completely covered by a material that is recognized as electrical insulation and is thick enough based on:

- The amount of voltage involved

AND

- The type of covering material

**Interim waiver**

An order granted by the department allowing an employer to vary from WISHA requirements until the department decides to grant a permanent or temporary waiver.

**Irritant**

A substance that will induce a local inflammatory reaction upon immediate, prolonged, or repeated contact with normal living tissue.

**Ladder**

Consists of 2 side rails joined at regular intervals by crosspieces called steps, rungs, or cleats. These steps are used to climb up or down.

**Listed**

Equipment is listed if it:

- Is listed in a publication by a nationally recognized laboratory (such as UL, underwriters laboratory) that inspects the production of that type of equipment,

**AND**

- States the equipment meets nationally recognized standards or has been tested and found safe to use in a specific manner.

**Material safety data sheet (MSDS)**

Written, printed, or electronic information (on paper, microfiche, or on-screen) that informs manufacturers, distributors, employers or employees about a hazardous chemical, its hazards, and protective measures as required by material safety data sheet and label preparation, chapter 296-839 WAC.

**Medical treatment**

Treatment provided by a physician or by registered professional personnel under the standing orders of a physician. Medical treatment does not include first-aid treatment even if provided by a physician or registered professional personnel.

**Mist**

Liquid droplets suspended in air. Mist is created by:

- Condensation from the gaseous to the liquid state;

**OR**

- Converting a liquid into a dispersed state with actions such as splashing, foaming, spraying or atomizing.

**Mixture**

As used in Employer Chemical Hazard Communication, WAC 296-800-170, any combination of 2 or more chemicals (if that combination did not result from a chemical reaction).

**Movable equipment**

As used in WAC 296-800-35052, a hand-held or nonhand-held machine or device;

- That is powered or nonpowered;

**AND**

- Can be moved within or between worksites

**Must**

Must means mandatory.

**NEMA**

These initials stand for National Electrical Manufacturing Association.

**NFPA**

This is an acronym for National Fire Protection Association.

**Nose**

The portion of the stair tread that projects over the face of the riser below it.

**Occupational Safety and Health Administration (OSHA)**

Created in 1970 when the U.S. Congress passed the Occupational Safety and Health Act, the Occupational Safety and Health Administration (OSHA) provides safety on the job for workers. OSHA

oversees state plans (such as WISHA in Washington) that have elected to administer the safety and health program for their state. OSHA requires WISHA rules to be at least as effective as OSHA rules.

**Office work environment**

An indoor or enclosed occupied space where clerical work, administration, or business is carried out.

In addition, it includes:

- Other workplace spaces controlled by the employer and used by office workers, such as cafeterias, meeting rooms, and washrooms.

- Office areas of manufacturing and production facilities, not including process areas.

- Office areas of businesses such as food and beverage establishments, agricultural operations, construction, commercial trade, services, etc.

**Open riser**

A stair step with an air space between treads has an open riser.

**Organic peroxide**

This is an organic compound containing the bivalent-O-O-structure. It may be considered a structural derivative of hydrogen peroxide if one or both of the hydrogen atoms has been replaced by an organic radical.

**Outlet**

See definition for electrical outlets.

**Oxidizer**

A chemical other than a blasting agent or explosive as defined in WAC 296-52-60130 or CFR 1910.109(a), that starts or promotes combustion in other materials, causing fire either of itself or through the release of oxygen or other gases.

**Permissible exposure limits (PELs)**

Permissible exposure limits (PELs) are employee exposures to toxic substances or harmful physical agents that must not be exceeded. PELs are specified in applicable WISHA rules.

**Person**

Based on chapter 49.17 RCW, one or more individuals, partnerships, associations, corporations, business trusts, legal representatives, or any organized group of persons.

**Personal eyewash units**

Personal eyewash units are portable, supplementary units that support plumbed units or self-contained units, or both, by delivering immediate flushing for less than fifteen minutes.

**Personal service room**

Used for activities not directly connected with a business' production or service function such as:

- First aid
- Medical services
- Dressing
- Showering
- Bathrooms
- Washing

- Eating

**Personnel**

See the definition for employees.

**Physical hazard**

As used in Employer Chemical Hazard Communication, WAC 296-800-170 means a chemical that has scientifically valid evidence to show it is one of the following:

- Combustible liquid
- Compressed gas
- Explosive
- Flammable
- Organic peroxide
- Oxidizer
- Pyrophoric
- Unstable (reactive)
- Water reactive

**Platform**

Platform means an extended step or landing that breaks a continuous run of stairs.

**Plug**

See definition for attachment plug.

**Potable water**

Water that you can safely drink. It meets specific safety standards prescribed by the United States Environmental Protection Agency's National Interim Primary Drinking Water Regulations, published in 40 CFR Part 141, and 40 CFR 147.2400.

**Predictable and regular basis**

Employee functions such as, but not limited to, inspection, service, repair and maintenance which are performed

- at least once every 2 weeks

OR

● 4 man-hours or more during any sequential 4-week period (to calculate man-hours multiply the number of employees by the number of hours during a 4-week period).

**Produce**

As used in Employer Chemical Hazard Communication, WAC 296-800-170, any one of the following:

- Manufacture
- Process
- Formulate
- Blend
- Extract
- Generate
- Emit
- Repackage

**Purchaser**

As used in Employer Chemical Hazard Communication, WAC 296-800-170, an employer who buys one or more hazardous chemicals to use in their workplace.

**Pyrophoric**

A chemical is pyrophoric if it will ignite spontaneously in the air when the temperature is 130°F (54.4°C) or below.

**Qualified person**

A person who has successfully demonstrated the ability to solve problems relating to the subject matter, work, or project, either by:

- Possession of a recognized degree, certificate, or professional standing;

OR

- Extensive knowledge, training and experience.

**Railing or standard railing**

A vertical barrier erected along exposed edges of a floor opening, wall opening, ramp, platform, or runway to prevent falls of persons.

**Reassume jurisdiction**

The department has decided to take back its control over a citation and notice being appealed.

**Receptacle or receptacle outlet**

As used in basic electrical rules, WAC 296-800-280 means outlets that accept a plug to supply electric power to equipment through a cord or cable.

**Record**

A record is any item, collection, or grouping of information. Examples include:

- Paper document
- Microfiche
- Microfilm
- X-ray film
- Computer record

**Repeat violation**

A violation is a repeat violation if the employer has been cited one or more times previously for a substantially similar hazard.

~~((**Refuge area**~~

- ~~● A protected space along an exit route that is separated from other spaces inside the building by a barrier with at least a one-hour fire resistance rating;~~

~~OR~~

- ~~● A floor in a building with an automatic sprinkler system that has at least two spaces that are separated by smoke-resistant partitions. See WAC 296-24-607 for requirements for automatic sprinkler systems.]) **Refuge area**~~

- A protected space along an exit route that is separated from other spaces inside the building by a barrier with at least a one-hour fire resistance rating;

OR

- A floor in a building with an automatic sprinkler system that has at least two spaces that are separated by smoke-resistant partitions. See WAC 296-24-607 for requirements for automatic sprinkler systems.

**Responsible party**

As used in employer chemical hazard communication, WAC 296-800-170. Someone who can provide appropriate information about the hazardous chemical and emergency procedures.

**Rise**

The vertical distance from the top of a tread to the top of the next higher tread.

**Riser**

The vertical part of the step at the back of a tread that rises to the front of the tread above.

**Rungs**

Rungs are the cross pieces on ladders that are used to climb up and down the ladder.

**Runway**

An elevated walkway above the surrounding floor or ground level. Examples of runways are footwalks along shafting or walkways between buildings.

**Safety factor**

The term safety factor means the ratio of when something will break versus the actual working stress or safe load when it is used.

**Self-lighting or self-luminous**

A light source that:

● Is illuminated by a self-contained power source other than batteries;

**AND**

● Operates independently from external power sources.

**Serious violation**

Serious violation must be deemed to exist in a workplace if there is a substantial probability that death or serious physical harm could result from a condition which exists, or from one or more practices, means, methods, operations, or processes which have been adopted or are in use in such workplace, unless the employer did not, and could not with the exercise of reasonable diligence, know of the presence of the violation.

~~((**Self-lighting or self-luminous**~~

~~A light source that:~~

~~● Is illuminated by a self-contained power source other than batteries;~~

~~**AND**~~

~~● Operates independently from external power sources.] )~~

**Short-term exposure limit (STEL)**

An exposure limit, averaged over a short time period (usually measured for 15 minutes) that must not be exceeded during any part of an employee's workday.

**Should**

Should means recommended.

**Single ladder**

A type of portable ladder with one section. It is distinguished by all of the following:

- It has one section
- It cannot support itself
- Its length cannot be adjusted

**Smoking**

A person is smoking if they are:

- Lighting up

- Inhaling
- Exhaling
- Carrying a pipe, cigar or cigarette of any kind that is burning

**Specific chemical identity**

This term applies to chemical substances. It can mean the:

- Chemical name
- Chemical Abstracts Service (CAS) registry number
- Any other information that reveals the precise chemical designation of the substance.

**Stair railing**

A vertical barrier attached to a stairway with an open side to prevent falls. The top surface of the stair railing is used as a handrail

**Stairs or stairway**

A series of steps and landings:

- leading from one level or floor to another,
- leading to platforms, pits, boiler rooms, crossovers, or around machinery, tanks, and other equipment
- Used more or less continuously or routinely by employees, or only occasionally by specific individuals.
- With three or more risers

**Standard safeguard**

Safety devices that prevent hazards by their attachment to:

- Machinery
- Appliances
- Tools
- Buildings
- Equipment

These safeguards must be constructed of:

- Metal
- Wood
- Other suitable materials

The department makes the final determination about whether a safeguard is sufficient for its use.

**Step ladder**

A portable ladder with:

- Flat steps
- A hinge at the top allowing the ladder to fold out and support itself
- Its length that cannot be adjusted.

**Time weighted average (TWA<sub>8</sub>)**

An exposure limit, averaged over 8 hours, that must not be exceeded during an employee's work shift.

**Toeboard**

A barrier at floor level along exposed edges of a floor opening, wall opening, platform, runway, or ramp, to prevent falls of materials.

**Toxic chemical**

As used in first aid, WAC 296-800-150, is a chemical that produces serious injury or illness when absorbed through any body surface.

**Toxic substance**

Any chemical substance or biological agent, such as bacteria, virus, and fungus, which is any of the following:

- Listed in the latest edition of the National Institute for Occupational Safety and Health (NIOSH) *Registry of Toxic Effects of Chemical Substances* (RTECS)

- Shows positive evidence of an acute or chronic health hazard in testing conducted by, or known to, the employer

- The subject of a material safety data sheet kept by or known to the employer showing the material may pose a hazard to human health.

**Toxicant**

A substance that has the inherent capacity to produce personal injury or illness to individuals by absorption through any body surface.

**Trade secret**

Any confidential:

- Formula
- Pattern
- Process
- Device
- Information
- Collection of information

The trade secret is used in an employer's business and gives an opportunity to gain an advantage over competitors who do not know or use it.

See WAC 296-62-053 for requirements dealing with trade secrets.

**Tread**

As used in stairs and stair railings, WAC 296-800-250 means the horizontal part of the stair step.

**Tread run**

As used in stairs and stair railings, WAC 296-800-250 means the distance from the front of one stair tread to the front of an adjacent tread.

**Tread width**

The distance from front to rear of the same tread including the nose, if used.

**UL (Underwriters' Laboratories, Inc.)**

You will find these initials on electrical cords and equipment. The initials mean the cord or equipment meets the standards set by the Underwriters' Laboratories, Inc.

**Unstable (reactive)**

As used in employer chemical hazard communication, WAC 296-800-170. An unstable or reactive chemical is one that in its pure state, or as produced or transported, will vigorously polymerize, decompose, condense, or will become self-reactive under conditions of shocks, pressure or temperature.

**Use**

As used in employer chemical hazard communication, WAC 296-800-170, means to:

- Package

- Handle
- React
- Emit
- Extract
- Generate as a by-product
- Transfer.

**Vapor**

The gaseous form of a substance that is normally in the solid or liquid state.

**Voltage of a circuit**

The greatest effective potential difference between any two conductors or between a conductor and ground.

**Voltage to ground**

The voltage between a conductor and the point or conductor of the grounded circuit. For undergrounded circuits, it is the greatest voltage between the conductor and any other conductor of the circuit.

**Voltage, nominal**

Nominal voltage is a value assigned to a circuit or system to designate its voltage class (120/240, 480Y/277, 600, etc.). The actual circuit voltage can vary from the value if it is within a range that permits the equipment to continue operating in a satisfactory manner.

**WAC**

This is an acronym for **Washington Administrative Code**, which are rules developed to address state law.

**Water-reactive**

As used in Employer Chemical Hazard Communication, WAC 296-800-170, a water-reactive chemical reacts with water to release a gas that is either flammable or presents a health hazard.

**Watertight**

Constructed so that moisture will not enter the enclosure or container.

**Weatherproof**

Constructed or protected so that exposure to the weather will not interfere with successful operation. Rainproof, raintight, or watertight equipment can fulfill the requirements for weatherproof where varying weather conditions other than wetness, such as snow, ice, dust, or temperature extremes, are not a factor.

**Wet location**

As used in basic electrical rules, WAC 296-800-280 means:

- Underground installations or in concrete slabs or masonry that are in direct contact with the earth
- Locations that can be saturated by water or other liquids
- Unprotected locations exposed to the weather (like vehicle washing areas)

**WISHA**

This is an acronym for the Washington Industrial Safety and Health Act.

**Work area**

As used in employer chemical hazard communication, WAC 296-800-170, a room or defined space in a workplace where hazardous

chemicals are produced or used, and where employees are present.

**Working days**

Means a calendar day, except Saturdays, Sundays, and legal holidays. Legal holidays include:

- New Year's Day - January 1
- Martin Luther King, Jr. Day
- Presidents' Day
- Memorial Day
- Independence Day - July 4
- Labor Day
- Veterans' Day - November 11
- Thanksgiving Day
- The day after Thanksgiving Day; and
- Christmas Day - December 25

The number of working days must be calculated by not counting the first working day and counting the last working day.

**Worker**

See the definition for employee.

**Workplace**

- The term workplace means:

- Any plant, yard, premises, room, or other place where an employee or employees are employed for the performance of labor or service over which the employer has the right of access or control, and includes, but is not limited to, all workplaces covered by industrial insurance under Title 51 RCW, as now or hereafter amended.

- As used in Employer Chemical Hazard Communication, WAC 296-800-170 means an establishment, job site, or project, at one geographical location containing one or more work areas.

**You**

See definition of employer.

**Your representative**

Your representative is the person selected to act in your behalf.

AMENDATORY SECTION (Amending WSR 02-16-047, filed 8/1/02, effective 10/1/02)

**WAC 296-800-15030 Make sure emergency washing facilities are functional and readily accessible.** You must:

- Provide an emergency shower:
  - When there is potential for major portions of an employee's body to contact corrosives, strong irritants, or toxic chemicals.
  - That delivers water to cascade over the user's entire body at a minimum rate of 20 gallons (75 liters) per minute for fifteen minutes or more.
- Provide an emergency eyewash:
  - When there is potential for an employee's eyes to be exposed to corrosives, strong irritants, or toxic chemicals.
  - That irrigates and flushes both eyes simultaneously while the user holds their eyes open.
  - With an on-off valve that activates in one second or less and remains on without user assistance until intentionally turned off.
  - That delivers at least 0.4 gallons (1.5 liters) of water per minute for fifteen minutes or more.

Note: Chemicals that require emergency washing facilities:

- You can determine whether chemicals in your workplace require emergency washing facilities by looking at the material safety data sheet (MSDS) or similar documents. The MSDS contains information about first-aid requirements and emergency flushing of skin or eyes.
- For chemicals developed in the workplace, the following resources provide information about first-aid requirements:
  - NIOSH Pocket Guide to Chemical Hazards
  - \*DHHS (NIOSH) Publication No. 97-140
  - \*<http://www.cdc.gov/niosh/npg/ggdstart.html>
  - Threshold Limit Values for Chemical Substances and Physical Agents American Conference of Governmental Industrial Hygienists (ACGIH)

You must:

- Make sure emergency washing facilities:
  - Are located so that it takes no more than ten seconds to reach.
  - Are kept free of obstacles blocking their use.
  - Function correctly.
  - Provide the quality and quantity of water that is satisfactory for emergency washing purposes.

Note: 

- If water in emergency washing facilities is allowed to freeze, they will not function correctly. Precautions need to be taken to prevent this from happening.
- The travel distance to an emergency washing facility should be no more than fifty feet (15.25 meters).
- For further information on the design, installation, and maintenance of emergency washing facilities, see American National Standards Institute (ANSI) publication Z358.1 - ((~~1998~~) 2009, *Emergency Eyewash and Shower Equipment*. Emergency washing facilities that are designed to meet ANSI Z358.1 - ((~~1998~~) 2009) also meet the requirements of this standard. The ANSI standard can be obtained from the American National Standards Institute, 1430 Broadway, New York, New York 10018.

Reference: 

- Training in the location and use of your emergency washing facilities is required under the employer chemical hazard communication rule, WAC 296-800-170, and the accident prevention program rule, WAC 296-800-140.
- All emergency washing facilities using "not fit for drinking" (nonpotable) water must have signs stating the water is "not fit for drinking." See WAC 296-800-23010.

