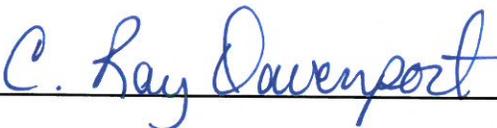


VOSH PROGRAM DIRECTIVE: 12-211**ISSUED: January 15, 2019**

<u>Subject</u>	Amendment to the Flammable Liquids Standard for General Industry, §1910.106 – CFR Correction
<u>Purpose</u>	This Directive transmits to field personnel the revised standard for Flammable Liquids for General Industry, §1910.106, and amends paragraph (d)(2)(iii) of §1910.106.
<u>Scope</u>	This Directive applies VOSH-wide.
<u>Reference</u>	83 FR 30539 (June 29, 2018)
<u>Cancellation</u>	Not Applicable.
<u>Effective Date</u>	February 22, 2019
<u>Expiration Date</u>	Not Applicable – remains in effect until cancelled or superseded.
<u>Action</u>	Directors and Managers shall ensure that field personnel understand and comply with the policies and procedures established in this Directive and that they are uniformly administered.

C. Ray Davenport
Commissioner





Distribution: Commissioner of Labor and Industry Consultation Services Director
 Assistant Commissioner-Programs VOSH Compliance & Cooperative Programs Staffs
 VOSH Directors and Managers OSHA Region III & OSHA Norfolk Area Offices
 VOSH DLS and OIS Staffs

The following federal terms if, and where they are used, shall be considered to read as below:

Federal Terms

VOSH Equivalent

OSHA	VOSH
Federal Agency	State Agency
Agency	Department
Regional Administrator	Assistant Commissioner
Area Director	Regional Director VOSH Program Director
Regional Solicitor	Attorney General or VOSH Division of Legal Support (DLS)
Office of Statistics	VOSH Research and Analysis
29 CFR	VOSH Standard
Compliance Safety and Health Officer (CSHO)	CSHO

I. **Background**

This amendment reflects revisions to the introductory text of subparagraph (d)(2)(iii) of §1910.106, revised as of July 1, 2017, in the *Code of Federal Register*, covering OSHA Standards, 29 CFR 1910 to §1910.999.

More details on this amendment can be found at:

<http://townhall.virginia.gov/l/viewstage.cfm?stageid=8473>

II. **Summary**

The Code of Federal Regulations (CFR) is the codification of the general and permanent rules and regulations published in the Federal Register by the executive departments and agencies of the federal government of the United States. CFR Title 29 contains the principal set of rules and regulations issued by federal agencies regarding labor. Virginia Occupational Safety and Health standard, §1910.106 is equivalent to 29 CFR 1910.106.

Section 1910.106 (d)(2)(iii) addresses the design, construction, capacity and size of storage containers and portable tanks for flammable liquids. Previously, the introductory text of that paragraph read as follows:

...

Size. Flammable and combustible liquid containers shall be in accordance with Table H-12, except that glass or plastic containers of no more than 1-gallon capacity may be used for a Category 1 or 2 flammable liquid if:...

The introductory text has been revised by removing the words “and combustible” between “Flammable” and “liquid” to currently read as follows:

...

Size. Flammable liquid containers shall be in accordance with Table H-12, except that glass or plastic containers of no more than 1-gallon capacity may be used for a Category 1 or 2 flammable liquid if:...

Amendment to the Flammable Liquids Standard for General Industry, §1910.106 – CFR Correction

As Adopted by the
Safety and Health Codes Board

Date: November 8, 2018



VIRGINIA OCCUPATIONAL SAFETY AND HEALTH PROGRAM

VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY

Effective Date: February 22, 2019

16VAC25-90-1910.106, Flammable Liquids Standard for General Industry, §1910.106

When the regulations, as set forth in the Amendment to the Flammable Liquids Standard for General Industry, §1910.106, CFR Correction, are applied to the Commissioner of the Department of Labor and Industry and/or to Virginia employers, the following federal terms shall be considered to read as below:

Federal Terms

VOSH Equivalent

29 CFR

VOSH Standard

Assistant Secretary

Commissioner of Labor and Industry

Agency

Department

June 29, 2018

February 22, 2019

DEPARTMENT OF LABOR

**Occupational Safety and Health
Administration**

29 CFR Part 1910

**Occupational Safety and Health
Standards**

CFR Correction

In Title 29 of the Code of Federal Regulations, Parts 1910 to § 1910.999, revised as of July 1, 2017, on page 247, in § 1910.106, paragraph (d)(2)(iii) introductory text is revised to read as follows:

§ 1910.106 Flammable liquids.

* * * * *

(d) * * *

(1) * * *

(2) * * *

(iii) *Size.* Flammable liquid containers shall be in accordance with Table H-12, except that glass or plastic containers of no more than 1-gallon capacity may be used for a Category 1 or 2 flammable liquid if:

* * * * *

[FR Doc. 2018-14144 Filed 6-28-18; 8:45 am]

BILLING CODE 1301-00-D