

STEVE SISOLAK
Governor

TERRY REYNOLDS
Director

STATE OF NEVADA



VICTORIA CARREÓN
Administrator

PERRY FAIGIN
Deputy Administrator

WILLIAM GARDNER
Chief Administrative Officer

DEPARTMENT OF BUSINESS AND INDUSTRY
DIVISION OF INDUSTRIAL RELATIONS
OCCUPATIONAL SAFETY & HEALTH ADMINISTRATION

Date: October 5, 2022

To: Nevada Businesses

Re: Guidance on R069-20 related to Emergency Eyewash Stations.

Background

Nevada OSHA adopted regulation [R069-20](#) which included an adoption by reference of ANSI Z358.1-2014 for Emergency Eyewash and Shower Equipment. This regulation became effective April 11, 2022. Prior to this regulation, Nevada OSHA primarily cited non-compliance with emergency eye wash and shower equipment requirements under [29 CFR 1910.151\(c\)](#) which states:

“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.”

By adopting ANSI Z358.1-2014, Nevada OSHA has identified the minimum design and installation criteria necessary to meet the definition of *suitable facilities* which is otherwise undefined in federal statute. Additionally, training requirements have been introduced as part of this adoption.

Enforcement Guidance

- Nevada OSHA will cite [R069-20](#) for all violations related to the installation of emergency eyewash stations and emergency equipment that are not deemed suitable facilities pursuant to ANSI Z358.1-2014. Citations may be issued as Other-than-Serious or Serious depending on the likely outcome from exposure.
- Nevada OSHA will cite [29 CFR 1910.1200\(h\)\(1\)](#) in the event no hazard communication training is provided to employees who are exposed to corrosive chemicals in their work area. Citations will be generally issued as Serious.
 - If an employer does provide hazard communication training, but the training does not include information pertaining to the location and use of emergency eyewash and shower equipment, Nevada OSHA will cite for a violation of [R069-20](#).

RENO
4600 Kietzke Lane,
Building F-153
Reno, NV 89502
(775) 688-3700

LAS VEGAS
3360 West Sahara Avenue
Suite 200
Las Vegas, NV 89102
(702) 486-9020

- Nevada OSHA will cite [R069-20](#) for all violations related to the install location of emergency eyewash and shower equipment. Employers have installation obligations covered under ANSI Z358.1-2014. Refer to FAQ Question 5 for guidance. Citations may be issued as Other-than-Serious or Serious depending on the likely outcome from exposure.
- Nevada OSHA will continue to cite [29 CFR 1910.151\(c\)](#) for the failure to install emergency eyewash and shower equipment where a determination is made that such equipment is necessary. Determination will be made by reviewing the chemical's safety data sheet (SDS) and labeling. Citations will generally be issued as Serious.

Employer Guidance

Employers are required to review all safety data sheets and chemical labeling prior to introducing the chemical into the workplace. This includes reviewing the [Hazard Communication Standard \(HCS\)](#) alignment with the [Global Harmonized System of Classification and Labeling of Chemicals \(GHS\)](#). The GHS alignment with the HCS requires that all chemicals used in the United States possess standardized labeling and safety data sheet documentation. The information below will be included on any and all applicable chemicals used by employers in the United States.

Safety Data Sheets

The following are criteria found within a chemical manufacturer's safety data sheet that would require the installation of an emergency eyewash station or shower:

- **SDS Hazard Category for Skin Corrosion and Irritation – Category 1**
 - Human experience showing irreversible damage to the skin
 - Structure/activity or structure property relationship to a substance or mixture already classified as corrosive
 - pH of 2 or less
 - pH of 11.5 or greater
- **SDS Signal Word - DANGER**
 - Highly corrosive substances

Chemical Labeling

The following are examples of criteria found on a chemical label that would require the installation of an emergency eyewash station or shower:

- Labels Related to Skin Burns and Eye Damage

Category 1A	Category 1B	Category 1C	Category 1
Danger	Danger	Danger	Danger
Causes severe skin burns and eye damage	Causes severe skin burns and eye damage	Causes severe skin burns and eye damage	Causes serious eye damage

Suitable Facilities

Nevada OSHA will determine compliance with R069-20 by evaluating emergency eyewash and shower station installations for compliance with ANSI Z358.1-2014. Employers that comply with the sections below will meet the definition of *Suitable Facilities* under ANSI Z358.1-2014 as it relates to [29 CFR 1910.151\(c\)](#).

- Section 4. Emergency Showers
- Section 5. Eyewash Equipment
- Section 6. Eyewash/Face Wash Equipment
- Section 7. Combination Units
- Section 8. Supplemental Equipment

Assistance Available from Nevada Safety Consultation and Training Section (SCATS)

SCATS is here to help. SCATS is focused on keeping Nevadans safe and healthy while on the job. SCATS offers resources for employers and employees alike, from training to consultation to safety program review. SCATS can review and make recommendations on best practices for the installation of emergency eyewash and shower equipment. If your business has questions or needs onsite training or consultation, please submit a request by calling 877-472-3368 or submitting a consultation request at <https://www.4safenv.state.nv.us/contact/>.

How to File a Complaint

Employees who feel they have been exposed to a hazardous condition in the workplace, have the right to raise their concerns with their employer or to file a complaint with Nevada OSHA. Such a complaint may trigger an inspection of the workplace. An employee who raises concerns with their employer or files an OSHA complaint is protected against retaliation or discrimination for having done so by NRS 618.445 and section 11(c) of the federal Occupational Safety and Health Act, Pub. L. 91-596, 84 Stat. 1590. If an employee files a complaint with Nevada OSHA, their name and contact information will be held as confidential information pursuant to NRS 618.341(3)(a).

To file a complaint, please visit <https://www.osha.gov/workers/file-complaint> or call Nevada OSHA at (702) 486-9020 (southern Nevada) or (775) 688-3700 (northern Nevada).

How to Obtain a Copy of ANSI Z358.1-2014

This publication is available from the American National Standards Institute, 1899 L Street, N.W., 11th Floor, Washington, D.C. 20036, by telephone at (202) 293-8020 or at the Internet address <https://webstore.ansi.org>, at a cost of \$60.

References:

- [R069-20AP Penalty Updates and Clean-Up Regulation](#)
- [29 CFR 1910.151 - Medical Services and First Aid](#)
- [29 CFR 1910.1200 – The Hazard Communication Standard](#)
- [OSHA - Hazard Communication \(HazCom\)](#)
- [OSHA - Globally Harmonized System \(GHS\)](#)

Frequently Asked Questions

1. Are employers required to inspect emergency eyewash and shower stations?

Employers are required to activate plumbed emergency eyewash and shower stations at least weekly to verify operation and ensure that flushing fluid is available. Self-contained emergency eyewash and shower stations are required to be inspected weekly to determine if flushing fluid needs to be changed or supplemented. Employers must strictly adhere to manufacturer’s instructions on flushing fluid service. Additionally, all emergency eyewash and shower station equipment shall be inspected annually to ensure compliance with the installation provisions of ANSI Z358.1-2014.

It is highly recommended that employers document all inspection efforts with at least a checklist, employee name, and date of inspection. Stations that are not inspected on a weekly and annual basis shall be deemed unsuitable facilities.

2. Do emergency eyewash and shower stations require a specific temperature flushing fluid?

Emergency eyewash and shower flushing fluid must be a tepid temperature (60 to 100 degrees Fahrenheit) to promote at least 15 minutes of continuous irrigation. Stations not meeting this criterion shall be deemed unsuitable facilities. For compliance purposes, it is recommended to document verification as part of inspection efforts identified in response to Question 1.

3. Does this new regulation incorporate new training requirements?

The adopted ANSI introduces a new requirement for employers to train employees on knowing where to locate the nearest emergency eyewash and shower station in their work area and understand how to use the station.

4. Are faucet-mounted eyewash stations that require two motions to operate compliant with ANSI Z358.1-2014?

ANSI Z358.1-2014 requires that emergency eyewash and shower stations be equipped with a control valve that can be operated from “off” to “on” in 1 second or less. Faucet-mounted eyewash stations that use a two-step process to discharge flushing fluid may

not be compliant with ANSI Z358.1-2014. This is recognized by many common manufacturers of faucet-mounted eyewash stations. Nevada OSHA will consider the pre-existing installation and use of such eyewash stations as a de minimis violation if the employer has taken the necessary steps to train employees on the proper use of such equipment and continues to train employees on an ongoing basis. Nevada OSHA strongly encourages employers to progressively replace such stations to the extent feasible. New installations of faucet-mounted eyewash stations that require a two-step process will be considered non-compliant and citations may be issued.

5. What location considerations must an employer make when installing emergency eyewash and shower equipment?

Distance

Emergency eyewash and shower equipment should be available for immediate use, but in no instance should it take an individual longer than 10 seconds to reach the equipment and utilize the flushing fluid. ANSI Z358.1-2014 recognizes that a distance no greater than 55 feet meets the 10-second requirement.

Obstructions

For highly corrosive chemicals, the employer must ensure that no obstructions exist between the hazard and the emergency eyewash and shower equipment.

Examples of obstructions include:

- Doorways
- Storage racks
- Boxes and other loose work materials
- Railings and other barriers

Other Considerations

Employers must consider exposure to other hazards when emergency eyewash and shower equipment is operated to include:

- Flushing fluid interaction with close-proximity electrical equipment.
- A location that allows the employee to achieve a safe distance from the potentially ongoing chemical hazard.