

# Salinas Valley Ammonia Safety Day – Emergency Action Plan and Emergency Response Plan Requirements

California Code of Regulations – Title 8, Section 5192

Subchapter 7. General Industry Safety Orders

Group 1. General Physical Conditions and Structures Orders

Article 2. Standard Specifications

<https://www.dir.ca.gov/title8/3220.html>

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§3220. Emergency Action Plan.

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(a) **Scope and Application.** This section applies to all emergency action plans. The emergency action plan shall be in writing, except as provided in the last sentence of subsection (e)(3) of this section, and shall cover those designated actions employers and employees must take to ensure employee safety from fire and other emergencies.

(b) Elements. The following elements, at a minimum, shall be included in the plan:

- (1) Emergency escape procedures and emergency escape route assignments;
- (2) Procedures to be followed by employees who remain to operate critical plant operations before they evacuate;
- (3) Procedures to account for all employees after emergency evacuation has been completed;
- (4) Rescue and medical duties for those employees who are to perform them;
- (5) The preferred means of reporting fires and other emergencies; and
- (6) Names or regular job titles of persons or departments who can be contacted for further information or explanation of duties under the plan.

(c) **Alarm System.**

- (1) The employer shall establish an employee alarm system which complies with Article 165.
- (2) If the employee alarm system is used for alerting fire brigade members, or for other purposes, a distinctive signal for each purpose shall be used.
- (d) **Evacuation.** The employer shall establish in the emergency action plan the types of evacuation to be used in emergency circumstances.

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## (e) Training.

(1) Before implementing the emergency action plan, the employer shall designate and train a sufficient number of persons to assist in the safe and orderly emergency evacuation of employees.

(2) The employer shall advise each employee of his/her responsibility under the plan at the following times:

(A) Initially when the plan is developed,

(B) Whenever the employee's responsibilities or designated actions under the plan change, and

(C) Whenever the plan is changed.

(3) The employer shall review with each employee upon initial assignment those parts of the plan which the employee must know to protect the employee in the event of an emergency. The written plan shall be kept at the workplace and made available for employee review. For those employers with 10 or fewer employees the plan may be communicated orally to employees and the employer need not maintain a written plan.

## Potential risks (vulnerability analysis)

The committee first needs to determine what emergencies are most likely to occur in the facility and what level of harm they might cause. For example, the committee should review the list of emergencies that could result from natural or human causes. Once a comprehensive list of potential emergencies is put together, the committee can prioritize those emergencies with the highest risk. Although the emergency action plan will address all emergencies in some way, the plan will focus on the most likely events.

## Alarms and communication systems

In a situation requiring evacuation, the first step is to let all occupants know they must leave the building. Occupants must know which alarm means to evacuate. Once the alarm has gone off, everyone (except key personnel assigned to special operations) must leave the facility and not return until an "All Clear" signal is given. The all clear is usually given by the fire department or whoever is designated in the plan.

## Reporting emergencies

Not all alarm systems automatically alert outside help. If the alarm system does not notify the fire department (or other outside assistance) automatically, someone must be assigned to call for help.

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## Evacuation plans

There are key issues that must be addressed in any evacuation plan.

1. **Escape routes** must meet the following criteria:
  - There are enough **exits**.
  - Exits are not **blocked**.
  - Exits are **clearly marked**. (Many emergency situations involve smoke and fire that make it difficult to see.)
  - The routes to the exits must be **wide enough** to accommodate the number of occupants normally in the building.
  - Exits **lead to a public thoroughfare** (not to a closed area, like a courtyard).
  - Escape routes **do not lead through any area that may cause more danger to the evacuees** (such as an area where hazardous materials are stored).
  - **Secondary routes** are available in case the primary route is blocked

For more information on proper signage, number and placement of exits, consult your local fire department or the National Fire Protection Association Life Safety Code — NFPA 101.

2. The plan must address how **workers, guests and visitors with disabilities** will be assisted out of the building and who will help them.
3. Staff and other occupants must be **moved to a safe area**.
  - The safe area must be **far enough away from the building** so as to **not hamper emergency operations** and also provide safety for those evacuated.
  - **Emergency shelter** may be needed in some situations.

Once workers are safely out of the building, there must be a way to account for the occupants of the building. The **plan must designate where people will gather to be accounted for**, and who will take attendance. It is important that workers know not to leave the area until they have been accounted for! Also, it is vital that the employer knows how many visitors and guests are in the building and account for them as well. One of the people who died in the 1991 Hamlet, N.C., chicken processing plant fire worked for an outside company and was restocking the vending machines in the plant lunchroom. No one realized he had been in facility until the truck was reported missing.

## Procedures for staff who do not immediately evacuate

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In some cases, some staff may need to perform particular tasks before getting out of the workplace, such as:

- Shutting down heating, ventilation and air conditioning (HVAC) systems to stop the spread of smoke, fire and/or contaminants.
- Shutting down key processes such as critical systems in hospitals, experiments in labs or chlorine processes in wastewater treatment.
- Backing up information systems.
- Acting as floor captains to make sure everyone leaves.
- Using fire extinguishers or other firefighting equipment.
- Giving first aid and CPR.

## List of key personnel

If workers are to perform any duties other than evacuate during an emergency, the names of those individuals must be listed in the plan and they must be trained in those duties.

## Rescue and medical services

In an emergency, there is always the potential that workers and responders may be injured. The employer should find out which medical facilities are closest to them. The committee should take a look at the workplace to make sure that it is accessible to emergency services. It is crucial that emergency medical services (EMS) be able to get to the facility in a reasonable amount of time. The committee should find out which fire department is most likely to be called to the workplace in an emergency. The committee should meet with those fire department and EMS personnel in the area to discuss what services can and will be provided in an emergency. The contact names and numbers must be listed in the plan, and kept current.

In certain cases it may be necessary to have emergency medical and rescue services on site, for example: employers in remote areas; high security situations, or employers with high hazard operations. Employers providing emergency medical care on site must be sure to keep all supplies stocked and easy to get to in an emergency.

## Special situations and considerations

### Decontamination

Workers may become contaminated either during an emergency or during the evacuation process if the employer uses certain hazardous materials (such as corrosives, toxics or radioactive

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agents). The employer must have procedures to decontaminate workers and usually they must be decontaminated before emergency medical services will take them to a medical facility.

## Sheltering in-place

In some situations evacuation is not always the proper response or only a certain section of a facility is evacuated. "Shelter in-place" may be necessary in: correctional facilities, health care facilities, during certain chemical releases or tornado or high winds.

Sheltering in-place may require staff to take actions such as: Shutting down the HVAC systems, blocking air/smoke/contaminates from coming inside the "safe" area using towels, blankets, duct tape, etc., moving to a basement or shelter area, shoring up glass doors and windows. Those experiencing high levels of ammonia vapor can resort to use of a wet washcloth or move to a bathroom with a shower (turn on the shower and the ammonia vapor will mix with the water and go down the sewer).

Procedures to shelter in-place need to be in writing. Staff who have to perform any of the actions listed above must be trained and have an opportunity to practice the required procedures.

## Emergency Response

Workers who perform duties other than those related to evacuation are called emergency responders. The employer must put in writing what actions these workers must take. This is called an emergency response plan. The employer must also provide training and proper equipment so those workers can safely carry out their duties.

There are specific OSHA regulations for those responding in an emergency. These include:

- **Hazardous Waste Operations and Emergency Response** (HAZWOPER) [[29 CFR 1910.120](#)] — Workers who discover, report, confine or contain hazardous chemical releases must be trained to safely perform their duties. State and local government workers who perform these tasks but who are not covered by OSHA have the same protections under the Environmental Protection Agency (EPA).
- **Use of Fire Extinguishers** [[29 CFR 1910.157](#)] — Applies to workers who are expected to use fire extinguishers. They must be trained when they are hired — and each year thereafter — on how to use different types of extinguishers.
- **Industrial Fire Brigades** [[29 CFR 1910.156](#)] — These are special in-house firefighting teams. These are much more common in private industry (such as large manufacturing or chemical plants) than the public sector. They must be trained according to the National Fire Protection Standards for Industrial Fire Brigades.

Note: If any of these actions require specialized personal protective equipment (PPE) or respirators, workers must be trained and fitted for this equipment.

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§5192. Hazardous Waste Operations and Emergency Response.

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## (a) Scope, Application and Definitions.

(1) Scope: This section covers the following operations, unless the employer can demonstrate that the operation does not involve employee exposure or the reasonable possibility for employee exposure to safety or health hazards:

(A) Clean-up operations or hazardous substance removal work required by a governmental body, whether Federal, state, local or other involving hazardous substances that are conducted at uncontrolled hazardous waste sites (including, but not limited to, the Environmental Protection Agency's (EPA) National Priority Site List (NPL), state priority site lists, sites recommended for the EPA, NPL, and initial investigations of government identified sites which are conducted before the presence or absence of hazardous substances has been ascertained);

(B) Corrective actions involving hazardous waste clean-up operations at sites covered by the Resource Conservation and Recovery Act of 1976 (RCRA) as amended (42 U.S.C. 6901. et seq.) and Chapters 6.5 and 6.8 of Division 20 of the California Health and Safety Code;

(C) Voluntary clean-up operations at sites recognized by Federal, state, local or other governmental bodies as uncontrolled hazardous waste sites;

(D) Operations involving hazardous wastes that are conducted at treatment, storage, and disposal (TSD) facilities regulated by 40 CFR Parts 264 and 265 pursuant to RCRA; or facilities regulated by Chapter 6.5 of Division 20 of the California Health and Safety Code; or by agencies under agreement with U.S.E.P.A. to implement RCRA regulations; and

(E) Emergency response operations for releases of, or substantial threats of releases of, hazardous substances without regard to the location of the hazard.

(2) Application.

(A) All requirements of Title 8 of the California Code of Regulations apply pursuant to their terms to hazardous waste operations (whether covered by this section or not). If there is a conflict or overlap, the provision more protective of employee safety and health shall apply without regard to 8 CCR 3202(a).

(B) Hazardous substance clean-up operations within the scope of subsections (a)(1)(A) through (a)(1)(C) of this section must comply with all subsections of this section except subsections (p) and (q).

(C) Operations within the scope of subsection (a)(1)(D) of this section must comply only with the requirements of subsection (p) of this section.

NOTES AND EXCEPTIONS TO (a)(2)(C):

A. All provisions of subsection (p) of this section cover any treatment, storage, or disposal (TSD) operation regulated by 40 CFR parts 264 and 265 or by Chapter 6.5 of Division 20 of the California Health and Safety Code, and required to have a permit or interim status from EPA

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pursuant to 40 CFR 270.1 or from the Department of Health Services (DHS) pursuant to Chapter 6.5 of Division 20 of the California Health and Safety Code.

B. Employers who are not required to have a permit or interim status because they are conditionally exempt small quantity generators under 40 CFR 261.5 or are generators who qualify under 40 CFR 262.34 for exemptions from regulation under 40 CFR parts 264 , 265 and 270 (“excepted employers”) are not covered by subsections (p)(1) through (p)(7) of this section. Excepted employers who are required by the EPA or state agency such as the Department of Health Services (DHS) to have their employees engage in emergency response or who direct their employees to engage in emergency response are covered by subsection (p)(8) of this section, and cannot be exempted by (p)(8)(A) of this section. Excepted employers who are not required to have employees engage in emergency response, who direct their employees to evacuate in the case of such emergencies and who meet the requirements of subsection (p)(8)(A) of this section are exempt from the balance of subsection (p)(8) of this section.

C. If an area is used for hazardous waste treatment, storage, or disposal, any emergency response operations in that area shall comply with subsection (p)(8) of this section. In other areas not used for treatment storage, or disposal of hazardous waste, any emergency response operation shall comply with subsection (q) of this section. Compliance with the requirements of subsection (q) of this section shall be deemed to be in compliance with the requirements of subsection (p)(8) of this section.

(D) Emergency response operations for releases of, or substantial threats of releases of, hazardous substances which are not covered by subsections (a)(1)(A) through (a)(1)(D) of this section must only comply with the requirements of subsection (q) of this section.

## Emergency Response Operations

(q) Emergency Response to Hazardous Substance Releases: This subsection covers employers whose employees are engaged in emergency response no matter where it occurs except that it does not cover employees engaged in operations specified in subsections (a)(1)(A) through (a)(1)(D) of this section. Those emergency response organizations who have developed and implemented programs equivalent to this subsection for handling releases of hazardous substances pursuant to Section 303 of the Superfund Amendments and Reauthorization Act of 1986 (Emergency Planning and Community Right-to-Know Act of 1986, 42 U.S.C. 11003) shall be deemed to have met the requirements of this subsection.

(1) Emergency response plan: An emergency response plan shall be developed and implemented to handle anticipated emergencies prior to the commencement of emergency response operations. The plan shall be in writing and available for inspection and copying by employees, their representatives, and Division personnel. Employers who will evacuate their employees from the danger area when an emergency occurs, and who do not permit any of their employees to assist in handling the emergency, are exempt from the requirements of this subsection if they provide an emergency action plan in accordance with 8 CCR 3220.

(2) Elements of an emergency response plan: The employer shall develop an emergency response plan for emergencies which shall address, as a minimum, the following to the extent that they are not addressed elsewhere:

(A) Pre-emergency planning and coordination with outside parties.

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(B) Personnel roles, lines of authority, training, and communication.

(C) Emergency recognition and prevention.

(D) Safe distances and places of refuge.

(E) Site security and control.

(F) Evacuation routes and procedures.

(G) Decontamination.

(H) Emergency medical treatment and first aid.

(I) Emergency alerting and response procedures.

(J) Critique of response and follow-up.

(K) Personal protective equipment (PPE) and emergency equipment.

(L) Emergency response organizations may use the local emergency response plan or the state emergency response plan or both, as part of their emergency response plan, to avoid duplication. Those items of the emergency response plan that are being properly addressed by the SARA Title III plans may be substituted into their emergency plan or otherwise kept together for the employer and employee's use.

(3) Procedures for handling emergency response.

(A) The senior emergency response official who has ultimate site control responsibility shall confirm that the Incident Command System (ICS) is in place and the position of Incident Commander (IC) instituted.

All emergency responders and their communications shall be coordinated and controlled through the ICS.

NOTE TO (q)(3)(A): The “senior official” at an emergency response is the most senior official on the site who has the responsibility for controlling the operations at the site until the emergency response official who is determined to have ultimate incident control authority arrives. Initially it is the senior officer on the first-due piece of responding emergency apparatus to arrive on the incident scene, usually a police or fire vehicle. As more senior officials arrive the position is passed up the line of authority which has been previously established. As there may be several separate spheres of responsibility at a given site (police, fire, CalTrans, for example), there may be several “senior officials,” each responsible for his/her own employees. The “senior emergency response official” who will have ultimate site control responsibility is established in the Hazardous Material Incident Contingency Plan for the State of California (January 1991), promulgated by the State Office of Emergency Services (OES) as directed by Health and Safety Code, Sec. 25503 (HS 25503), and California Code of Regulations, Title 19, Division 2 (19 CCR, Div. 2: Office of Emergency Services) and in coordination with the various city and county, i.e., area emergency response plans.

(B) The individual in charge of the ICS shall identify, to the extent possible, all hazardous substances or conditions present and shall address as appropriate site analysis, use of engineering controls, maximum exposure limits, hazardous substance handling procedures, and use of any new technologies.

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(C) Based on the hazardous substances and/or conditions present, the individual in charge of the ICS shall implement appropriate emergency operations, and assure that the PPE worn is appropriate for the hazards to be encountered. However, PPE shall meet, at a minimum, the criteria contained in 8 CCR 3401-3408 when worn while performing fire fighting operations beyond the incipient stage for any incident.

(D) Employees engaged in emergency response and exposed to hazardous substances presenting an inhalation hazard or potential inhalation hazard shall wear positive pressure self-contained breathing apparatus (SCBA) while engaged in emergency response, until such time that the individual in charge of the ICS determines through the use of air monitoring that a decreased level of respiratory protection will not result in hazardous exposures to employees.

(E) The individual in charge of the ICS shall limit the number of emergency response personnel at the emergency site in those areas of potential or actual exposure to incident or site hazards, to those who are actively performing emergency operations. However, operations in hazardous areas shall be performed using the buddy system in groups of two or more.

(F) Back-up personnel shall stand by with equipment ready to provide assistance or rescue, and shall not engage in activities that will detract from that mission. Back-up personnel shall be protected, at a minimum, as the same level as the entry team. Advance first aid support personnel, at a minimum, shall also stand by with medical equipment and transportation capability.

(G) The individual in charge of the ICS shall designate a safety official, who is knowledgeable in the operations being implemented at the emergency response site, with specific responsibility to identify and evaluate hazards and to provide direction with respect to the safety of operations for the emergency at hand.

(H) When activities are judged by the safety official to be an IDLH condition and/or to involve an imminent danger condition, the safety official shall have the authority to alter, suspend, or terminate those activities. The safety official shall immediately inform the individual in charge of the ICS of any actions needed to be taken to correct these hazards at the emergency scene.

(I) After emergency operations have terminated, the individual in charge of the ICS shall implement appropriate decontamination procedures.

(J) When deemed necessary for meeting the tasks at hand, approved SCBA may be used with approved cylinders from other approved SCBA, provided that such cylinders are of the same capacity and pressure rating. All compressed air cylinders used with SCBA shall meet U. S. Department of Transportation (DOT) and National Institute for Occupational Safety and Health (NIOSH) criteria.

**(4) Skilled support personnel:** Personnel, not necessarily an employer's own employees, who are skilled in the operation of certain equipment, such as mechanized earth moving or digging equipment or crane and hoisting equipment, and who are needed temporarily to perform immediate emergency support work that cannot reasonably be performed in a timely fashion by an employer's own employees, and who will be or may be exposed to the hazards at an emergency response scene, are not required to meet the training required in this subsection for the employer's regular employees.

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However, these personnel shall be given an initial briefing at the site prior to their participation in any emergency response. The initial briefing shall include instruction in the wearing of appropriate personal protective equipment, what chemical hazards are involved, and what duties are to be performed. All other appropriate safety and health precautions provided to the employer's own employees shall be used to assure the safety and health of these support personnel.

**(5) Specialist employees:** Employees who, in the course of their regular job duties, work with and are trained in the hazards of specific hazardous substances, and who will be called upon to provide technical advice or assistance at a hazardous substance release incident to the individual in charge, shall receive training or demonstrate competency in the area of their specialization annually.

**(6) Training:** Training shall be based on the duties and function to be performed by each responder of an emergency response organization. The skill and knowledge levels required for all new responders (those hired after the effective date of this standard) shall be conveyed to them through training before they are permitted to take part in actual emergency operations on an incident. Employees who participate, or are expected to participate, in emergency response, shall be given training in accordance with the following subsections:

**(A) First Responder, Awareness Level (FRA):** First responders at the awareness level are individuals who are likely to witness or discover a hazardous substance release and who have been trained to initiate an emergency response sequence by notifying the proper authorities of the release. They would take no further action beyond notifying the authorities of the release. First responders at the awareness level shall have sufficient training or have had sufficient experience to objectively demonstrate competency in the following areas:

1. An understanding of what hazardous substances are, and the risks associated with them in an incident.
2. An understanding of the potential outcomes associated with an emergency created when hazardous substances are present.
3. The ability to recognize the presence of hazardous substances in an emergency.
4. The ability to identify the hazardous substances, if possible.
5. An understanding of the role of the first responder awareness individual in the employer's emergency response plan (including site security and control), and the U. S. Department of Transportation's Emergency Response Guidebook.
6. The ability to realize the need for additional resources, and to make appropriate notifications to the communication center.

**(B) First Responder, Operations Level (FRO):** First responders at the operations level are individuals who respond to releases or potential releases of hazardous substances as part of the initial response to the site for the purpose of protecting nearby persons, property, or the environment from the effects of the release. They are trained to respond in a defensive fashion without actually trying to stop the release. Their function is to contain the release from a safe distance, keep it from spreading, and prevent exposures. First responders at the operational level shall have received at least eight hours of training or have had sufficient experience to objectively demonstrate competency in the following areas in addition to those listed for the awareness level; and the employer shall so certify:

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1. Knowledge of the basic hazard and risk assessment techniques.
2. Know how to select and use proper PPE provided to the first responder operational level.
3. An understanding of basic hazardous materials terms.
4. Know how to perform basic control, containment, and/or confinement operations and rescue injured or contaminated persons within the capabilities of the resources and PPE available with their unit.
5. Know how to implement basic equipment, victim, and rescue personnel decontamination procedures.
6. An understanding of the relevant standard operating procedures and termination procedures.

**(C) Hazardous Materials Technician:** Hazardous materials technicians are individuals who respond to releases or potential releases of hazardous substances for the purpose of stopping the release. They assume a more aggressive role than a first responder at the operations level in that they will approach the point of release in order to plug, patch, or otherwise stop the release of a hazardous substance. Hazardous materials technicians shall have received at least 24 hours of training of which 8 hours shall be equivalent to the first responder operations level and in addition have competency in the following areas; and the employer shall so certify:

1. Know how to implement the employer's emergency response plan.
2. Know the classification, identification, and verification of known and unknown materials by using field survey instruments and equipment.
3. Be able to function within an assigned role in the ICS.
4. Know how to select and use proper specialized chemical PPE provided to the hazardous materials technician.
5. Understand hazard and risk assessment techniques.
6. Be able to perform advanced control, containment, and/or confinement operations and rescue injured or contaminated persons within the capabilities of the resources and PPE available with the unit.
7. Understand and implement equipment, victim, and rescue personnel decontamination procedures.
8. Understand termination procedures.
9. Understand basic chemical and toxicological terminology and behavior.

**(D) Hazardous Materials Specialist:** Hazardous materials specialists are individuals who respond with and provide support to hazardous materials technicians. Their duties parallel those of the hazardous materials technician, however, those duties require a more directed or specific knowledge of the various substances they may be called upon to contain. The hazardous materials specialist would also act as the site liaison with Federal, state, local, and other government authorities in regards to site activities. Hazardous materials specialists shall have received at least 24 hours of training equal to the technician level and in addition have competency in the following areas; and the employer shall so certify:

1. Know how to implement the local emergency response plan.

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2. Understand classification, identification and verification of known and unknown materials by using advanced survey instruments and equipment.
3. Know of the state emergency response plan.
4. Be able to select and use proper specialized chemical PPE provided to the hazardous materials specialist.
5. Understand in-depth hazard and risk techniques.
6. Be able to perform specialized control, containment, and/or confinement operations within the capabilities of the resources and PPE available.
7. Be able to determine and implement decontamination procedures.
8. Have the ability to develop a site safety and health control plan.
9. Understand chemical, radiological, and toxicological terminology and behavior.

**(E) Incident Commander/On-scene Manager:** Incident commanders, who will assume control of the incident scene beyond the first responder awareness level, shall receive at least 24 hours of training equal to the first responder operations level and in addition have competency in the following areas; and the employer shall so certify:

1. Know and be able to implement the employer's incident command system.
2. Know how to implement the employer's emergency response plan.
3. Know and understand the hazards and risks associated with employees working in chemical protective clothing.
4. Know how to implement the local emergency response plan.
5. Know of the state emergency response plan and of the Federal Regional Response Team.
6. Know and understand the importance of decontamination procedures.

NOTE TO (q)(6)(E): Management personnel who, during an emergency situation, stay out of the hazardous area and who are not taking charge of the incident, and are not a “specialist” employee under subsection (q)(5) of this section are not subject to the provisions of this section.

(7) Trainers: Trainers who teach any of the above training subjects shall have satisfactorily completed a training course for teaching the subjects they are expected to teach, such as the courses offered by the California Specialized Training Institute, the California State Fire Marshal's Office, the University of California, or the U. S. National Fire Academy; or they shall have the training and/or academic credentials and instructional experience necessary to demonstrate competent instructional skills and a good command of the subject matter of the courses they are to teach.

## **(8) Refresher training.**

(A) Those employees who are trained in accordance with subsection (q)(6) of this section shall receive annual refresher training of sufficient content and duration to maintain their competencies, or shall demonstrate competency in those areas at least yearly.

(B) A statement shall be made of the training or competency; and if a statement of competency is made, the employer shall keep a record of the methodology used to demonstrate competency.

## **(9) Medical surveillance and consultation.**

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(A) Members of an organized and designated HAZMAT team, and hazardous materials specialists shall receive a baseline physical examination and be provided with medical surveillance as required in subsection (f) of this section.

(B) Any emergency response employee who exhibits signs or symptoms which may have resulted from exposure to hazardous substances during the course of an emergency incident, either immediately or subsequently, shall be **provided with medical consultation** as required in subsection (f)(3)(B) of this section.

**(10) Chemical protective clothing:** Chemical protective clothing and equipment to be used by organized and designated HAZMAT team members, or to be used by hazardous materials specialists shall meet the requirements of subsections (g)(3) through (5) of this section.

**(11) Post-emergency response operations:** Upon completion of the emergency response, if it is determined that it is necessary to remove hazardous substances, health hazards, and materials contaminated with them (such as contaminated soil or other elements of the natural environment) from the site of the incident, the employer conducting the clean-up shall comply with one of the following:

(A) Meet all of the requirements of subsections (b) through (o) of this section; or

(B) Where the clean-up is done on plant property using plant or workplace employees, such employees shall have completed the training requirements of the following: 8 CCR 3220, 8 CCR 5144, 8 CCR 5194, and other appropriate safety and health training made necessary by the tasks that they are expected to perform such as the use of PPE, and decontamination procedures. All equipment to be used in the performance of the clean-up work shall be in serviceable condition and shall have been inspected prior to use.

Note: Authority cited: Sections 142.3 and 142.7, Labor Code. Reference: Sections 142.3 and 142.7, Labor Code.