

Congress of the United States
Washington, DC 20515

May 13, 2016

The Honorable Thomas E. Perez
Secretary
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

Dear Secretary Perez:

We write to request that the U.S. Department of Labor (DOL) update the Occupational Safety and Health Administration (OSHA) standard on flammable and combustible liquids, 29 C.F.R. § 1910.106.

The National Fire Protection Association (NFPA) promulgates model fire codes, designed to mitigate the risk of fire to life and property. These NFPA codes have been adopted by state and local jurisdictions as well as by OSHA. NFPA 30 – the Flammable and Combustible Liquids Code – provides guidelines to reduce hazards associated with storing, handling, and using flammable and combustible liquids. Most states and many localities have adopted NFPA 30. The applicable OSHA standard, § 1910.106, references a version of NFPA 30 that dates back to 1969.

In the intervening five decades, NFPA 30 has been updated multiple times to account for new information and risks presented by the storage of flammable and combustible liquids. NFPA 30 was revised in 1996 to address the risk of uncontrollable fires from breached containers holding combustible or flammable liquids stored in warehouses or other facilities. Uncontrollable fires can be catastrophic events, capable of causing fatalities and injuries to workers and first responders. Additionally, these events are capable of damaging the surrounding environment and destroying nearby infrastructure. The revised version of NFPA 30 responds to these safety hazards by, among other measures, limiting the types of containers that can be used for storing flammable and combustible liquids in facilities.

We understand that OSHA has received requests from industry stakeholders to address this critical safety concern and OSHA has acknowledged the outdated nature of this standard.

All of us understand the importance of ensuring the safety of America's workplace– including the safety of the warehouse workers and first responders threatened by improper storage of combustible and flammable liquids. An updated federal standard that is based on the best available science will help to increase awareness among regulators and will guide industry sectors in the selection of safe packaging for products. We respectfully urge OSHA to update the standard for flammable and combustible liquids as soon as possible.

Thank you for your consideration.

Sincerely,



Suzanne Bonamici
Member of Congress



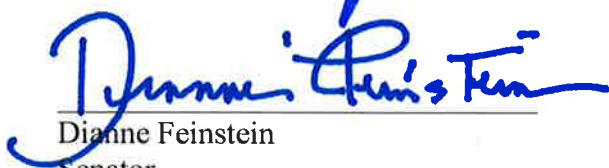
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Member of Congress



Eric Swalwell
Member of Congress



Mark DeSaulnier
Member of Congress

cc: Dr. David Michaels
Assistant Secretary
U.S. Department of Labor
Occupation Safety and Health Administration