

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

CONSTRUCTION SAFETY STANDARDS

**Filed with the Secretary of State on October 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 licensing and regulatory affairs by sections 19 and 21 of 1974 PA 154, **MCL 408.1019 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)

R 408.40705, R 408.40709, and R 408.40713 of the Administrative Code are amended, as follows:

**PART 7. WELDING AND CUTTING**

R 408.40705 Definitions; A to C.

Rule 705. (1) "AC" means alternating current.

(2) "Arc welding" means a process for joining metals by melting with an electric arc with or without the use of pressure and with or without a filler material.

(3) "Brazing" means a process of joining metals, without melting them, with a filler metal melting above 800 degrees Fahrenheit (427 degrees Celsius).

~~(4) "Confined space" means a space that, because of its physical construction, could be subject to the accumulation of loose materials or explosive, toxic, or flammable contaminants or could have an oxygen-deficient atmosphere. All of the following are examples of confined spaces:~~

~~(a) Storage tanks.~~

~~(b) Process vessels.~~

~~(c) Bins.~~

~~(d) Boilers.~~

~~(e) Ventilation ducts.~~

~~(f) Sewers.~~

~~(g) Underground utility vaults.~~

~~(h) Tunnels after construction is completed.~~

~~(i) Pipelines.~~

**(4) (5)** "Cutting" means a process in which the severing or removing of metal is ~~affected~~ **effected** by the use of an arc or flame.

**(5) (6)** "Cylinders" means containers for storing compressed gases.

R 408.40709 Adopted and referenced standards.

Rule 709.(1) The following standards are adopted by reference in these rules and are available from IHS Global, 15 Inverness Way East, Englewood, Colorado, 80112, USA, telephone number: 1-800-854-7179 or via the internet at website: <http://global.ihs.com>; at a cost as of the time of adoption of these rules, as stated in this subrule.

(a) American National Standard Institute Standard ANSI/AWS Z49.1, "Safety in Welding and Cutting and Allied Processes," 1973 edition. Cost: \$96.00

(b) American National Standard Institute Standard ANSI/ASA B57.1, "Compressed Gas Cylinder Valve Outlet and Inlet Connections," 1965 edition. Cost \$29.00

(2) This standard is adopted by reference in these rules, National Fire Protection Association NFPA 50 "Standards for Bulk Oxygen Systems at Consumer Sites," 1974 edition. This standard is available from National Fire Prevention Association, 1 Batterymarch Park, Quincy, Massachusetts, USA, 02169-7471, telephone number: 1-617-770-3000 or via the internet at website: [www.nfpa.org](http://www.nfpa.org); at a cost as of the time of adoption of these rules of \$27.00.

(3) The Code of Federal Regulations, Title 49 Transportation, Parts 186-199, "Subchapter D-Pipeline Safety" ~~is are~~ available from the United States Government Printing Office website: [www.ecfr.gov](http://www.ecfr.gov), at no charge as of the time of adoption of these rules.

(4) The standards adopted in these rules are available for inspection at the Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 7150 Harris Drive, Lansing, Michigan, 48909-8143.

(5) The standards adopted in these rules may be obtained from the publisher or may 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 of the standard plus \$20.00 for shipping and handling.

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

(a) Construction Safety Standard Part 1 "General Rules," R 408.40101 to R 408.40134.

(b) Construction Safety Standard Part 6 "Personal Protective Equipment," R 408.40601 to R 408.40641.

(c) **Construction Safety Standard Part 35 "Confined Space in Construction," R 408.43501 to R 408.43510.**

(d) Construction Safety Standard Part 45 "Fall Protection," R 408.44501 to R 408.44502.

R 408.40713 Working in confined spaces.

Rule 713. (1) Before the start of a welding operation in a confined space, the employer shall ensure that the atmosphere ~~is shall be~~ tested and recorded. Ventilation shall be provided and maintained in accordance with the requirements of the department of ~~licensing~~ Licensing and ~~regulatory affairs~~ Regulatory Affairs.

(2) **For specific confined space rules, see Construction Safety Standard Part 35 "Confined Space in Construction." as referenced in R 408.40709.** ~~The records shall be maintained by the employer at the jobsite as prescribed in Construction Safety Standard Part 1 "General Rules," as referenced in R 408.40709.~~

(3) When working in a confined space, the torch valves, the gas supply valve, and oxygen valve outside the confined space shall be shut off during the lunch period, overnight, or during any other prolonged period and the torch and hose shall be removed from the confined space. Open-end fuel gas and oxygen hoses shall be immediately removed from enclosed spaces when they are disconnected from the torch or other gas-consuming device.

(4) When electrodes are used in a confined space and welding is suspended during the lunch period, overnight, or during any other prolonged period, the electrode shall be removed from the holder and the machine shall be shut off. The holders shall be placed or protected so that they cannot make electrical contact with employees or conducting objects.

(5) A gas cylinder or a welding machine used for welding operations in a confined space shall be placed on the outside of the space where work is being performed.

(6) If an employee must enter a confined space through a small opening to perform welding operations, another employee trained in rescue procedures and equipped with the means necessary to effect a rescue shall be stationed outside the confined space in position to watch the welder. When a safety harness and lifeline are used, they shall be provided for as prescribed in Construction Safety Standard Part 45 "Fall Protection," as referenced in R 408.40709, and shall be attached to the welder's body so that his or her body cannot be jammed in a small exit opening.