

U.S. DEPARTMENT OF LABOR
Occupational Safety and Health Administration
WASHINGTON, D.C. 20210
14 APR 1975

OSHA PROGRAM DIRECTIVE #200-35

To: Associate Assistant Secretaries and Assistant Regional Directors/OSH

Subject: Citations and Inspections Regarding 29 CFR 1910.93q, Standard for Exposure to Vinyl Chloride

NOTE: By order of the court, the effective date of the standard was changed from January 1, 1975, to April 1, 1975.

Attachments: 1. Federal Register, Part 1910: 29 CFR 1910.93q, Subject: "Standard for Exposure to Vinyl Chloride", dated October 4, 1974.

2. Federal Register, Part 1910: 29 CFR 1910.93q, Subject: "Standard for Exposure to Vinyl Chloride; Corrections", dated December 3, 1974.

3. NIOSH Analytical Method for Vinyl Chloride in Air.

4. OSHA Sampling Data Sheet #7a for Vinyl Chloride.

5. Federal Register, Part 11: 30 CFR Parts 11.2 and 11.2-1, Subject: "Respiratory Protective Devices, Tests for Permissibility; Fees", dated March 15, 1973.

6. Federal Register, Part 74: 42 CFR 74, Subject: "Clinical Laboratories".

1. Purpose

This directive provides guidelines to be followed in inspections, and where necessary, the issuance of citations, regarding the standard on vinyl chloride contained in 29 CFR 1910.93q.

2. Documentation Affected

This directive cancels OSHA Program Directive #200-29, Subject: "Citations and Inspections Regarding 29 CFR 1910.93q, Emergency Temporary Standard for Exposure to Vinyl Chloride", dated May 22, 1974; Field Information Memorandum #75-4, Subject: "Inspections Regarding 29 CFR 1910.93q, Standard for Exposure to Vinyl Chloride, dated October 4, 1974", dated January 8, 1975; Memorandum for Assistant Regional Directors, dated February 5, 1975 Subject: "Enforcement of 29 CFR 1910.93q Exposure to Vinyl Chloride", and Tentative OSHA Sampling Data Sheet #7.

In other words, when placarding, as specified by DOT, is not sufficient to meet the label requirements as outlined in the OSHA standard, 29 CFR 1910.93(1) supplemental and/or additional labeling will be required. The word "legible" as applied to labels on transportation vehicles would mean that the label or lettering should be similar in size and distinction to the required DOT emergency and warning instructions.

(3) "(b) Definitions. (1) 'Action level' means a concentration of vinyl chloride of 0.5 ppm averaged over an 8-hour workday."

(a) The standard provides for an "action level" of 0.5 ppm TWA, one-half of the permissible exposure limit. The purpose of an "action level" is to exempt employers, who have attained exposure levels well below the permissible limit from some provisions of the standard. For example, employers who are below the action level are not required to provide medical surveillance or to monitor again, unless the employer has reason to suspect that any employee is exposed in excess of the action level.

(4) "(5) 'Emergency' means any occurrence such as, but not limited to, equipment failure, or operation of a relief device which is likely to, or does, result in massive release of vinyl chloride."

(a) "Massive release" refers to an unexpected release of vinyl chloride. ~~It does not apply to any operation or place where the concentration of VC is greater than 100 ppm.~~ To specify, a pipe breakage might cause massive release, whereas a pipe leak might release only a small amount of VC and therefore not be considered massive release. Also heat sealing, such as meat wrapping, would not be expected to cause massive release.

(5) "(6) 'Fabricated product' means a product made wholly or partly from polyvinyl chloride and which does not require further processing at temperatures, and for times, sufficient to cause mass melting of the polyvinyl chloride resulting in the release of vinyl chloride."

(a) "Mass melting" is the loss, by thermal processing, of the structural form or identity of a material, such that a physical forming process is required to maintain or recover such original form (if such maintenance or recovery is desired).

(6) "(c) Permissible exposure limit. (1) ~~The employee is exposed to vinyl chloride at concentrations greater than 1 ppm averaged over an 8-hour period and...~~"

(a) The time necessary for an OSHA CSHO to obtain a representative 8-hour Time Weighted Average (TWA) of the employee's exposure will have to be determined by the CSHO making the inspection. Full period sampling over the 8-hour workday to determine the VC concentration is preferred to intermittent sampling or partial period sampling. However, full period sampling may not always be practical and/or possible for the CSHO. Therefore, he or she will have to exercise his or her best judgment and sample accordingly. In all events, the samples taken must be representative of the exposures of the employees and should include as much of the 8-hour period as is possible.

To compute the TWA where the exposure was sampled for 8 hours:

$$TWA = \frac{C_a T_a + C_b T_b + \dots + C_n T_n}{8}$$

where C = concentration of vinyl chloride during any period of time

T = duration in hours of the exposure at the concentration C.

To illustrate:

Two hours exposure at 0.2 ppm.
Four hours exposure at 3.0 ppm.
Two hours exposure at 2.0 ppm.

Substituting the information in the formula:

$$8\text{-hour TWA} = \frac{2 \times 0.2 + 4 \times 3.0 + 2 \times 2.0}{8} = 2.05 \text{ ppm}$$

- (6) As stated earlier, continuous sampling for 8 hours may not always be practical and/or possible. For example, 6 hours of continuous sampling of the 8-hour period may be deemed satisfactory, providing the concentration of vinyl chloride in the atmosphere is sufficiently greater than the exposure limit of 1 ppm. As a "rule of thumb," assuming no error in the sampling procedure or analytical method, for a 6-hour sampling period, the concentration should be at least 1.33 ppm to be sufficient.

~~Assuming an error of ± 25% in the sampling procedure and analytical method, for a 6-hour sampling period, the concentration should be at least 1.66 ppm.~~

- (7) "(2) No employee may be exposed to vinyl chloride at concentrations greater than 5 ppm averaged over any period not exceeding 15 minutes."

- (a) The standard sets a ceiling of 5 ppm averaged over any period not exceeding 15 minutes. Usually the CS-10 will sample for a full 15 minute period. An exception would be when, in a period less than 15 minutes, the concentration of vinyl chloride is sufficient to exceed 5 ppm averaged over the 15 minute period. For example, 45 ppm in 5 minutes.

- (8) "(3) No employee may be exposed to vinyl chloride by direct contact with liquid vinyl chloride."

- (a) Direct contact means skin contact with liquid vinyl chloride.

- (9) "(d) ~~Monitoring~~ (1) A program of initial monitoring and measurement shall be undertaken in each establishment to determine if there is any employee exposed, without regard to the use of respirators, in excess of the action level."

- (a) The standard requires that individual employee exposure levels be determined, effective April 1, 1975. Any monitoring program will be acceptable as long as it gives valid determinations of employee exposures and includes all employees, without regard to the use of respirators.

208 ~~Excess~~

(b) The selection and number of employees necessary for personnel monitoring to determine if any employee is being exposed, will be dependent upon, but not limited to, the number of employees per shift, their duties, the area and operation, and the work practices in force. The exposure of each employee must be represented, even though he may not be personally monitored.

8/18/75
IN SEPT. 75 WILL
START SAMPLING
ONCE PER QTR.
EXCEPT WHERE OVER
1.0 PPM

(10) "(2) Where a determination conducted under paragraph (d)(1) of this section shows any employee exposures, without regard to the use of respirators, in excess of the action level, a program for determining exposures for ~~each~~ employee shall be established. Such a program:

(i) Shall be repeated at least monthly where any employee is exposed, without regard to the use of respirators, in excess of the permissible exposure limit.

(ii) Shall be repeated not less than quarterly where any employee is exposed, without regard to the use of respirators, in excess of the action level."

ADVISORY

(a) ~~This means that monitoring shall be repeated at least monthly where any employee is exposed in excess of 1.0 ppm quarterly when exposure is in excess of 0.5 ppm. Any employee includes all employees, without regard to the use of respirators.~~

(11) "(3) Whenever there has been a production, process or control change which may result in an increase in the release of vinyl chloride, or the employer has any other reason to suspect that an employee may be exposed in excess of the action level, a determination of employee exposure under paragraph (d)(1) of this section shall be performed."

(a) All employers within the scope of the standard are required to conduct initial monitoring. Where results of the monitoring are below the action level, no further monitoring is required unless changes have been made in production, process, control, type of resin or the employer has other reason to suspect that any employee may be exposed

in excess of 0.5 ppm VC. Then a determination of employee exposure shall be made no later than within one week of the change or suspected exposure.

- (12) "(4) The method of monitoring and measurement shall have an accuracy (with a confidence level of 95 percent) of not less than plus or minus 50 percent from 0.25 through 0.5 ppm, plus or minus 35 percent from over 0.5 through 1.0 ppm, and plus or minus 25 percent over 1.0 ppm. (Methods meeting these accuracy requirements are available in the "NIOSH Manual of Analytical Methods")."

Den will check to see what we can

(a) ~~"95 percent confidence level"~~ means that the employer is required to take a sufficient number of measurements so that the results obtained are statistically valid.

ADVISED COPY

(b) The CSHO will monitor for vinyl chloride following the procedure outlined in the "OSHA Sampling Data Sheet #7a" (attached). The OSHA Salt Lake City Laboratory will determine the vinyl chloride content of the samples submitted by OSHA CSHO's using the method provided in the "NIOSH Manual of Analytical Methods" (attached).

(c) Employers may use any method or procedure they desire as long as the accuracy is equivalent to or greater than, that of NIOSH/OSHA.

Will start including all data 3/1/76 are we doing??

(d) ~~Records of required monitoring shall be available~~ for examination by the CSHO at the time of inspection. These records should include but are not limited to, date of monitoring, sampling methods and analytical procedures employed, instrumentation used, concentration results, respective employee's name and social security number and other pertinent data. These records shall be maintained not less than 30 years. Employees or their designated representative shall be provided access and allowed to copy their records.

- (13) "(e) ~~regulated area~~. (1) A regulated area shall be established where:

- (i) Vinyl chloride or polyvinyl chloride is manufactured, reacted, repackaged, stored, handled or used, and
- (ii) Vinyl chloride concentrations are in excess of the permissible exposure limit."

- (a) Where processes are already in operation, monitoring shall be accomplished and regulated areas subsequently established by April 1, 1975. It is recommended that new processes be monitored within one week and regulated areas established as soon as possible after results of the monitoring are available. The permissible exposure limits are 1 ppm TWA for 8 hours and 5 ppm averaged over any period not exceeding 15 minutes. At the monitoring results show that the level of vinyl chloride in a workplace is in excess of 1 ppm TWA for 8 hours or 5 ppm averaged over any period not exceeding 15 minutes, that work shall be regulated.

- (14) "(2) Access to regulated areas shall be limited to authorized persons. A daily roster shall be made of authorized persons who enter."

- (a) The roster shall consist of legible signatures, ~~and or initials, names, and or identification numbers~~ of authorized persons. Illegible names and/or numbers on the daily roster sheet will be considered as failure to keep a bona fide log. The roster shall be kept for at least 30 years.

- (15) "(f) Methods of compliance. (1) Feasible engineering and work practice controls shall immediately be used to reduce exposures to at or below the permissible exposure limit."

Issued 10/1/75
OCT. 75. Will be
PART OF COMPLIANCE
PLAN.

- (a) "Immediately" means that at the time of the OSHA inspection, a control plan for achieving feasible engineering and work practice controls to reduce exposures, should be available for review by the CSRO.
- (b) "Be used" means that the plan should be implemented by the employer to the degree possible at the time of the OSHA inspection.
- (c) The amount of time which should be permitted for full procurement and utilization of abatement engineering controls will be dependent upon many factors. Sometimes, at best, the time will only be an estimate. This should be arrived at only after discussions between the appropriate management representatives and OSHA officials. When necessary, OSHA personnel at the regional and national levels

should be utilized. Both employees and employer should be considered in assessing time. Always, provisions must be made for employee protection during the interim period prior to completion of engineering modifications. Normally, when the abatement calls for engineering controls, the procedure for multistep abatement will be follow. A typical multistep abatement will probably require immediate use of personal protective devices and/or administrative controls and resultant engineering modifications to be completed within a specific period of time.

- (d) Progress reports of the abatement on a periodic basis shall be invited and encouraged. Such progress reports should specify in detail what has been done, what remains to be done, a time schedule of expected completion dates and a statement of technical problems encountered. Specific dates should be indicated in the stipulation for each milestone to be reached.

*Dates will only
be cited when
OSHA suggests.*

ADVICE

- (e) If the employer, in good faith is unable to meet the abatement date, then a request may be submitted to the Area Director, OSHA, for a modification of the abatement date. Any such request should not be looked on with favor until sufficient evidence is submitted by the employer which would support an extension of abatement. For guidelines see OSHA Program Directive #200-33, Subject: Changes in Procedures: Petitions for Modifications of Abatement Dates and OSHA Program Directive #200-34, Subject: Abatement Periods.

- (16) "(g) Respiratory protection. Where respiratory protection is required under this section:

(1) The employer shall provide a respirator which meets the requirements of this paragraph and shall assure that the employee uses such respirator, except that until December 31, 1975, wearing of respirators shall be at the discretion of each employee for exposures not in excess of 25 ppm, measured over any 15-minute period. Until December 31, 1975, each employee who chooses not to wear an appropriate respirator shall be informed at least quarterly of the hazards of vinyl chloride and the purpose, proper use, and limitations of respiratory devices."

(a) The employer must provide an appropriate respirator for each employee. By order of the court, the date quoted above, December 31, 1975, was extended to April 1, 1976. The respirator must be used by the employee except that until April 1, 1976, where the exposure is not over 25 ppm measured over any 15-minute period, the employee may elect not to wear the respirator. The employer must, nevertheless, provide the respirator for the employee who elects not to wear the respirator, and inform him/her, at least quarterly, of the hazards of VC and the purpose, proper use and limitations of the respirator. This employee must be retested monthly and notified monthly of the results of the monitoring except when the exposure level goes over 25 ppm. Then the employee shall be notified immediately of the exposure level and required to wear the appropriate respirator.

(17) "(2) Respirators shall be selected from among those jointly approved by the Mining Enforcement Safety Administration, Department of the Interior, and the National Institute for Occupational Safety and Health under the provisions of 30 CFR Part 11."

(a) ~~Respirators that have been approved by NIOSH~~
~~are listed in NIOSH Certified Personal Protective Equipment Publication~~
NIOSH 75-119 July, 1974 (as supplemented in September 1974, January 1975 and all subsequent supplemental revisions). 80-34, Subject:

(b) Those respirators set forth in 29 CFR 1910.93q (g)(4) subparts (i), (iii), (iv), (A), (iv) (B), (ii) (C), (vi) (A), and (vi) (B) have been approved by NIOSH and are commercially manufactured.

(c) A correction notice in the Federal Register, December 3, 1974, page 41848 for the issue dated October 4, 1974 is as follows: In 29 CFR 1910.93q(g)(4)(ii)(B), first line (2nd column 35897 by changing "Type" to read "Combination type." Also, paragraphs (iii) through (v) were renumbered as (iv) through (vi) and a new paragraph (iii) was inserted and read:

follows:

"(iii) Not over 1000 ppm Type C supplied air respirator, continuous flow type, with full or half facepiece, helmet or hood."

(18) "(3) A respiratory protection program meeting the requirements of gl910.134 shall be established and maintained."

Safety Will
Develop program
Mk. 76

one shot
program

not being done

ADVANCE

(a) A program of standard procedures for respirator use, care, and maintenance shall be developed by the employer. ~~A designated individual shall supervise the program.~~

(b) Employees shall be trained in the proper use, selection and care of respirators. Possible emergency as well as routine uses, shall be anticipated and planned for and personnel shall be familiar with all procedures.

(c) ~~Records shall be maintained of respirator assignments, dates of issuance and service life, when applicable.~~

(d) Random inspections shall be conducted by the supervisor to assure that respirators are properly selected, used, cleaned, maintained and stored.

(e) All requirements of ~~29 CFR 1910.134~~ shall be complied with.

PROBLEM
with numbers

(19) "(i) ~~Air-purifying canisters or cartridges shall be replaced prior to the expiration of their service life or the end of the shift in which they are first used, whichever occurs first, and~~"

(a) Service life refers to the length of time the canister or cartridge is effective in keeping the filtered air below permissible limits.

S.T. Honingford & fuel
2.7 Honingford
& fuel
lights
unsubstantiated

(20) "(ii) ~~A monitoring and alarm system shall be provided where concentrations of vinyl chloride could reasonably exceed the allowable concentrations for the devices in use. Such system shall be used to alert~~

employees when vinyl chloride concentrations exceed the allowable concentrations for the devices in use."

- (a) "~~Continuous monitoring and alarm system~~ shall be provided" applies where air purifying respirators are in use. The purpose of continuous monitoring is to immediately alert supervisors and employees when VC concentrations exceed the protection limits of the respirators in use. When the exposure concentration exceeds the respiratory protection, corrective action shall be taken at once. Employees shall be removed from the area and not permitted reentry until the concentration of VC has been lowered and/or the proper respirators are worn.

0-10 PPM
10-25 PPM CAUTION
25-1,000 PPM B.A.
1,000-3,600 PPM B.A. + AUF
>3,600 PPM SCOT

- (21) "(h) ~~hazardous operations~~. (1) Employees engaged in hazardous operations, including entry of vessels to clean polyvinyl chloride residue from vessel walls, shall be provided and required to wear and use:

(i) Respiratory protection in accordance with paragraphs (e) and (g) of this section, and

(ii) Protective garments to prevent skin contact with liquid vinyl chloride or with polyvinyl chloride residue from vessel walls. The protective garments shall be selected for the operation and its possible exposure conditions."

- (a) ~~Heat-treated impervious suits covering the entire body would be quite acceptable for reactor cleaning.~~ But in all instances the CSHO must exercise judgment as to suitability of the protective garments being selected and utilized.

- (22) "(i) ~~Emergency situations~~. A written operational plan for emergency situations shall be developed for each facility storing, handling, or otherwise using vinyl chloride as a liquid or compressed gas."

- (a) Emergency situations apply particularly to monomer plants, polymer plants and transportation activities.

~~On or after April 1, 1975, where applicable, the written plan for emergency situations shall be available for the review of the CSHO~~

RWS
1. W. Deane
those jobs
2. Owen W. W.
SAMPLE 15.4.40

Write and
not improve

We have one
which will be
revised with
Do the
compliance plan

(23) "(2) Other employees not so equipped shall evacuate the area and not return until conditions are controlled by the methods required in paragraph (f) of this section and the emergency is abated."

(a) This means that feasible engineering and work practice controls shall immediately be used to reduce exposures to or below the permissible exposure limit. Whenever feasible engineering and work practice controls are not sufficient to reduce exposure to or below the permissible limit, ~~they shall nonetheless be used to reduce exposures to the lowest feasible level,~~ supplemented by respiratory protection in accordance with 29 CFR 1910.93(g)

(24) "(j) ~~Each~~ Each employee engaged in vinyl chloride or polyvinyl chloride operations shall be provided training in a program relating to the hazards of vinyl chloride and precautions for its safe use."

after currently doing quarterly
Annually 4/1/76

(a) As of April 1, 1976, each employee engaged in VC or PVC operations, regardless of how minimal the monitoring results, shall be trained concerning the carcinogenic hazard of VC, the need for monitoring and the provisions of the standard. They also shall be trained in respiratory protection; its purpose, proper use and limitations. ~~There shall be no training requirement.~~

(25) "(2) All materials relating to the program shall be provided upon request to the Assistant Secretary and the Director."

(a) This means that all materials relating to the training program shall be provided by the employer to the Assistant Secretary and the Director, if and when the Assistant Secretary, his designee, or the Director should request them. ~~Even if the training program shall be a part of the OSHA program.~~

(26) "(k) ~~Surveillance~~ A program of medical surveillance shall be instituted for each employee exposed, without regard to the use of respirators, to vinyl chloride in excess of the action level."

- 309
- (a) The medical surveillance program shall be instituted as soon as possible after the monitoring results are received. Monitoring shall be in progress by April 1, 1975. The medical program is applicable and must be instituted for each employee who is exposed in excess of 0.1 ppm VC. The employee is afforded the opportunity for the medical examination and tests at no cost to him. Where exposures are below the action level, the medical surveillance requirements do not generally apply.

- (27) "(23) Each employee exposed to an emergency shall be afforded appropriate medical surveillance."

- (a) Medical attention should be rendered as soon as possible after the emergency occurs. The appropriateness of surveillance, the kind given and when the medical aid is rendered must be in direct relation to the gravity and type of emergency. A medical person, (consultant or staff) employed by the establishment must make the decision as to the adequacy and appropriateness of medical surveillance being practiced. Further specific delineation is not feasible.

- (28) "(4) A statement of each employee's suitability for continued exposure to vinyl chloride including one of protective equipment and respirators, shall be obtained from the examining physician promptly after any examination. A copy of the physician's statement shall be provided each employee."

- (a) A statement from the physician should be provided to the respective employee preferably within 2 weeks, but no longer than 4 weeks, after examination.

- (29) "(5) If any employee's health would be materially impaired by continued exposure, such employee shall be withdrawn from possible contact with vinyl chloride."

- (a) Withdrawal from exposure shall not be based solely on results of required medical tests. The employer is required to obtain a statement from the examining physician of the employee's suitability for continued exposure, after the examining physician has completed

(31) "(1) Signs and labels"

- (a) Signs and labels must be legible. They must also be informative and distinctive enough to alert and warn employees of the potential hazards. There are no requirements on the size, color, or type of lettering on labels; only that they are legible. The CSHO will keep in mind the intent and purpose of the label and/or sign (employee protection) when determining whether or not they are legible. He will make certain that nothing detracts from the required warning or the information and instructions necessary for assurance of the employee's well being.

Safe
(32) "(m) Records. (2) ~~Records of required monitoring and medical records, and authorized personnel~~ shall be made and shall be available upon request for examination and copying to authorized representatives of the Assistant Secretary and the Director.

- ADVANCE COPY*
(a) This means that the records required shall be made available to the CSHO during inspection.

33
(n) ~~Reports.~~ (1) Not later than 1 month after the establishment of a regulated area, the following information shall be reported to the OSHA Area Director. ~~Any changes to such information shall be reported within 15 days.~~

- We will list to report*
(a) The latest allowable date for reporting information to the OSHA Area Director is June 1, 1975, except for the establishment of new regulated areas.

ven plant cited
(34) "(2) Emergencies and the facts obtainable at that time, shall be reported within 24 hours to the OSHA Area Director. Upon request of the Area Director, the employer shall submit additional information in writing relevant to the nature and extent of employee exposure and measures taken to prevent future emergencies of similar nature."

~~(1) "Within 24 hours" means within 24 hours after the beginning of the emergency.~~

(b) By order of the court, "Until January 1, 1975" was changed to "Until April 1, 1975", which means the provisions of the ETS were effective until April 1, 1975 instead of January 1, 1975.

(37) "(2) Effective January 1, 1975, the provisions set forth in §1910.93q of this Part shall apply."

(a) Refers to the permanent standard "Exposure to Vinyl Chloride" signed October 1, 1974 and published in 29 CFR 1910, October 4, 1974

(b) By order of the court, "effective January 1, 1975" was changed to "effective April 1, 1975". Therefore, the provisions of the permanent standard became effective April 1, 1975, not January 1, 1975.

b. Citations

(1) Categories.

(a) Alleged violations will be supported by compound label information, employee statements, photographs, ventilation measurements, results of samples, measurements taken, and any other pertinent facts.

In evaluating violations of the standard, the guidelines of the latest edition of the Field Operations Manual are to be used regarding serious, nonserious and grouping. Although each case must be evaluated on its own merits and becomes a matter of judgment for the CSHO, the following are examples of violations of the standard:

i. Imminent Danger Situation

(Any exposure to a given concentration of vinyl chloride for a duration sufficient to cause a degree of narcosis or drowsiness, such as 2,400 ppm for 30 minutes, shall be considered an imminent danger.)

(ii) Serious Situation

If employees, exposed to concentrations above 25 ppm are not wearing proper protective equipment, the employer shall be cited for a serious violation whether or not he is using feasible administrative or engineering controls.

> 25 PPM

(iii) Nonserious Situations

>25 ppm with
protection but no
eng. controls

If employees, exposed to concentrations above 25 ppm are wearing proper respiratory protection but the employer is not using feasible administrative or engineering controls to reduce exposures or concentrations he shall be cited for a nonserious violation of the Act.

<25 ppm No
protection

If employees, exposed to concentrations below 25 ppm are not wearing proper respiratory protection, the employer shall be cited for a nonserious violation whether or not he is using feasible administrative or engineering controls.

(iv) No-Citation Situations

>permissible
proper protection
& eng. controls

ADVISORY

Employees, exposed to concentrations above the permissible limit, are wearing proper respiratory protection and there are no feasible or engineering controls known by OSHA at the Area, Regional and/or National levels available to the employer which would reduce vinyl chloride concentrations significantly, the employer shall not be cited. When interpreting the word significantly each case must be judged on its own merits.

• Prior to April 1, 1976, where employees are exposed to concentrations above the permissible limit but below 25 ppm, employers may not be cited for failure of their employees to use proper respiratory protection if the employees elect not to wear such devices pursuant to 29 CFR 1910.93q(g)(1) and if the employer informs his employees of dangers of vinyl chloride and the purpose, proper use and limitations of respiratory devices, at least quarterly.

(v) Requirements not directly related to exposure levels

Failure to comply with requirements such as recordkeeping, medical examinations, training and monitoring shall generally be cited as nonserious violations. However, if the CSHO