

Overview of proposed amendments to

Part 5: Chemical and Biological Substances

Section 5.49, Excursion limits

The purpose of this amendment is to reinsert a phrase previously removed from Section 5.49 of the *Occupational Health and Safety Regulation*.

The phrase “is provided only with” was previously removed from section 5.49, creating the effect that excursion limits apply to all substances with 8-hour time weighted average (“TWA”) limits, regardless of whether or not they have short-term exposure limits (“STELs”) or ceiling limits, which are intended to prevent excursions. It is proposed that the phrase be reinserted.

Section 5.49, which places some restraint on concentration excursions, is not meant to supersede any STEL or ceiling limitation which has been set.

PART 5: CHEMICAL AND BIOLOGICAL SUBSTANCES

CONTROLLING EXPOSURE

Excursion limits	5.49	If a substance referred to under section 5.48 has is provided only with an 8-hour TWA limit, the employer must, in addition to the requirement of section 5.48, ensure that a worker's exposure to the substance does not exceed <ul style="list-style-type: none">(a) three times the 8-hour TWA limit for more than a total of 30 minutes during the work period, and(b) five times the 8-hour TWA limit at any time.
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Explanatory note

A previous regulatory amendment removed the phrase "is provided only with" from section 5.49, creating the effect that excursion limits apply to all substances with 8-hour time weighted average ("TWA") limits, regardless of whether or not they have short-term exposure limits ("STELs") or ceiling limits, which are intended to prevent excursions. This has led to a multiplicity of limits to prevent excursions, which are at times contradictory. It is proposed that the word "has" which currently appears after "under section 5.48" in the first sentence, be deleted, and the phrase "is provided only with" be reinserted in its place.

The intended rationale behind section 5.49 is that if a substance has only an 8-hour TWA, there is no control over excursions above that limit, as long as the 8-hour TWA exposure standard is not exceeded. This can lead to circumstances where a worker could be exposed to a very high concentration of a hazardous substance, even though the average exposure of a worker over an 8-hour period did not exceed the 8-hour TWA. It is generally recognized in such cases, that a substance is not considered to be under reasonable control, if short term exposures exceed three times the TWA exposure standard for more than a total of 30 minutes per 8-hour working day, or if a single short-term value exceeds five times the TWA exposure standard.

Section 5.49, which aimed at placing some restraint on concentration excursions, is not meant to supersede any STEL or ceiling limitation set.

PART 5: CHEMICAL AND BIOLOGICAL SUBSTANCES

CONTROLLING EXPOSURE

**Excursion
limits**

- 5.49** If a substance referred to under section 5.48 is provided only with an 8-hour TWA limit, the employer must, in addition to the requirement of section 5.48, ensure that a worker's exposure to the substance does not exceed
- (a) three times the 8-hour TWA limit for more than a total of 30 minutes during the work period, and
 - (b) five times the 8-hour TWA limit at any time.

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