

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

OCCUPATIONAL HEALTH STANDARDS —ASBESTOS FOR GENERAL INDUSTRY

FILED WITH THE SECRETARY OF STATE ON JUNE 5, 2013

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 licensing and regulatory affairs by sections 14 and 24 of 1974 PA 154, MCL 408.1014 and 408.1024; and Executive Reorganization Orders Nos. 1996-1, 1996-2, 2003-1, 2008-4, and 2011-4, MCL 330.3101, 445.2001, 445.2011, 445.2025 and 445.2030** ~~department of consumer and industry services by section 24 of 1974 PA 154, MCL 408.1024, and Executive Reorganization Orders Nos. 1996-1 and 1996-2, MCL 330.3101 and 445.2004~~)

R 325.51311 and R 325.51312 of the Michigan Administrative Code are amended as follows:

PART 305. ASBESTOS STANDARDS FOR GENERAL INDUSTRY

R 325.51311 Scope and application.

Rule 1. (1) These rules apply to all occupational exposures to asbestos in all industries covered by ~~Act No. 154 of the Public Acts of 1974, as amended,~~ **the Michigan Occupational Safety and Health Act (MIOSHA), 1974 PA 154, MCL 408.1001 to 408.1094** being ~~§408.1001 et seq. of the Michigan Compiled Laws,~~ except as provided in subrule (2) of this rule.

(2) These rules do not apply to construction work as defined by ~~Act No. 154 of the Public Acts of 1974, as amended,~~ **the Michigan Occupational Safety and Health Act (MIOSHA), 1974 PA 154, MCL 408.1001 to 408.1094** being ~~§408.1001 et seq. of the Michigan Compiled Laws.~~ Exposure to asbestos in construction work is covered by **Occupational Health Standard Part 602 "Asbestos Standards for Construction,"** R 325.51301 and R 325.51302.

~~(3) These rules replace occupational health rule 2205.~~

R 325.51312 Adoption by reference of federal standard.

Rule 2. (1) The federal occupational safety and health administration's regulations on occupational exposure to asbestos that have been promulgated by the United States department of labor and codified at 29 C.F.R. §1910.1001, **"Asbestos for General Industry," as amended March 26, 2012, are adopted in these rules.** ~~August 10, 1994, and amendments appearing in the Federal Register on June 28, 1995, pp. 33343 to 33345; August 23, 1996, pp. 43454 to 43459; and January 8, 1998, pp. 1285 to 1286, are adopted by reference in this rule as of the effective date of this rule, except for the regulations and amendments that apply to construction work.~~

(2) The adopted federal regulations shall have the same force and effect as a rule promulgated under **the Michigan Occupational Safety and Health Act (MIOSHA) 1974 PA 154, MCL 408.1001 to 408.1094 et seq.**

(3) The adopted federal regulations are available 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** ~~801 South Waverly, Room 306, Lansing, Michigan 48917,~~ or from the Michigan Department of **Licensing and Regulatory Affairs, MIOSHA Standards Section, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan 48909-8143, or via the internet at website www.osha.gov** ~~Consumer and Industry Services, Standards Division, P.O. Box 30643, Lansing, Michigan 48909.~~