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TO: Distribution

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Interoffice
Communication

SUBJ: OSHA VCM REPORTING GUIDELINES

VISTA

Enclosed are the revised guidelines for determining OSHA reportable incidents in the event of a VCM release. Revisions were made based on comments and concerns regarding the flexibility of the guidelines. Also the examples are deleted as they only served to demonstrate how different opinions could be regarding a particular incident.

These guidelines are meant to assist in making the reportable decisions by assuring that all pertinent factors are considered. Decisions will continue to be made on a case by case basis. Consultation with Houston is recommended when practicable.



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OSHA EMERGENCY REPORTING REQUIREMENTS

VINYL CHLORIDE STANDARD

REPORTING GUIDELINES

Standard Requirements

29 CFR Section 1910.1017(n)(2) requires the following: 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 exposures and measures taken to prevent future emergencies of similar nature.

Background

The standard defines an emergency as ..."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." OSHA does not define the terms massive release in the regulation. The only guidance from the agency comes from various letters written by OSHA in response to questions regarding what constitutes a reportable emergency. To summarize the responses of record ..."an emergency situation under the standard is one in which an employee is exposed to a massive release of vinyl chloride ..., and ..."In the absence of exposure, a release of vinyl chloride need not be reported to OSHA." (Emphasis added).

Reportable Situations

Based on the above and the perceived intent of the standard the following two things must occur together to trigger the 24-hour emergency reporting requirement.

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1. An unforeseeable massive release of vinyl chloride.
2. Actual exposure to employees. OSHA reevaluates exposures without regard to the use of respiratory protection.

The determination of what constitutes a massive release is necessarily a case-by-case determination. The following should be considered.

1. Physical area of release: outside process area, laboratory, pilot plant, etc.
2. Source and cause of release: flange, broken pipe, loading/unloading rack spill, etc.
3. Amount released.

The limited OSHA guidance available would indicate that a flange leak is not massive but a seal failure or pipe break is. A cylinder or sample bomb released in the process area is not massive but the same container in a laboratory may be massive due to the exposure conditions created. In all cases, exposure to employees must also occur.

OSHA evaluates exposures regardless of respiratory protection. If personnel involved in the release area are properly protected this would be conveyed to OSHA when discussing "the nature and extent of employee exposures"

It is important to consider that there are other reporting requirements (i.e. Superfund) for VCM releases. If a release occurs these should all be considered at the same time as there are statutory time frames for reporting.

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