

DEPARTMENT OF LABOR AND ECONOMIC GROWTH LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

GENERAL INDUSTRY SAFETY STANDARDS

Filed with the Secretary of State of April 22, 2015

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306.

Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the director of the department of labor and economic growth licensing and regulatory affairs by sections 16 and 21 of 1974 PA 154 MCL 408.1016 and 408.1021, and Executive Reorganization Order Nos. 1996-2, 2003-1, 2008-4, and 2011-4, MCL 445.2001, 445.2011, 445.2025, and 445.2030) and Executive Reorganization Order Nos. 1996-2 and 2003-1, MCL 408.1019, 408.1021, 445.2001, and 445.2011)

R 408.15001, R 408.15002, R 408.15003, and R 408.15004 of the Michigan Administrative Code are amended, as follows:

PART 50. TELECOMMUNICATIONS

R 408.15001 Adoption of **standard by reference**. ~~federal O.S.H.A. standard.~~

Rule 5001. (1) The **provisions of federal occupational safety and health administration regulation 29 C.F.R. 1910.268 "Telecommunications," effective January 5, 2005,** ~~administration's regulations on telecommunications that have been promulgated by the United States department of labor and codified at 29 C.F.R. §1910.268,~~ are adopted by reference in these rules, as of the effective date of these rules, except as noted in subrule (2) of this rule.

(2) Paragraphs (a)(2)(i) and (a)(3) of **The subrules 29 C.F.R. §1910.268(a)(2)(i) and (a)(3)** are excepted.

(3) ~~As of the effective date of these rules, the~~ **The** words "for purposes of 29 CFR 1910.34," as used in 29 C.F.R. §1910.268(b)(1)(iii), are excepted.

(4) ~~As of the effective date of these rules,~~ **A reference to §1910.110 "Storage and handling of liquefied petroleum gases,"** referenced in 29 C.F.R. §1910.268(b)(4), means general industry safety standard Part 56. **Storage General Industry Safety Standard Part 56 "Storage and Handling of Liquefied Petroleum Gases,"** as referenced in **R 408.15004.** ~~Gases, R 408.15601.~~

(5) ~~As of the effective date of these rules, the~~ **The** words "Assistant Secretary for Occupational Safety and Health," as used in 29 C.F.R. §1910.268(c), means **mean** director of the department of **licensing and regulatory affairs.** ~~labor and economic growth.~~

(6) ~~As of the effective date of these rules,~~ **A reference to §1910.137, "Electrical protective devices,"** referenced in 29 C.F.R. §1910.268(f)(1), means general industry safety standard Part 33. **Personal General Industry Safety Standard Part 33 "Personal Protective Equipment,"** as referenced in **R 408.15004.** ~~Equipment, R 408.13387.~~

(7) ~~As of the effective date of these rules, the words~~ **A reference to "Subpart D of this part,"** means **General Industry Safety Standard Part 3 "Fixed Ladders,"** and **General Industry Safety Standard Part 4 "Portable Ladders,"** as referenced in **R 408.15004.** as used in 29 C.F.R. §1910.268(h)(1), mean general industry safety standard Part 3. **Fixed Ladders, R 408.10301 et seq.** and Part 4. **Portable Ladders, R 408.10401 et seq.**

(8) ~~As of the effective date of these rules,~~ **A reference to §1910.25(c)(5),** means **Construction Safety Standard Part 30 "Telecommunications,"** as referenced in **R 408.15004.** ~~referenced in 29 C.F.R. §1910.268(h)(5),~~ means construction safety standard Part 30. **Telecommunications, R 408.43004.**

(9) ~~As of the effective date of these rules,~~ **A reference to § 1910.133, (a)(2) to (a)(6),** means **General Industry Safety Standard Part 33 "Personal Protective Equipment,"** as referenced in **R 408.15004.** ~~referenced in 29 C.F.R. §1910.268(i)(2),~~ mean general industry safety standard Part 33. **Personal Protective Equipment, R 408.13301 et seq.**

(10) ~~As of the effective date of these rules,~~ **A reference to subpart Q,** means **General Industry Safety Standard Part 12 "Welding and Cutting,"** as referenced in **R 408.15004.** ~~referenced in 29 C.F.R. §1910.268(i)(9),~~ means general industry safety standard Part 12. **Welding and Cutting, R 408.11201 et seq.**

(11) ~~As of the effective date of these rules, the words~~ **A reference to "Subpart W of Part 1926 of this title,"** means **Construction Safety Standard Part 13 "Mobile Equipment,"** as referenced in **R 408.15004.** ~~as used in 29 C.F.R. §1910.268(j)(2)(i),~~ mean construction safety standard Part 13. **Mobile Equipment, R 408.41301 et seq.**

(12) ~~As of the effective date of these rules,~~ **A reference to American National Standards Institute (ANSI) standard Standard ANSI J6.6 – 1971 edition,** referenced in 29 C.F.R. §1910.268(n)(11)(iv), means American Society for Testing and Materials (ASTM) standard **Standard ASTM D 420, Standard 120 "Standard Specification for Rubber Insulating Gloves, Gloves,"** 1977 ~~edition.~~ **edition,** as referenced in **R 408.15004.**

(13) ~~As of the effective date of these rules, A reference to §1910.97, means Occupational Health Standard Part 382 “Nonionizing Radiation,” as referenced in R 408.15004. referenced in 29 C.F.R. §1910.268(p)(2), means occupational health standard Part 382. Nonionizing Radiation, R 325.60701 et seq.~~

(14) The adopted federal regulations shall have the same force and effect as a rule promulgated under **the Michigan Occupational Safety and Health Act, 1974 PA Act No. 154, of the Public Acts of 1974, as amended, MCL 408.1001 to 408.1094.** ~~et seq.~~

R 408.15002 Applicability.

Rule 5002. Operations or conditions not specifically covered by these rules are subject to all the applicable standards promulgated by the **Michigan Occupational Safety and Health Act (MIOSHA)**. ~~general industry safety standards commission. Operations which involve construction work are subject to all the applicable standards promulgated by the construction safety standards commission.~~

R 408.15003 Employer responsibility.

Rule 5003. Where personal protective equipment is required by ~~any provision of 29 C.F.R. §1910.268 “Telecommunications,” as adopted by reference in these rules, Telecommunications, adopted by reference in R 408.15004, that the personal protective equipment shall be provided for and as prescribed in General Industry Safety Standard Part 33 “Personal Protective Equipment,” as referenced in R 408.15004.~~ **general industry safety standard Part 33. Personal Protective Equipment, R 408.13301 et seq.**

R 408.15004 Availability of documents.

Rule 5004. (1) The federal regulations adopted by reference in these rules are available **from the United States Department of Labor, Occupational Safety and Health Administration website: www.osha.gov, at no charge, as of the time of adoption of these rules.** ~~without cost as of the time of adoption of these rules from the United States Department of Labor, OSHA, 315 West Allegan, Room 315, Lansing, Michigan 48933, or via the internet at website: www.osha.gov, or from the Michigan Department of Labor and Economic Growth, MIOSHA Standards Section, P.O. Box 30643, Lansing, Michigan 48909.~~

(2) **The federal regulations adopted in these rules are also available for inspection at the Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 7150 Harris Drive, Lansing, Michigan, 48909-8143.** ~~The following Michigan occupational safety and health standards are referenced in these rules. Up to 5 copies of these standards may be obtained at no charge from the Michigan Department of Labor and Economic Growth, MIOSHA Standards Section, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan, 48909-8143 or via the internet at website: www.michigan.gov/mioshastandards. For quantities greater than 5, the cost, as of the time of adoption of these rules, is 4 cents per page.~~

~~(a) General Industry Safety Standard Part 3. Fixed Ladders, R 408.10301 et seq.~~

~~(b) General Industry Safety Standard Part 4. Portable Ladders, R 408.10401 et seq.~~

~~(c) General Industry Safety Standard Part 12. Welding and Cutting, R 408.11201 et seq.~~

~~(d) Construction Safety Standard Part 13. Mobile Equipment, R 408.41301 et seq.~~

~~(e) General Industry Safety Standard Part 33. Personal Protective Equipment, R 408.13301 et seq.~~

~~(f) General Industry Safety Standard Part 56. Storage and Handling of Liquefied Petroleum Gases, R 408.15601.~~

~~(g) Occupational Health Standard Part 382. Nonionizing Radiation, R 325.60701 et seq.~~

(3) **The federal regulations adopted in these rules may be obtained from the publisher or may also be obtained from the Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan, 48909-8143, at the cost charged in this rule, plus \$20.00 for shipping and handling.** ~~The following standards are referenced in these rules and are available from Global Engineering Documents, 15 Inverness Way East, Englewood, Colorado, 80112, telephone number 1-800-854-7179, website: www.global.ihs.com, at a cost as of the time of adoption of these rules, as stated in this rule:~~

~~(a) American Society for Testing and Materials (ASTM) standard B117-64, Standard Practice for Operating Salt Spray (Fog) Apparatus. Cost: \$40.00.~~

~~(b) American National Standards Institute (ANSI) standard Z89.2-1971, Industrial Protective Helmets for Electrical Workers. Cost: \$25.00.~~

~~(c) American National Standards Institute (ANSI) standard B30.6-1969, Safety Code for Derricks. Cost: \$40.00.~~

~~(d) American Society for Testing and Materials (ASTM) standard D 120, Standard Specification for Rubber Insulating Gloves, 1977 edition. Cost: \$54.00.~~

~~(e) American National Standards Institute (ANSI) standard A92.2-1969, Vehicle-Mounted Elevating and Rotating Devices. Cost: \$20.00.~~

(4) **The following standards are referenced in these rules and are available from Global Engineering Documents, 15 Inverness Way East, Englewood, Colorado, 80112, telephone number 1-800-854-7179, website: www.global.ihs.com, at a cost as of the time of adoption of these rules, as stated in this rule:**

(a) American Society for Testing and Materials Standard ASTM B117 “Standard Practice for Operating Salt Spray (Fog) Apparatus,” 1964 edition. Cost: \$40.00.

(b) ASTM D120 “Standard Specification for Rubber Insulating Gloves,” 1977 edition. Cost: \$54.00.

(c) American National Standards Institute Standard ANSI A92.2 "Vehicle-Mounted Elevating and Rotating Devices," 1969 edition. Cost: \$20.00.

(d) ANSI B30.6 "Safety Code for Derricks," 1969 edition. Cost: \$40.00.

(e) ANSI Z89.2 "Industrial Protective Helmets for Electrical Workers," 1971 edition. Cost: \$25.00.

(5) The following Michigan occupational safety and health (MIOSHA) standards are referenced in these rules. Up to 5 copies of these standards may be obtained at no charge from the Michigan Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan, 48909-8143 or via the internet at website: www.michigan.gov/mioshastandards. For quantities greater than 5, the cost, as of the time of adoption of these rules, is 4 cents per page.

(a) Construction Safety Standard Part 13 "Mobile Equipment," R 408.41301.

(b) General Industry Safety Standard Part 3 "Fixed Ladders," R 408.10301 to R 408.10372.

(c) General Industry Safety Standard Part 4 "Portable Ladders," R 408.10401 to R 408.10456.

(d) General Industry Safety Standard Part 12 "Welding and Cutting," R 408.11201 to R 408.11299.

(e) General Industry Safety Standard Part 33 "Personal Protective Equipment," R 408.13301 to R 408.13398.

(f) General Industry Safety Standard Part 56 "Storage and Handling of Liquefied Petroleum Gases," R 408.15601.

(g) Occupational Health Standard Part 382 "Nonionizing Radiation," R 325.60701 to R 325.60704.