



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

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### new & noteworthy

This update completes our thorough review of the *Washington Summary*. Each topic identifies the Washington requirements that correspond with the federal standards referenced in *OSHA Auditing: Federal Compliance Guide: Facilities* and those state requirements that differ in scope or applicability from these federal standards.

### 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.

#### Alabama

- **Compressed Air Receivers, Boilers, and Pressure Vessels—Boilers and Pressure Vessels:** The state has modified its requirements for inspecting pressure vessels (480-7-5-.01).



#### 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*

## California

- **Toxic and Hazardous Substances—State-Specific Standards:** The state has adopted a permanent standard for exposure to wildfire smoke, replacing the emergency temporary standard (8 CCR 5141.1).

## Michigan

- **Medical and First Aid—Additional Medical and First Aid Requirements:** The state has adopted requirements for summoning emergency services both when 911 emergency dispatch is available and when it is not (R 325.47201).
- **Toxic and Hazardous Substances—State-Specific Standards:** Michigan has revised its emergency COVID-19 rules ([https://www.michigan.gov/documents/leo/MIOSHA\\_COVID\\_Emergency\\_Rules\\_726100\\_7.pdf](https://www.michigan.gov/documents/leo/MIOSHA_COVID_Emergency_Rules_726100_7.pdf)).

## Nebraska

- **Fire Protection—Fire Code:** The state has adopted NFPA 1-UFC (2012) (153 NAC 1).

## New Mexico

- **Posting and Recordkeeping—Recordkeeping:** The state has clarified that the Environment Department's Rapid Response Submission portal may be used to report positive COVID-19 tests (NMAC 11.5.1.16(C)).

## Oregon

- **General Environmental Controls—General Environmental Controls:** The state clarified when specific COVID-19 workplace requirements for employer-provided housing supersede the state's general COVID-19 workplace requirements (OAR 437-004-1120).
- **Toxic and Hazardous Substances—State-Specific Standards:** The state has adopted a final COVID-19 regulation, replacing the emergency temporary standard (OAR 437-001-0744).

## Virginia

- **Toxic and Hazardous Substances—State-Specific Standards:** The state has adopted a final COVID-19 regulation, replacing the emergency temporary standard (16 VAC 25-220).

## Washington

This update completes the thorough review and expansion of the Washington State Summary so that it includes the same level of detail as the guides for other states, rather than a condensed list of regulatory citations. The following topics were revised in this update (the summaries highlight significant new content):

- **Hazardous Materials (All subsections):** State-specific requirements for all hazardous materials in 29 CFR 1910 Subpart H were added (WAC 296-24-295, WAC 296-24-310, WAC 296-24-315, WAC 296-24-320, WAC 296-24-325, WAC 296-24-330, WAC 296-24-370, WAC 296-24-475, WAC 296-52, WAC 296-67, WAC 296-826, WAC 296-835, and WAC 296-843).
- **Special Industries (All subsections):** State-specific requirements for all types of equipment in 29 CFR 1910 Subpart R were added, as well as requirements for late night retail workers, which are not addressed by federal standards (WAC 296-32, WAC 296-45, WAC 296-54, WAC 296-78, WAC 296-79, WAC 296-99, WAC 296-301, WAC 296-303, WAC 296-806, and WAC 296-832).

## did you know?

- Kentucky and Minnesota have adopted the 2020 federal updates to the beryllium standard.
- Michigan has adopted the 2019 updates to federal exposure standards for multiple chemicals.
- Vermont has adopted the federal recordkeeping update, therefore rescinding the requirement for certain establishments to submit injury and illness information electronically.
- OSHA is proposing updates in the handrail and stair rail system requirements under 29 CFR 1910 Subpart D. This proposed rule does not reopen for discussion any existing regulations. It focuses solely on clarifying some of the requirements for handrails and stair rail systems finalized in 2016 and on providing flexibility in the transition to OSHA's newer requirements. The Federal Register notice is available at <https://www.govinfo.gov/content/pkg/FR-2021-05-20/pdf/2021-10561.pdf>.
- NIOSH has launched a new page to provide information on the factors contributing to workplace fatigue, the associated health and safety risks of workplace fatigue, and practical and effective solutions to mitigate fatigue risk (<https://www.cdc.gov/niosh/topics/fatigue/>).
- NIOSH has published a video on Opioid Overdose Deaths in the Workplace to help employers decide whether to have naloxone, an effective drug for reversing opioid overdoses, available in their workplace. The video also discusses how to implement and maintain a workplace naloxone program. The video can be found at <https://www.youtube.com/watch?v=WIsHYCA7Nik>.



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