



HAZWOPER

Does everyone know what to do if there's a chemical spill?

**Oregon OSHA extends
COVID-19 rule**

**Recordability and the
COVID-19 vaccine**

**OSHA issues enforcement
guidance for Beryllium
Standards**

Information and resources to help your employees work safely

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MESSAGE FROM THE EDITOR

Meeting HAZWOPER training requirements

Releases of hazardous substances such as toxic or flammable chemicals can create an emergency situation. One reason people are seriously injured or killed by hazardous substance releases is that they enter the area without adequate training and equipment. Following the requirements in OSHA's Hazardous Waste Operations and Emergency Response, or HAZWOPER, standard helps ensure a safe, organized response.

The workers who respond to emergency releases need specialized training. The HAZWOPER rule outlines five levels of training:

- First responder at awareness level,
- First responder at operations level,
- Hazardous materials specialist,
- Hazardous materials technician, and
- On-scene incident commander.

Each subsequent level has more responsibility and requires more training, from simply notifying the proper authorities of a hazardous substance release, to cleaning up the spill, to assuming control of the incident scene.

Rather than designating employees to respond to an emergency release, employers instead may choose to evacuate all employees from the danger area and notify an outside emergency response team, such as the local fire department, to respond to the incident. It's important that employees know their role in the event of an emergency release, whether it's to evacuate or to respond.

This month's Training Blueprint has an outline you can use to provide employees with information and training about your company's plan in the event of a hazardous substance release. The Employee Handout and Quiz can be used to reinforce learning. ♦



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TRAINING BLUEPRINT – HAZWOPER

Does everyone know what to do if there's a chemical spill?

You must be ready if the release of a hazardous substance in your facility could require an emergency response. OSHA's requirements for emergency response are found at 1910.120(q) in the standard on Hazardous Waste Operations and Emergency Response (HAZWOPER).

If your employees are to respond to the release, you'll need to have a written emergency response plan and conduct employee training.

However, if you'll evacuate all employees from the area and if you will not allow any employees to assist in the emergency response efforts, you're allowed to follow an emergency action plan (1910.38) instead of an emergency response plan.

To meet HAZWOPER requirements, this emergency action plan must include provisions to notify an emergency response team to respond to the emergency. If you take this option, you should make advance arrangements with the emergency response team you plan to call.



Overview

If a release requiring an emergency response could happen, it's likely some of your employees may witness or discover the release. An adequate number of employees need to be trained to notify the proper authorities.

These employees would be considered to be first responders at the awareness level, and they do not need extensive training. In fact, much of the required training can be accomplished along with your hazard communication training.

But, unlike hazard communication training, all HAZWOPER emergency responders (including those at the awareness level) need refresher training (or they must demonstrate their competency) at least annually.

This training outline provides an overview of HAZWOPER training requirements with an emphasis on the requirements for those employees trained at the first responder awareness level.

TRAINER'S NOTE: Identify the members of your emergency response team as you discuss each training level.

Specific training elements

1. Introduce the need for organized emergency response efforts.

One reason people are seriously injured or killed by hazardous substance releases is that they enter the area without adequate training and equipment. Following the provisions in OSHA's HAZWOPER standard helps ensure a safe, organized response.

Under HAZWOPER, employers must develop an emergency response plan if employees could be exposed to hazards during emergency response efforts. Training is a big part of the emergency response plan, and the HAZWOPER rule recognizes five levels of training.

2. Clarify the duties of the first responder at the awareness level.

First responders at the awareness level are those individuals who are likely to witness or discover a hazardous substance release. Their job is to initiate the emergency response by notifying the appropriate authorities. They take no further response action beyond notifying the authorities of the release. They remain in a safe area.

3. Outline training requirements for first responders at the awareness level.

OSHA does not set a minimum number of initial training hours for first responders at the awareness level (courses could run four or more hours), but the trainees must be able to:

- Understand what hazardous substances are and the risks associated with them;
- Understand the potential outcomes of an emergency involving hazardous substances;
- Recognize the presence of hazardous substances in an emergency;
- Identify the hazardous substances, if possible;
- Understand the role of the first responder awareness individual in the employer's emergency response plan, including site security and control and the use of the U.S. Department of Transportation's *Emergency Response Guidebook*; and
- Realize the need for additional resources and make appropriate notifications.

4. Explain how some of the training for OSHA's Hazard Communication Standard meets the requirements for HAZWOPER's first responder awareness level training.

Under OSHA's Hazard Communication Standard, employees who may be exposed to hazardous chemicals need training in:

- The hazards of chemicals in the work area,
- Methods to detect a hazardous chemical,
- Measures employees can take to protect themselves,
- The details of the employer's hazard communication program, and
- Specific emergency procedures.

5. Explain the actions of the first responder at the operations level.

First responders at the operations level do not try to stop the release. They respond in a defensive manner, acting at a safe distance. They may place sorbents, shut off valves outside of the danger area, or activate emergency control systems. They must have eight hours of initial training. They must know:

- How to perform basic control, containment, and/or confinement operations within their limited capabilities;
- How to select and use proper personal protective equipment (PPE); and
- How to implement basic decontamination procedures.

6. Describe the role of hazardous materials specialists.

Hazardous materials specialists provide substance-specific knowledge. These specialists need 24 hours of initial training. A hazardous materials specialist must know:

- Chemical, toxicological, and radiological terminology and behavior;
- How to use instruments to classify, identify, and verify materials; and
- Detailed hazard and risk assessment techniques.

7. Discuss the responsibilities of hazardous materials technicians.

Hazardous materials technicians respond to stop the release. They must have 24 hours of initial training, and they must demonstrate certain competencies, including:

- How to implement the employer's emergency response plan,
- How to select and use proper PPE, and
- How to implement decontamination procedures.



8. Identify the need for an on-scene incident commander.

A successful response effort needs someone to be in command. The on-scene incident commander uses the incident command system to control and organize emergency response efforts. The incident commander must be competent in managing emergencies but does not necessarily have extensive technical knowledge.

Your facility's designated on-scene incident commander may be in charge initially, but as part of the incident command system, outside authorities (fire chief, police official, etc.) may take control according to a previously established line of authority as response efforts progress.

All employees are to follow the directions of the on-scene incident commander.

9. Summarize the requirements.

If employees are not to take active roles in the emergency response efforts, they are to evacuate according to the facility's emergency action plan. A qualified emergency response team will be called in to respond to the release. In this situation, some employees will need to be able to recognize an emergency release and call for help – this skill set is learned during training as a first responder at the awareness level.

If employees are organized to respond to a release of hazardous substances that requires an emergency response, this HAZMAT team needs training and equipment so they can perform the duties of all five of the described levels of training.

In any case, pre-planning emergency response efforts to consider each potential emergency release scenario helps keep employees safe. ♦



Key to remember: Employees must understand their role in a hazardous substance release situation and should not respond to the release unless they have been trained to do so.



Employee Handout — Chemical release? Know what you have to do

Releases of hazardous substances such as flammable, toxic, corrosive, or radioactive chemicals; disease-causing agents; or hazardous wastes can create an emergency situation. The workers who respond to emergency releases need specialized training.

What's HAZWOPER training?

There are five levels of training outlined in OSHA's Hazardous Waste Operations and Emergency Response (HAZWOPER) rule:

- First responder at awareness level,
- First responder at operations level,
- Hazardous materials specialist,
- Hazardous materials technician, and
- On-scene incident commander.

Emergency responders with this training make up a hazardous materials (HAZMAT) response team.

Each subsequent level has more responsibility and requires more training, from simply notifying the proper authorities of a hazardous substance release, to cleaning up the spill, to assuming control of the incident scene.

Awareness level

Training as a first responder at the awareness level gives you the ability to decide whether a release requires an emergency response.

As a first responder at the awareness level:

- You could witness or discover a hazardous substance release,

- Your response is limited to notifying the proper authorities, and
- You stay in a safe area.

Recognize an emergency

Some situations that would cause a hazardous substance release to require an emergency response include:

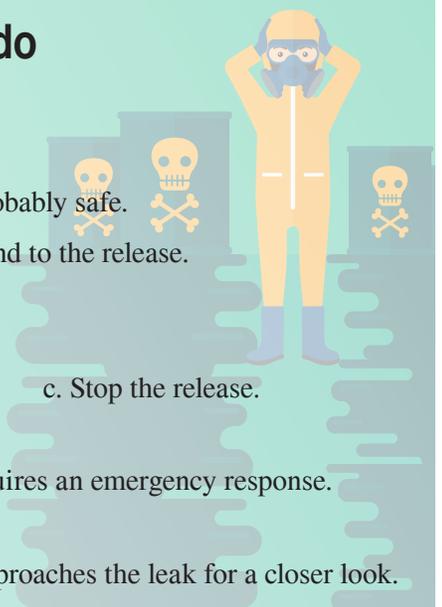
- Employees must be evacuated from the area,
- The response comes from outside the immediate release area,
- The release can cause conditions that are immediately dangerous to life and health or high levels of exposure to toxic substances,
- The release poses a serious threat of fire or explosion,
- The release requires immediate attention because of imminent danger,
- Personnel in the area may not be equipped to handle the severity of the hazard, or
- The situation is unclear or information is lacking. ♦



Quiz — Chemical release? Know what you have to do

For each question, circle the letter of the correct answer.

1. If information is lacking about a chemical release:
 - a. It's an emergency.
 - b. Anyone can take a closer look.
 - c. It's probably safe.
2. If employees must be evacuated from the release area, _____ must respond to the release.
 - a. No one.
 - b. A HAZMAT team.
 - c. The police department.
3. First responders at the awareness level:
 - a. Must be trained to recognize an emergency.
 - b. Need no training.
 - c. Stop the release.
4. If a chemical spill could easily start a fire:
 - a. Clean it up after the shift.
 - b. Anyone can clean it up.
 - c. It requires an emergency response.
5. The first responder at the awareness level:
 - a. Wears PPE to clean up the spill.
 - b. Stays in a safe area.
 - c. Approaches the leak for a closer look.



NAME: _____

DATE: _____



Oregon OSHA extends COVID-19 rule

Effective May 4, Oregon OSHA adopted a rule extending its COVID-19 workplace protections. While the final rule broadly reflects the temporary rule, it also includes some significant changes:



- Reducing the number of industry-specific appendices and limiting such requirements to those involving worker protection.
- Reducing the K-12 schools appendix and removing all references to cohorts and square footage limitations, as well as physical distancing between students.
- Requiring employers to consider alternatives to transporting multiple people in a single vehicle and providing other guidance about reducing risk while sharing vehicles. The rule does not, however, require using multiple vehicles to transport multiple employees.
- Requiring employers with more than 10 employees — and that have existing ventilation systems — to state in writing that, to the best of their knowledge, they

are running their systems in line with requirements. The final rule does not require the purchase or installation of new ventilation systems.

- Reducing required sanitation measures to reflect the most current Centers for Disease Control and Prevention (CDC) guidance.
- Requiring employers to provide written notification to employees of their rights to return to work when employees must quarantine.
- Requiring healthcare employers to provide respirators to employees working with known or suspected COVID-19-positive patients, unless such respirators are unavailable.

The final rule also makes clear that the risk assessment, infection control plan, and infection control training completed under the temporary rule do not need to be repeated as a result of the adoption of the final rule.

Oregon OSHA says the rule will be repealed when it is no longer needed to address the COVID-19 pandemic in the workplace. ♦

Recordability and the COVID-19 vaccine

Employers have many questions surrounding work and the COVID-19 vaccine: “Should we require all workers to get the vaccine?” “Should we recommend they get the vaccine?” “Should we provide the vaccines at the workplace?”



All those questions lead safety professionals to another question: “Will we have to record adverse reactions to the vaccine?”

OSHA recently provided clarification on how workers are to handle vaccine-related adverse reactions.

The short answer is: Employers only have to record adverse reactions to the COVID-19 vaccine if they required the employee to get the vaccine (and the adverse reaction meets the general recording criteria, e.g., medical treatment beyond first aid, lost worktime, etc.).

Although adverse reactions to recommended COVID-19 vaccines may be recordable under the recordkeeping requirements, OSHA is exercising its enforcement discretion to only require the recording of adverse effects to required vaccines at this time. Therefore, employers do not need to record adverse effects from COVID-19

vaccines that they recommend, but do not require.

The same holds true for a variety of scenarios where employers recommend, but do not require vaccines, including where the employer makes the COVID-19 vaccine available to employees at work, where the employer makes arrangements

for employees to receive the vaccine at an offsite location (e.g., pharmacy, hospital, local health department, etc.), and where the employer offers the vaccine as part of a voluntary health and wellness program at the workplace.

Note that for this enforcement discretion to apply, OSHA says the vaccine must be truly voluntary. For example, an employee’s choice to accept or reject the vaccine cannot affect their performance rating or professional advancement. An employee who chooses not to receive the vaccine cannot suffer any repercussions from this choice. If employees are not free to choose whether to receive the vaccine without fearing adverse action, then the vaccine is not merely “recommended,” and employers should consult OSHA’s FAQ regarding COVID-19 vaccines that are a condition of employment. ♦

OSHA issues enforcement guidance for Beryllium Standards

OSHA has issued interim guidance for its inspectors for enforcing the 2020 Beryllium Standards. The guidance applies to the general industry, construction, and shipyard rules for beryllium.

It includes inspection procedures and specific citation guidance for several areas, including:

- Permissible exposure limits,
- Exposure assessments,
- Beryllium work areas and regulated areas,
- Respiratory protection,
- Personal protective equipment, and
- Housekeeping.

The guidance supersedes OSHA's *Updated Interim Enforcement Guidance for the Beryllium Standards*, dated December 11, 2018, and will remain effective until a beryllium compliance directive is issued. ♦



Answers to quiz on page 5:

1. a; 2. b; 3. a; 4. c; 5. b



Next Month's Topic: Forklifts

Powered industrial trucks (PITs), commonly called forklifts or lift trucks, are used in many industries, primarily to move materials. Each type presents different operating hazards. Workplace type and conditions are also factors in hazards commonly associated with powered industrial trucks.

Expert Help: Questions of the Month

Question: What qualifications do HAZWOPER trainers need?



Answer: OSHA requires under 1910.120(e)(5) that trainers “be qualified to instruct employees about the subject matter that is being presented in training.” The qualifications of the instructors may be shown by academic degrees, completed training courses, and/or work experience.

OSHA does not have any specific requirements to certify an instructor. The subjects that trainers should be able to convey to employees at hazardous waste operations who need training are summarized in paragraphs (e), (p), and (q) of the standard.

Question: When is a fire considered an emergency under HAZWOPER regulations?

Answer: Fires involving spills or releases of substances which, before combustion, were defined as hazardous substances are covered by 1910.120(q). A response to a fire is considered an emergency response to the release of a hazardous substance if the material on fire can be classified as a hazardous substance before it ignited. Fires involving spills or releases of substances not classified as hazardous substances before combustion are not included in the scope of 1910.120. Similarly, structural fires and burning of houses, wood, etc. would not normally be covered by HAZWOPER. ♦

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Policyholders with as
near perfect protection,
as near perfect service
as is humanly possible,
and to do so at the
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