

DIRECTOR'S OFFICE

OCCUPATIONAL HEALTH STANDARDS

FILED WITH THE SECRETARY OF STATE ON JANUARY 13, 2014

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** ~~labor and economic growth~~ by sections 14 and 24 of 1974 PA 154, **MCL 408.1014 and 408.1024; and Executive Reorganization Order Nos. 1996-1, 1996-2, 2003-1, 2008-4, and 2011-4, MCL 330.3101, 445.2001, 445.2011, 445.2025 and 445.2030.**) ~~and Executive Reorganization Order Nos. 1996-1, 1996-2, AND 2003-18, MCL 408.1014, 408.1024, 330.3101, 445.2001, AND 445.2011~~)

R 325.60051 and R 325.60052 of the Michigan Administrative Code are amended as follows:

PART 451. RESPIRATORY PROTECTION

R 325.60051 Scope and application.

Rule 1. ~~(1)~~ In the control of occupational diseases caused by breathing air contaminated with harmful dusts, fog, fumes, mists, gases, smokes, spray, or vapors, the primary objective shall be to prevent atmospheric contamination. The prevention of atmospheric contamination shall be accomplished, as far as feasible, by accepted engineering control measures. When effective engineering controls are not feasible, or while they are being instituted, appropriate respirators shall be used pursuant to these rules.

~~(2) These rules replace occupational health rule 3502(1) to (7).~~

R 325.60052 Adoption by reference of federal standard.

Rule 2. (1) The federal occupational safety and health administration's regulations on respiratory protection promulgated by the United States department of labor and codified at 29 C.F.R. §1910.134, "Respiratory protection," **as amended on June 8, 2011**, ~~and effective November 22, 2006~~, are adopted by reference in these rules. ~~as of the effective date of these rules. The federal rule was first promulgated on January 8, 1998, and changes appeared in the Federal Register on pp. 20098 to 20099, April 23, 1998 and on pp. 46993, August 4, 2004. The final rule appeared in the Federal Register on pp. 50187 to 50188, August 24, 2006.~~

(2) The adopted federal regulations shall have the same force and effect as a rule promulgated under 1974 PA 154, MCL 408.1001 to 408.1094.

(3) **The OSHA regulations adopted by reference in subrule (1) of these rules are available from the United States Department of Labor, Occupational Safety and Health Administration, via the internet at website www.osha.gov, at no charge as of the time of adoption of these rules.** ~~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 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 48909-8143 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.~~

(4) **The standards adopted in subrule (1) of this rule are also available for inspection at the Department of Licensing and Regulatory Affairs, MIOSHA Standards Section, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan, 48909-8143.**

(5) **Copies of the standards adopted in subrule (1) of this rule may be obtained from the publisher or may also be obtained from the Department of Licensing and Regulatory Affairs, MIOSHA Standards 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.**