

§ 1910.1

29 CFR Ch. XVII (7-1-04 Edition)

RECORDKEEPING

1910.440 Recordkeeping requirements.
1910.441 Effective date.

APPENDIX A TO SUBPART T TO PART 1910—EX-
AMPLES OF CONDITIONS WHICH MAY RE-
STRICT OR LIMIT EXPOSURE TO
HYPERBARIC CONDITIONS

APPENDIX B TO SUBPART T TO PART 1910—
GUIDELINES FOR SCIENTIFIC DIVING

APPENDIX C TO SUBPART T TO PART 1910—AL-
TERNATIVE CONDITIONS UNDER
§ 1910.401(a)(3) FOR RECREATIONAL DIVING
INSTRUCTORS AND DIVING GUIDES (MANDA-
TORY)

Subparts U—Y [Reserved]

1910.901–1910.999 [Reserved]

SOURCE: 39 FR 23502, June 27, 1974, unless
otherwise noted.

Subpart A—General

AUTHORITY: Secs. 4, 6, 8, Occupational Safe-
ty and Health Act of 1970 (29 U.S.C. 653, 655,
657); Secretary of Labor's Order Numbers 12-
71 (36 FR 8754), 8-76 (41 FR 25059), 9-83 (48 FR
35736), 1-90 (55 FR 9033), or 6-96 (62 FR 111), as
applicable.

Sections 1910.7 and 1910.8 also issued under
29 CFR Part 1911. Section 1910.7(f) also issued
under 31 U.S.C. 9701, 29 U.S.C. 9a, 5 U.S.C. 553;
Pub. L. 106-113 (113 Stat. 1501A-222); and OMB
Circular A-25 (dated July 8, 1993) (58 FR
38142, July 15, 1993).

§ 1910.1 Purpose and scope.

(a) Section 6(a) of the Williams-
Steiger Occupational Safety and
Health Act of 1970 (84 Stat. 1593) pro-
vides that “without regard to chapter 5
of title 5, United States Code, or to the
other subsections of this section, the
Secretary shall, as soon as practicable
during the period beginning with the
effective date of this Act and ending 2
years after such date, by rule promul-
gate as an occupational safety or
health standard any national con-
sensus standard, and any established
Federal standard, unless he determines
that the promulgation of such a stand-
ard would not result in improved safety
or health for specifically designated
employees.” The legislative purpose of
this provision is to establish, as rapidly
as possible and without regard to the
rule-making provisions of the Adminis-
trative Procedure Act, standards with
which industries are generally famil-
iar, and on whose adoption interested

and affected persons have already had
an opportunity to express their views.
Such standards are either (1) national
consensus standards on whose adoption
affected persons have reached substan-
tial agreement, or (2) Federal stand-
ards already established by Federal
statutes or regulations.

(b) This part carries out the directive
to the Secretary of Labor under section
6(a) of the Act. It contains occupa-
tional safety and health standards
which have been found to be national
consensus standards or established
Federal standards.

§ 1910.2 Definitions.

As used in this part, unless the con-
text clearly requires otherwise:

(a) *Act* means the Williams-Steiger
Occupational Safety and Health Act of
1970 (84 Stat. 1590).

(b) *Assistant Secretary of Labor* means
the Assistant Secretary of Labor for
Occupational Safety and Health;

(c) *Employer* means a person engaged
in a business affecting commerce who
has employees, but does not include
the United States or any State or po-
litical subdivision of a State;

(d) *Employee* means an employee of an
employer who is employed in a busi-
ness of his employer which affects com-
merce;

(e) *Commerce* means trade, traffic,
commerce, transportation, or commu-
nication among the several States, or
between a State and any place outside
thereof, or within the District of Co-
lumbia, or a possession of the United
States (other than the Trust Territory
of the Pacific Islands), or between
points in the same State but through a
point outside thereof;

(f) *Standard* means a standard which
requires conditions, or the adoption or
use of one or more practices, means,
methods, operations, or processes, rea-
sonably necessary or appropriate to
provide safe or healthful employment
and places of employment;

(g) *National consensus standard* means
any standard or modification thereof
which (1) has been adopted and promul-
gated by a nationally recognized stand-
ards-producing organization under pro-
cedures whereby it can be determined
by the Secretary of Labor or by the As-
sistant Secretary of Labor that persons