

§ 1910.38

foot-candles (54 lux) by a reliable light source and be distinctive in color. Self-luminous or electroluminescent signs that have a minimum luminance surface value of at least .06 footlamberts (0.21 cd/m²) are permitted.

(7) Each exit sign must have the word "Exit" in plainly legible letters not less than six inches (15.2 cm) high, with the principal strokes of the letters in the word "Exit" not less than three-fourths of an inch (1.9 cm) wide.

(c) *The fire retardant properties of paints or solutions must be maintained.* Fire retardant paints or solutions must be renewed as often as necessary to maintain their fire retardant properties.

(d) *Exit routes must be maintained during construction, repairs, or alterations.*

(1) During new construction, employees must not occupy a workplace until the exit routes required by this subpart are completed and ready for employee use for the portion of the workplace they occupy.

(2) During repairs or alterations, employees must not occupy a workplace unless the exit routes required by this subpart are available and existing fire protections are maintained, or until alternate fire protection is furnished that provides an equivalent level of safety.

(3) Employees must not be exposed to hazards of flammable or explosive substances or equipment used during construction, repairs, or alterations, that are beyond the normal permissible conditions in the workplace, or that would impede exiting the workplace.

(e) *An employee alarm system must be operable.* Employers must install and maintain an operable employee alarm system that has a distinctive signal to warn employees of fire or other emergencies, unless employees can promptly see or smell a fire or other hazard in time to provide adequate warning to them. The employee alarm system must comply with §1910.165.

[67 FR 67961, Nov. 7, 2002]

§ 1910.38 Emergency action plans.

(a) *Application.* An employer must have an emergency action plan whenever an OSHA standard in this part requires one. The requirements in this

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

section apply to each such emergency action plan.

(b) *Written and oral emergency action plans.* An emergency action plan must be in writing, kept in the workplace, and available to employees for review. However, an employer with 10 or fewer employees may communicate the plan orally to employees.

(c) *Minimum elements of an emergency action plan.* An emergency action plan must include at a minimum:

(1) Procedures for reporting a fire or other emergency;

(2) Procedures for emergency evacuation, including type of evacuation and exit route assignments;

(3) Procedures to be followed by employees who remain to operate critical plant operations before they evacuate;

(4) Procedures to account for all employees after evacuation;

(5) Procedures to be followed by employees performing rescue or medical duties; and

(6) The name or job title of every employee who may be contacted by employees who need more information about the plan or an explanation of their duties under the plan.

(d) *Employee alarm system.* An employer must have and maintain an employee alarm system. The employee alarm system must use a distinctive signal for each purpose and comply with the requirements in §1910.165.

(e) *Training.* An employer must designate and train employees to assist in a safe and orderly evacuation of other employees.

(f) *Review of emergency action plan.* An employer must review the emergency action plan with each employee covered by the plan:

(1) When the plan is developed or the employee is assigned initially to a job;

(2) When the employee's responsibilities under the plan change; and

(3) When the plan is changed.

[67 FR 67961, Nov. 7, 2002]

§ 1910.39 Fire prevention plans.

(a) *Application.* An employer must have a fire prevention plan when an OSHA standard in this part requires one. The requirements in this section apply to each such fire prevention plan.

(b) *Written and oral fire prevention plans.* A fire prevention plan must be in