

**GI Part 77. Grain Handling Facilities  
Compared with  
29 C.F.R. 1910.272 Grain handling facilities and  
29 C.F.R. 1910.165 Employee alarm systems.**

**As of May 2015**

**Summary:** The significant differences between GI Part 77. Grain Handling Facilities and 29 C.F.R. 1910.272 Grain handling facilities are in:

- Applicability of rules
- Employee emergency plan and fire prevention plan
- Employee alarm systems – the OSHA rule can be found in 1910.165 Employee alarm systems rather than in 1910.272 Grain handling facilities

The comparisons show only those provisions where MIOSHA rules are different than OSHA or where MIOSHA rules are not included in 29 C.F.R.

MIOSHA	OSHA
<p><b>R 408.17701b Applicability of rules.</b> Rule 7701b. (1) R 408.17701a, R 408.17701b, and R 408.17704 to R 408.17713 apply to all of the following:</p> <ul style="list-style-type: none"> <li>(a) Grain elevators.</li> <li>(b) Feed mills.</li> <li>(c) Flour mills.</li> <li>(d) Rice mills.</li> <li>(e) Dust pelletizing plants.</li> <li>(f) Dry corn mills.</li> <li>(g) Soybean flaking operations.</li> <li>(h) Dry grinding operations of soycake.</li> </ul> <p>(2) R 408.17714, R 408.17715, and R 408.17716 apply only to grain elevators.</p> <p>(3) These rules do not apply to seed plants that handle and prepare seeds for the planting of future crops or to on-farm storage of feed lots.</p>	<p><b>1910.272(b) Application.</b> <b>1910.272(b)(1)</b> Paragraphs (a) through (n) of this section apply to grain elevators, feed mills, flour mills, rice mills, dust pelletizing plants, dry corn mills, soybean flaking operations, and the dry grinding operations of soycake.</p>

MIOSHA	OSHA
<p><b>R 408.17704 Employee emergency plan and fire prevention plan.</b></p> <p><b>Rule 7704.</b> (1) This rule applies to all emergency action plans required by the occupational safety and health act of 1970, 29 U.S.C. §651 et seq. The emergency action plan shall be in writing, except as provided in subrules (5), (6), and (7) of this rule, and shall cover those designated actions employers and employees must take to ensure employee safety from fire and other emergencies.</p> <p>(2) All of the following elements shall be included in the emergency action plan:</p> <p>(a) Procedures for emergency evacuation, including type of evacuation and exit route assignments.</p> <p>(b) Procedures to be followed by employees who remain to operate critical plant operations before they evacuate.</p> <p>(c) Procedures to account for all employees after emergency evacuation has been completed.</p> <p>(d) Procedures to be followed by employees performing rescue or medical duties.</p> <p>(e) Procedures for reporting a fire or other emergency.</p> <p>(f) 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.</p> <p>(3) An alarm system shall comply with both of the following provisions:</p> <p>(a) An employer shall establish an employee alarm system which complies with R 408.17717.</p> <p>(b) If the employee alarm system is used for alerting fire brigade members or for other purposes, a distinctive signal for each purpose shall be used.</p> <p>(4) An employer shall establish, in the emergency action plan, the types of evacuation to be used in emergency circumstances.</p> <p>(5) Before implementing the emergency action plan, an employer shall designate and train a sufficient number of persons to assist in the safe and orderly emergency evacuation of employees.</p> <p>(6) An employer shall review the emergency action plan with each employee covered by the plan at all of the following times:</p> <p>(a) When the plan is developed or the employee is assigned initially to a job.</p> <p>(b) When an employee's responsibilities or designated actions under the plan change.</p> <p>(c) When the plan is changed.</p> <p>(7) The emergency action written plan shall be kept at the workplace and made available for employee review. For those employers with 10 or fewer employees, the emergency action plan may be communicated orally to employees and the employer need not maintain a written plan.</p>	<p><b>1910.272(d) Emergency action plan.</b> The employer shall develop and implement an emergency action plan meeting the requirements contained in 29 CFR 1910.38.</p> <p><b>1910.38 Emergency action plans.</b></p> <p><b>1910.38(a) Application.</b> An employer must have an emergency action plan whenever an OSHA standard in this part requires one. The requirements in this section apply to each such emergency action plan.</p> <p><b>1910.38(b) Written and oral emergency action plans.</b> 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.</p> <p><b>1910.38(c) Minimum elements of an emergency action plan.</b> An emergency action plan must include at a minimum:</p> <p><b>1910.38(c)(1)</b> Procedures for reporting a fire or other emergency;</p> <p><b>1910.38(c)(2)</b> Procedures for emergency evacuation, including type of evacuation and exit route assignments;</p> <p><b>1910.38(c)(3)</b> Procedures to be followed by employees who remain to operate critical plant operations before they evacuate;</p> <p><b>1910.38(c)(4)</b> Procedures to account for all employees after evacuation;</p> <p><b>1910.38(c)(5)</b> Procedures to be followed by employees performing rescue or medical duties; and</p> <p><b>1910.38(c)(6)</b> 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.</p> <p><b>1910.38(d) Employee alarm system.</b> 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.</p> <p><b>1910.38(e) Training.</b> An employer must designate and train employees to assist in a safe and orderly evacuation of other employees.</p> <p><b>1910.38(f) Review of emergency action plan.</b> An employer must review the emergency action plan with each employee covered by the plan:</p> <p><b>1910.38(f)(1)</b> When the plan is developed or the employee is assigned initially to a job;</p> <p><b>1910.38(f)(2)</b> When the employee's responsibilities under the plan change; and</p> <p><b>1910.38(f)(3)</b> When the plan is changed.</p> <p>[45 FR 60703, Sept. 12, 1980; FR 67 67963, Nov. 7, 2002]</p>

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