

OCCUPATIONAL HEALTH AND ENVIRONMENTAL CONTROLS

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§1926.51 Sanitation.

(a) Potable water.

- (1) An adequate supply of potable water shall be provided in all places of employment.
- (2) Portable containers used to dispense drinking water shall be capable of being tightly closed, and equipped with a tap. **Water shall not be dipped from containers.**
- (3) Any container used to distribute drinking water shall be clearly marked as to the nature of its contents and not used for any other purpose.
- (4) The common drinking cup is prohibited.
- (5) Where single service cups (to be used but once) are supplied, both a sanitary container for the unused cups and a receptacle for disposing of the used cups shall be provided.
- (6) “**Potable water**” means water which meets the quality standards prescribed in the U.S. Public Health Service Drinking Water Standards, published in 42 CFR part 72, or water which is approved for drinking purposes by the State or local authority having jurisdiction.

437-003-0015 Drinking Water. *In addition to and not in lieu of any provisions in 1926.51(a), drinking water containers shall be constructed of materials that maintain water quality, shall be refilled daily or more often as necessary, shall be kept covered, and shall be regularly cleaned.*

Stat. Auth.: ORS 654.025(2) and 656.726(3).
Hist: APD Admin. Order 8-1989, f. 7/7/89, ef. 7/7/89.

(b) Nonpotable water.

- (1) Outlets for nonpotable water, such as water for industrial or firefighting purposes only, shall be identified by signs meeting the requirements of Subpart G of this part, to indicate clearly that the water is unsafe and is not to be used for drinking, washing, or cooking purposes.
- (2) There shall be no cross-connection, open or potential, between a system furnishing potable water and a system furnishing nonpotable water.

(c) Toilets at construction jobsites.

- (1) Toilets shall be provided for employees according to the following table:

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Table D - 1	
Number of employees	Minimum number of facilities
20 or less	1
20 or more	1 toilet seat and 1 urinal per 40 workers
200 or more	1 toilet seat and 1 urinal per 50 workers

(2) Under temporary field conditions, provisions shall be made to assure not less than one toilet facility is available.

(3) Job sites, not provided with a sanitary sewer, shall be provided with one of the following toilet facilities unless prohibited by local codes:

- (i) Privies (where their use will not contaminate ground or surface water);
- (ii) Chemical toilets;
- (iii) Recirculating toilets;
- (iv) Combustion toilets.

(4) The requirements of this paragraph (c) for sanitation facilities shall not apply to mobile crews having transportation readily available to nearby toilet facilities.

NOTE: Oregon does not have 1926.51(f). Please refer to OAR 437-002-0141(5) Washing Facilities, in Division 2/J.

Stat. Auth.: ORS 654.025(2) and 656.726(3).
Stats. Implemented: ORS 654.001 through 654.295.
Hist: APD Admin. Order 4-1989, f. 3/31/89, ef. 5/1/89 (temp).
 APD Admin. Order 8-1989, f. 7/7/89, ef. 7/7/89 (perm).
 OR-OSHA Admin. Order 3-2000, f. 2/8/00, ef. 2/8/00.

437-003-0020 Toilets. *In addition to and not in lieu of any provisions in 26 CFR 1926.51(c):*

(1) *At the site of every project with an estimated cost of \$1,000,000 or more, the employer or owner of such place of employment shall provide flush toilet facilities in accordance with subparagraph (1) of 29 CFR 1926.51(c) and washing facilities which include wash basins, warm water and soap.*

NOTE: Section (1) of this rule does not apply to highway construction or maintenance projects or to electricity, water, sewer or gas transmission facility construction or maintenance projects. The director may, by order, exempt or partially exempt, individual or classes of construction projects from the requirements of section (1) of this rule when conditions are such that compliance is impractical or impossible.

(2) *Where toilet facilities will not be used by women, urinals may be provided instead of toilets, except that the number of toilets in such cases shall not be reduced to less than 2/3 of the minimum specified.*

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(3) *Toilets and toilet area shall be maintained in good repair and in a clean and sanitary condition.*

Stat. Auth.: ORS 654.025(2) and 656.726(3).

Stat. Implemented: ORS 654.150.

Hist: APD Admin. Order 8-1989, f. 7/7/89, ef. 7/7/89.
OR-OSHA Admin. Order 1-1994, f. 4/27/94, ef. 4/27/94.

§1926.52 Occupational Noise Exposure.

Note: §1926.52 was not adopted by the Department. In Oregon, 437-003-0027 applies:

437-003-0027 Applicable Rules. *Whenever any employee is exposed to noise in the workplace, the requirements of OAR 437, Division 2/G, 1910.95, Occupational Noise Exposure, shall apply.*

Stat. Auth.: ORS 654.025(2) and 656.726(3).

Hist: APD Admin. Order 8-1989, f. 7/7/89, ef. 7/7/89.

§1926.53 Ionizing Radiation.

(a) In construction and related activities involving the use of sources of ionizing radiation, the pertinent provisions of the Atomic Energy Commission's Standards for Protection Against Radiation (10 CFR Part 20), relating to protection against occupational radiation exposure, shall apply.

(b) Any activity which involves the use of radioactive materials or X-rays, whether or not under license from the Atomic Energy Commission, shall be performed by competent persons specially trained in the proper and safe operation of such equipment. In the case of materials used under Commission license, only persons actually licensed, or competent persons under direction and supervision of the licensee, shall perform such work.

(c) through (r) **Reserved.**

NOTE: The requirements applicable to construction work under paragraphs (c) through (r) of this section are identical to those set forth at paragraphs (a) through (p) of §1910.1096 of this chapter.

Stat. Auth.: ORS 654.025(2) and 656.726(3).

Hist: APD Admin. Order 4-1989, f. 3/31/89, ef. 5/1/89 (temp).
APD Admin. Order 8-1989, f. 7/7/89, ef. 7/7/89 (perm).