

South Carolina Department of Labor, Licensing and Regulation
Division of Labor
Office of Occupational Safety and Health
Columbia, South Carolina 29211

OSH Program Directive Number 78-1910.36-2

Subject: Article VI, Section 1910.36 (b) (8) – Means of Egress;
Fundamental Requirements – Relative to Workover Rigs Used to
Service Oil Wells.

Standard: Article VI, Section 1910.36 (b) (8), Rules and Regulations,
Commissioner of Labor, State of South Carolina.

**Cross Reference to
Federal Standards:** 29 CFR 1910.36 (b) (8).

Background:

- a) The term “workover rigs” as used in this directive means telescoping derricks permanently attached to trucks which are used to service oil wells. Several recent federal legal decisions have vacated citations issued for violations of 29 CFR 1910.36 (b) (8) on workover rigs. Basically, the standard provides for at least two means of egress remote from each other.
- b) The federal citations were vacated on the basis of the exemption in 29 CFR 1910.36 (a), which provides: “Exits from vehicles, vessels, or other mobile structures are not covered by this subpart” (on Means of Egress).

Interpretation:

- a) The standard in Subpart E – Means of Egress, Article VI, shall not be applied to workover rigs because they are mobile structures and parts of vehicles within the exemption set forth in Article VI, Section 1910.36 (a).
- b) Section 1.12 (General Duty Clause of our OSH Rules and Regulations shall be cited when workover rigs have no means of egress or the means of egress is inadequate, when such conditions present recognized hazards causing or likely to cause death or serious physical harm. The determination whether such conditions pose such hazards must be made on a case-by-case basis.

Effective Date: This instruction is effective upon receipt and will remain in effect until cancelled or superseded by amendment to the Rules and Regulations.

William M. Lybrand
March 3, 1978