



## OSHA State Differences Summaries and Checklists: Audit Edition 50 States and Puerto Rico

RELEASE 155 – SEPTEMBER 2020

### new & noteworthy

- **Preventing virus transmission:** Several state-plan states are working on issuing emergency/ temporary regulations related to preventing transmission of SARS-CoV-2 (the virus that causes COVID-19). These are standards that will be enforced by the agency that enforces all OSHA-equivalent health and safety regulations in the state, as distinct from orders issued by a state's Governor or Department of Health.

Michigan and Oregon have adopted such regulations, and the Toxics and Hazardous Materials section of their respective Guides has been updated for this release (details are discussed in the *Highlights* section below). Information about draft rules and non-regulatory actions can be found in the *Did You Know* section.



### California audit checklists

The California state regulatory summary is included in this *OSHA State Differences* guide. Full audit checklists for California are provided in a separate publication, *OSHA Auditing: California Occupational Health & Safety Guide*, which integrates federal and California regulations in one comprehensive tool.

### need a demo?

If you have any questions about the state differences summaries and checklists or would like a demonstration of their features, please contact Gail Ankiewicz (1-800-251-0381 ext. 717 or [gaila@stpub.com](mailto:gaila@stpub.com)).

# release notes

*please review*

## highlights by state and topic

State-specific updates for all 51 jurisdictions covered in the *OSHA State Differences Summaries* and *Checklists* are summarized below. Only states for which we have provided updates are listed below—a state that is not listed did not receive updates this quarter. Your update only contains material for the jurisdiction(s) included in your subscription.

### Illinois

- **Compressed Air Receivers, Boilers, and Pressure Vessels—Boilers and Pressure Vessels:** The state has adopted the 2019 editions of the ASME Code and the NBIC (41 IAC 2120.20(b)).

### Michigan

- **Toxic and Hazardous Substances—State-Specific Standards:** The state has adopted an emergency temporary standard to protect workers from COVID-19. All workplaces are required to conduct a risk assessment for potential exposure to coronavirus, classify each job task as to its exposure risk level, and implement appropriate protections, including written plans (MIOSHA Emergency COVID-19 Rules).

### New Mexico

- **Posting and Recordkeeping—Recordkeeping:** Employees' positive COVID-19 test results must be reported to the New Mexico Environment Department, Occupational Health and Safety Bureau within 4 hours (NMAC 11.5.1.16(C)).

### Oregon

- **Compressed Air Receivers, Boilers, and Pressure Vessels—Boilers and Pressure Vessels:** The state has created a boiler inspection cycle extension program to allow extended inspection cycles for certain boilers (OAR 918-225-0590).
- **Toxic and Hazardous Substances—State-Specific Standards:** The state has adopted an emergency temporary standard to protect workers from COVID-19. All workplaces are required to conduct a risk assessment for potential exposure to coronavirus and implement appropriate protections, including creating an infection control plan (OAR 437-001-0744).

### Washington

- **Walking and Working Surfaces (All subsections):** The state has adopted the federal updates to 29 CFR 1910 Subpart D with significant state differences. This entire Guide topic has been rewritten (WAC 296-24, WAC 296-24-73505, WAC 296-800, WAC 296-874, WAC 296-876, WAC 296-878, WAC 296-880, WAC 296-878-200).
- **Personal Protective Equipment—Other PPE:** The state has adopted the federal personal fall protection requirements at 29 CFR 1910.140 (WAC 296-880-40020 – 296-880-40030 and WAC 296-878-200).

### West Virginia

- **Fire Protection—Fire Code:** The state has adopted NFPA 1-FC (2018) as the State Fire Code (87 CSR 1-2).

## did you know?

- The California Safety and Health Standards Board has approved 5 new rules related to COVID-19 (<https://www.dir.ca.gov/oshsb/documents/COVID-19-Prevention-Emergency-txtbrdconsider.pdf>). These regulations are effective November 30, 2020, and the Toxics and Hazardous Materials topic of the California Guide will be updated in Release #156.
- Iowa and South Carolina have adopted minor corrections to multiple general industry standards and to the recording and reporting rules in order to remain consistent with federal OSHA requirements.
- Maryland has adopted the federal updates to simplify injury and illness recordkeeping requirements.
- New Hampshire has readopted regulations establishing the state fire code, which was set to expire.
- OSHA has issued guidance to help employers understand which standards are most frequently cited during coronavirus-related inspections (see <https://www.osha.gov/SLTC/covid-19/covid-citations-guidance.pdf>).
- OSHA has released establishment-specific injury and illness data that was submitted electronically by employers. Data for calendar years 2016, 2017, and 2018 is available at <https://www.osha.gov/Establishment-Specific-Injury-and-Illness-Data>.
- A study published in the American Journal for Public Health identifies two broad work-related pathways leading to chronic opioid use, as well as interventions employers can take to help employees fight opioid addiction (<https://ajph.aphapublications.org/doi/full/10.2105/AJPH.2020.305716>).



### industry insight

For insight into current industry developments, subscribe to the STP blog at <http://blog.stpub.com/>.