

OSHA Eyewash Case Study

June 1, 2009

Mr. Donald Bossow, CIH
Johnson Diversey, Inc.
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Sturtevant, WI 53177-0902

Dear Mr. Bossow,

Thank you for your April 21, 2009 letter to the Occupational Safety and Health Administration (OSHA). Your letter was transferred to OSHA's Directorate of Enforcement Programs (DEP) for a response. This letter constitutes OSHA's interpretation of only the requirements discussed and may not be applicable to any questions not delineated within your original correspondence. You had specific questions regarding eyewash and shower facilities required by 29 CFR 1910.151(c). Your paraphrased scenarios, questions, and our responses are below.

Scenario: You state that your company manufactures and sells many commercial cleaning products which are classified as moderate or severe eye irritants. Your company's policy is to specify on the material safety data sheets (MSDS) to use chemical splash goggles as eye protection and to flush for at least 15 minutes as first aid.

Question 1: Is there a requirement for an emergency eyewash in the immediate work area for anything other than injurious corrosive chemicals (including chemicals which the MSDS clearly indicates that the product is a severe irritant, but not corrosive to eyes or skin) under 1910.151(c)? Are there any other Federal OSHA regulations that would require provision of eye flushing facilities for use of chemicals other than corrosives?

Reply 1: No. OSHA's current policy regarding the requirements for providing an emergency eyewash and/or safety shower is explained in its letter of interpretation to [Mr. Tom Heslin, May 5, 2004](#) (attached) as follows:

The OSHA requirements for emergency eyewashes and showers, found at 29 CFR 1910.151(c), specify that "where the eyes or body of any person may be exposed to injurious corrosive materials, suitable facilities for quick drenching or flushing of the eyes and body shall be provided within the work area for immediate emergency use. As the standard states, an eyewash and/or safety shower would be required where an employee's eyes or body could be exposed to injurious corrosive materials. If none of the materials used in this work area is an injurious corrosive [chemical] (as indicated by the Material Safety Data Sheet (MSDS) for each product), then an emergency eyewash or shower would not be required pursuant to 1910.151(c).

While not having the force of a regulation under the OSH Act, the current ANSI standard addressing emergency eyewash and shower equipment (ANSI Z358.1-2004) provides for eyewash and shower equipment in appropriate situations when employees are exposed to hazardous materials. ANSI's

definition of "hazardous material" would include caustics, as well as additional substances and compounds that have the capability of producing adverse effects on the health and safety of humans. ANSI's standard also provides detail with respect to the location, installation, nature, and maintenance of eyewash and shower equipment. You also may wish to consult additional recognized references such as W. Morton Grant's *Toxicology of the Eye* (Charles C Thomas Pub. Ltd., 4th edition, August 1993) when considering potential chemical exposures to the eye and the appropriateness of installing eyewash facilities to protect employees against hazards associated with particular chemicals and substances.

Scenario: You state that your company produces concentrated products that are packaged in sealed dispensing containers that are connected to a water source by the user to automatically generate the recommended use dilution. In some cases, the concentrated product, as sold, is corrosive to the eyes or skin, but the use dilution that is generated is no more than an irritant.

Question 2: Is an eyewash and/or shower facilities required in areas where sealed dispensing products are handled since there is no exposure to the corrosive material under anticipated conditions of handling and use?

Reply 2: Yes. In dealing with corrosive products that are packaged in sealed dispensing containers, OSHA's current policy is explained in its letter of interpretation to [Mr. Douglas A. Page, April 14, 2008](#) (attached) as follows:

... the employer must determine if employees can or will be exposed during the course of their duties to hazardous materials in such a way that the protections of an eyewash or emergency shower would be necessary. If hazardous materials are present at a worksite in such a way that exposure could not occur (for example, in sealed containers that will not be opened, or caustic materials in building piping), then an eyewash or emergency shower would not be necessary. However, if the building piping containing caustic materials has, at certain locations, a spigot or tap from which the contents are to be sampled or withdrawn and employees are expected to perform such tasks, then, certainly, an eyewash and/or emergency shower would be needed where this task is to occur.

Thank you for your interest in occupational safety and health. We hope you find this information helpful. OSHA requirements are set by statute, standards, and regulations. Our interpretation letters explain these requirements and how they apply to particular circumstances, but they cannot create additional employer obligations. This letter constitutes OSHA's interpretation of the requirements discussed. Note that our enforcement guidance may be affected by changes to OSHA rules. Also, from time to time we update our guidance in response to new information. To keep apprised of such developments, you can consult OSHA's website at <http://www.osha.gov>. If you have any further questions, please feel free to contact the Office of Health Enforcement at 202-693-2190.

Sincerely,

Richard E. Fairfax, Director
Directorate of Enforcement Programs

Enclosures