

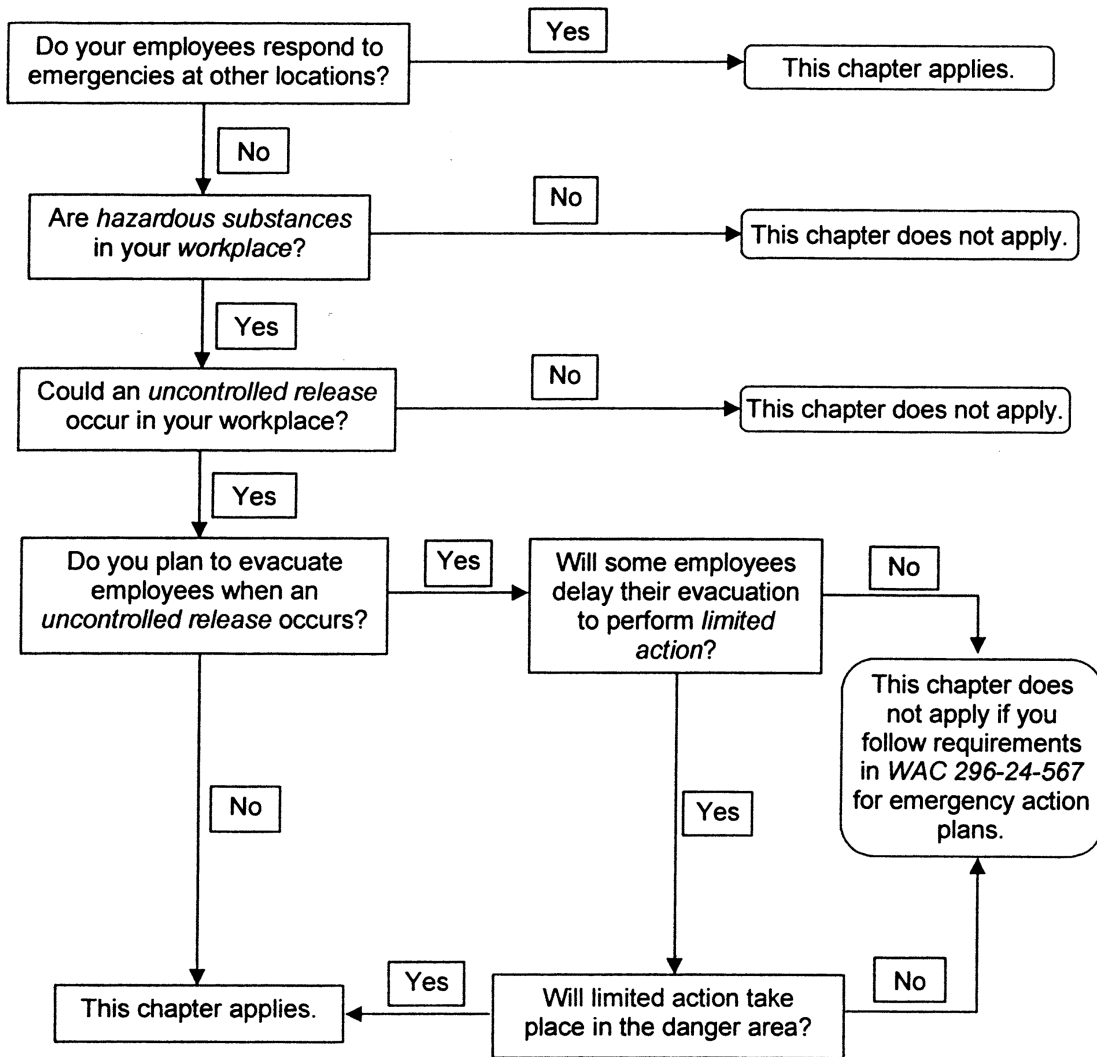
**WAC 296-824-100 Scope.** This chapter states the minimum requirements that help you protect the safety and health of your employees during a response to a *hazardous substance releases* in your workplace or any other location.

This chapter applies if your employees are, or could become, involved in responding to uncontrolled releases of hazardous substances in your workplace or any other location. Use the scope flow chart, and definitions that follow, to determine if this chapter applies to your workplace(s). Defined words are italicized in the flow chart.

**EXEMPTION:**

1. This chapter does not apply to you if your workplace is a hazardous waste site. If you are not sure about your site classification, see chapter 296-843 WAC, Hazardous waste operations.
2. If your workplace is a treatment, storage, and disposal site this chapter may apply.

**Note:** Requirements in other chapters may also apply to your workplace. You will find some safety and health requirements (for example, personal protective equipment) are addressed on a general level in the WISHA Safety and Health Core Rules, chapter 296-800 WAC, while being addressed for a specific application in this rule. When this happens, both requirements apply and should not conflict. If you are uncertain which requirements to follow, you must comply with the more protective requirement. Contact your local L&I office if you need assistance in making this determination.



**Definitions applicable to the flow chart. (See WAC 296-824-800 for additional definitions used in the chapter):**

**Danger area**

Areas where conditions pose a serious danger to employees, such as areas where:

- (a) Immediately dangerous to life or health (IDLH) conditions could exist; or

- (b) High levels of exposure to toxic substances could exist; or
- (c) There is a potential for exceeding the lower explosive limit (LEL), also known as the lower flammability limit (LFL), of a substance.

**Emergency response**

A response to an anticipated release of a hazardous substance that is, or could become, an *uncontrolled release*.

**Hazardous substance**

Any biological, radiological, or chemical substance that can have adverse effects on humans. (See WAC 296-824-800 for a more specific definition.)

**Immediately dangerous to life or health (IDLH)**

Any atmospheric condition that would:

- (a) Cause an immediate threat to life;
- (b) Cause permanent or delayed adverse health effects;
- (c) Interfere with an employee's ability to escape.

**Incidental release**

A release that can be safely controlled at the time of the release and does not have the potential to become an *uncontrolled release*.

Example of a situation that results in an incidental release:

A tanker truck is receiving a load of hazardous liquid when a leak occurs. The driver knows the only hazard from the liquid is minor skin irritation. The employer has trained the driver on procedures and provided equipment to use for a release of this quantity. The driver puts on skin protection and stops the leak. A spill kit is used to contain, absorb, and pick up the spilled material for disposal.

**Limited action**

Action necessary to:

- (a) Secure an operation during emergency responses; or
- (b) Prevent an incident from increasing in severity.

Examples include shutting down processes and closing emergency valves.

**Release**

A spill, leak, or other type of hazardous substance discharge.

**Uncontrolled release**

A release where significant safety and health risks could be created. Releases of hazardous substances that are either incidental or could not create a safety or health hazard (i.e., fire, explosion or chemical exposure) are not considered to be uncontrolled releases.

Examples of conditions that could create a significant safety and health risk:

- (a) Large-quantity releases;
- (b) Small-releases that could be highly toxic;
- (c) Potentially contaminated individuals arriving at hospitals;
- (d) Airborne exposures that could exceed a WISHA permissible exposure limit or a published exposure limit and employees are not adequately trained or equipped to control the release.

Example of an uncontrolled release:

A forklift driver knocks over a container of a solvent-based liquid, releasing the contents onto the warehouse floor. The driver has been trained to recognize the vapor is flammable and moderately toxic when inhaled. The driver has not been trained or provided appropriate equipment to address this type of spill. In this situation, it is not safe for the driver to attempt a response. The driver needs to notify someone of the release so an emergency response can be initiated.

**Workplace**

- (a) A fixed facility; or
- (b) A temporary location (such as a traffic corridor); or
- (c) Locations where employees respond to emergencies.

[Statutory Authority: RCW 49.17.010, 49.17.040, 49.17.050, and 49.17.060. WSR 17-18-075, § 296-824-100, filed 9/5/17, effective 10/6/17; WSR 07-03-163, § 296-824-100, filed 1/24/07, effective 4/1/07; WSR 02-20-034, § 296-824-100, filed 9/24/02, effective 10/1/02. Statutory Authority: RCW 49.17.010, [49.17].040, and [49.17].050. WSR 02-11-141, § 296-824-100, filed 5/22/02, effective 10/1/02.]