

Annual Administrative Code Supplement
2014 Edition

DEPARTMENT OF NATURAL RESOURCES
LAW ENFORCEMENT DIVISION
WHOLESALE FISH DEALERS REPORT FORMS #9165

R 308.1
Source: 2013 AACS.

LOCAL HUNTING AND FIREARMS CONTROLS

R 317.101.1
Source: 1981 AACS.

R 317.106.1
Source: 1979 AACS.

R 317.108.1
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R 317.108.2
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R 317.111.1
Source: 1979 AACS.

R 317.111.2
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R 317.120.1
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R 317.120.2
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R 317.120.3
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R 317.123.1
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R 317.123.2
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R 317.125.2
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R 317.150.1
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R 317.150.5
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R 317.150.6
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R 317.150.8
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R 317.150.9
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R 317.150.10
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R 317.150.12
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R 317.151.1
Source: 1985 AACS.

R 317.163.1
Source: 1979 AACS.

R 317.163.2
Source: 1979 AACS.

R 317.163.3
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R 317.163.4
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R 317.163.5
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R 317.163.6
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R 317.163.11
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R 317.163.12
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R 317.163.20
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R 317.163.21
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R 317.163.25
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R 317.163.26
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R 317.163.41
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R 317.163.45
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R 317.163.46
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R 317.169.1
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R 317.169.2
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R 317.170.1
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R 317.170.2
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R 317.171.1
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R 317.170.2
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R 317.171.3
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R 317.173.1
Source: 1985 AACS.

R 317.171.2
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R 317.173.3
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R 317.174.1
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R 317.181.1
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R 317.181.2
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R 317.181.3
Source: 1979 AACS.

R 317.181.4
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R 317.181.5
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R 317.182.1
Source: 1983 AACS.

R 317.182.2
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R 317.182.3
Source: 1979 AACS.

R 317.182.4
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R 317.182.5
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R 317.182.6
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R 317.182.7
Source: 1979 AACS.

R 317.182.8
Source: 1980 AACS.

R 317.182.9
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R 317.182.10
Source: 1983 AACS.

R 317.182.11
Source: 1982 AACS.

R 317.182.12
Source: 1982 AACS.

MACKINAC ISLAND STATE PARK COMMISSION

GENERAL RULES

PART 1. DEFINITIONS

R 318.111 Definitions.

Rule 1. As used in these rules:

- (a) "Carrying passengers for hire" means the acts of any person transporting passengers to any point or points on the road or roads for a specified monetary consideration or acts of accepting gratuities for transporting passengers to any point or points on the road or roads.
- (b) "Commercial operations" means any activity that involves, directly or indirectly, the buying or selling of goods or services, or the exchange or attempt or offer to exchange goods or services for money, barter, by accepting gratuities, or for anything of value.
- (c) "Commission" means the Mackinac Island state park commission.
- (d) "Director" means the director of the Mackinac Island state park commission.
- (e) "Drays" means any horse-drawn vehicle used for the transportation of property, goods, or merchandise, either belonging to the owner of the dray or to others, with or without charge, whether the charge is a single fee or is established by contract.
- (f) "Drive yourself carriage" means any horse-drawn vehicle for hire that is rented to another person or persons without the services of a driver being employed, engaged, provided, or suggested by the owner or operator of the carriage.
- (g) "Fort Mackinac bus" means any horse-drawn vehicle used for the transportation of passengers only from the downtown area directly to Fort Mackinac and return.
- (h) "Hotel bus" means a horse-drawn vehicle which is licensed to a specific hotel, which operates over the roads of the Mackinac Island state park, and which does all of the following:
 - (i) Carries hotel passengers or their guests for a charge as approved by the Mackinac Island state park commission.
 - (ii) Operates on a fixed route or routes as designated by the Mackinac Island state park commission.

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(iii) Makes infrequent deviations from the designated route or routes for the convenience of hotel guests or their party.

(i) "Livery carriage" means any horse-drawn vehicle for hire transporting passengers for scenic drives charging on a time basis; that is, by the hour or fractions or multiples thereof, and not at a fixed price per passenger.

(j) "Motor vehicle" means any device that is self-propelled, or partially self-propelled, by which a person or property may be transported or drawn. This does not include personal assistive mobility devices.

(k) "Person" means an individual, partnership, corporation, association, governmental entity, or other legal entity.

(l) "Road" means any thoroughfare, roadway, riding trail, or driving trail that is situated on lands that are under the jurisdiction of the commission.

(m) "Saddle horse" means a riding horse furnished to a visitor or resident, for a period of time less than 1 week, for use in Mackinac Island State Park at a rental fee, whether that fee is separately identified or included in other charges, such as room rentals, either explicitly or implicitly.

(n) "Sight-seeing carriage" means any horse-drawn vehicle that carries passengers for hire over prescribed routes established by the commission.

(o) "Snowmobile" means a motor-driven vehicle designed for travel primarily on snow or ice of a type that utilizes sled-type runners or skis, or an endless belt tread, or any combination of these, or other similar means of contact with the surface upon which it is operated. It is not a vehicle that must be registered under 1949 PA 300, MCL 257.1 to 257.923.

(p) "State license identification plate" means a metallic plate issued by the commission that bears the license type, the year for which the plate is valid, a unique number, and any other information as determined by the commission.

(q) "Taxicab" means any horse-drawn vehicle carrying passengers for hire from 1 point on the island to another.

(r) "Personal assistive mobility device" (PAMD) means any battery powered mobility device that is used by a person with a mobility impairment for ambulation. This does not include gasoline or other fuel powered devices, golf carts, riding lawn mowers, motorized bicycles, motorcycles, motorized skateboards, or other similar motorized vehicles.

(s) "Marquette Park" is that portion of Mackinac Island State Park bounded on the south by Main Street, on the west by Fort Street, on the east by the leasehold commonly known as Anne's Cottage, and on the north by the bluff below Fort Mackinac.

History: 1979 AC; 2002 AACS; 2015 MR 23, Eff. Dec. 4, 2014.

R 318.112

Source: 2002 AACS.

R 318.113

Source: 2002 AACS.

R 318.114

Source: 2002 AACS.

R 318.115

Source: 2002 AACS.

R 318.116

Source: 2002 AACS.

R 318.117

Source: 2002 AACS.

R 318.118

Source: 2002 AACS.

R 318.119

Source: 2002 AACS.

R 318.119a

Source: 2002 AACS.

R 318.119b

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Source: 1997 AACS.

R 318.119c

Source: 2002 AACS.

R 318.119d

Source: 2002 AACS.

R 318.120

Source: 2002 AACS.

PART 2. REGULATIONS

R 318.121

Source: 2002 AACS.

R 318.122 Temporary permits.

Rule 22. (1) A person shall not operate a motor vehicle within the Mackinac Island state park without a temporary permit. The commission, or its duly authorized agent, shall issue a temporary permit for the operation of motor vehicles for emergency or public and private work as the commission shall prescribe and approve. An application for a temporary permit shall be submitted in writing to the commission or its duly authorized agent and shall set forth fully the reasons for the request and the period of the permit. The commission may require property damage and public liability insurance of any applicant in an amount sufficient, in its judgment, for adequate protection of persons and property. The director shall keep a written record of all permits issued, and the commission may revoke any permit at any time, giving notice in writing to the permit holder, and setting forth the reasons for the revocation. Persons with disabilities that rely on personal assistive mobility devices are not subject to this subrule and may operate their devices without permit in all properties under the jurisdiction of the Mackinac Island State Park Commission.

(2) The state of Michigan or any of its political subdivisions may operate its emergency and utility vehicles over the Mackinac Island state park roads in the normal performance of its governmental functions.

History: 1979 AC; 2002 AACS; 2015 MR 23, Eff. Dec. 4, 2014.

R 318.122a

Source: 2002 AACS.

R 318.122b

Source: 2002 AACS.

R 318.123

Source: 2002 AACS.

R 318.124

Source: 2002 AACS.

R 318.126

Source: 2002 AACS.

R 318.127

Source: 2002 AACS.

R 318.129

Source: 2002 AACS.

R 318.133

Source: 2002 AACS.

R 318.134

Source: 2002 AACS.

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R 318.135

Source: 2002 AACS.

R 318.136

Source: 2002 AACS.

R 318.141

Source: 2002 AACS.

R 318.142

Source: 2002 AACS.

R 318.143 Camping and hunting.

Rule 43. (1) A person shall not camp within the Mackinac Island state park, Historic Mill Creek state park, or Michilimackinac state park.

(2) A person shall not hunt in Mackinac Island state park or Michilimackinac state park.

History: 1979 AC; 2002 AACS; 2015 MR 23, Eff. Dec. 4, 2014.

R 318.144

Source: 2002 AACS.

R 318.145 Vehicles and animals.

Rule 45. (1) A person shall not operate a motor vehicle in other than an area or road clearly designated for the parking or operation of motor vehicles without proper permission. Persons with disabilities that rely on personal assistive mobility devices are not subject to this subrule and may operate their vehicles without permit in all properties under the jurisdiction of the Mackinac Island State Park Commission.

(2) A person shall not ride or lead a horse, other riding animal, or pack animal on, or to allow such animal or any animal-drawn vehicle to use or travel on, any areas deemed unsafe for such use by order of the commission and posted against such use.

(3) A person shall not possess a dog unless it is under immediate control, or have a dog within any area used as a bathing beach. A dog found not in the possession or under the immediate control of its owner or the owner's agent, or any dog found creating a nuisance or disturbance, may be removed from the park or placed under restraint.

History: 1979 AC; 2002 AACS; 2015 MR 23, Eff. Dec. 4, 2014.

R 318.145a

Source: 1997 AACS.

R 318.145b

Source: 2002 AACS.

R 318.146 Miscellaneous unlawful acts.

Rule 46. On lands under the jurisdiction of the commission, it is unlawful for a person or persons to do any of the following:

(a) Use the lands for commercial operations without proper permission. In considering whether to grant permission, the commission shall consider all of the following factors:

(i) Interference with the safety, health, and welfare of the public.

(ii) Need for the service.

(iii) Whether the service is a duplication of available services.

(b) Use a loudspeaker or public address system without proper permission. The commission shall not grant permission if the system is capable of interfering with horse-drawn traffic by having the effect of frightening horses, thereby endangering the safety of passengers in the vehicles, pedestrians, bicycle riders, and others.

(c) Store or leave a boat, fish shanty, camping equipment, or other property without proper permission.

(d) Enter those buildings or areas to which an admission fee is established without payment of the fee, or without permission given by the commission, a commissioner, the director, or deputy director under order of the commission. Permission normally is to be given only to persons on business with the commission, any member of the commission, or any duly authorized staff member.

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- (e) For any lessee, licensee, or concessionaire to use, construct, or occupy any building within the park that is not furnished with an approved dry chemical fire extinguisher.
- (f) For any lessee, licensee, or concessionaire to exercise his or her privileges within the park without procuring and keeping in effect public liability and property damage insurance as the commission may deem adequate.
- (g) For any person to furnish a saddle horse to another person for use in the Mackinac Island state park, unless a current license has been issued by the commission for the use of the saddle horse in the Mackinac Island state park.
- (h) Engage in any violent, abusive, loud, boisterous, wanton, obscene, or otherwise disorderly conduct creating a breach of the peace; loiter, sit, or lie upon walks, passages, steps, or porches thereby obstructing the free passage of others; or remove, damage, or steal the property of another.
- (i) Hold or participate in any type of road race or speed contest without proper permission.
- (j) Conduct excavations, diggings, or surveys without proper permission.
- (k) Carry or possess a metal detector without proper permission.
- (l) Remove any archeological materials or artifacts without proper permission.
- (m) Possess or consume alcoholic beverages in Marquette Park between the hours of 10:00 p.m. and 8:00 a.m.
- (n) Do any of the following without proper permission:
 - (i) Carry or possess a firearm unless unloaded in both barrel and magazine. Persons with valid Michigan Concealed Pistol licenses are not subject to this rule.
 - (ii) Shoot an air rifle, air pistol, paintball-emitting device of any kind, or slingshot.
 - (iii) Shoot a bow and arrow or crossbow.

History: 1979 AC; 1988 AACS; 2002 AACS; 2015 MR 23, Eff. Dec. 4, 2014.

R 318.147

Source: 2002 AACS.

NATURAL RESOURCES COMMISSION
RECREATION BOND PROGRAM

R 318.201 Rescinded.

History: 1989 AACS; 2014 MR 9, Eff. May 22, 2014.

R 318.202 Rescinded.

History: 1989 AACS; 2014 MR 9, Eff. May 22, 2014.

R 318.203 Rescinded.

History: 1989 AACS; 2014 MR 9, Eff. May 22, 2014.

R 318.204 Rescinded.

History: 1989 AACS; 2014 MR 9, Eff. May 22, 2014.

R 318.205 Rescinded.

History: 1989 AACS; 2014 MR 9, Eff. May 22, 2014.

R 318.206 Rescinded.

History: 1989 AACS; 2014 MR 9, Eff. May 22, 2014.

R 318.207 Rescinded.

History: 1989 AACS; 2014 MR 9, Eff. May 22, 2014.

R 318.208 Rescinded.

History: 1989 AACS; 2014 MR 9, Eff. May 22, 2014.

R 318.209

Source: 1989 AACS.

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R 318.210
Source: 1989 AACS.

R 318.211 Rescinded.
History: 1989 AACS; 2014 MR 9, Eff. May 22, 2014.

WILDERNESS AND NATURAL AREAS

R 322.2.1
Source: 1979 AC.

R 322.2.2
Source: 1979 AC.

R 322.3.1
Source: 1979 AC.

R 322.11.1
Source: 1979 AC.

R 322.11.2
Source: 1979 AC.

R 322.27.1
Source: 1979 AC.

R 322.27.2
Source: 1979 AC.

R 322.38.1
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R 322.49.1
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R 322.49.2
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R 322.49.3
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R 322.49.4
Source: 1979 AC.

R 322.50.1
Source: 1979 AC.

R 322.55.1
Source: 2009 AACS.

R 322.61.1
Source: 1979 AC.

R 322.63.1
Source: 1979 AC.

R 322.63.2
Source: 1979 AC.

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- R 322.66.1**
Source: 1979 AC.
- R 322.66.2**
Source: 1979 AC.
- R 322.70.1**
Source: 1979 AC.
- R 322.71.1**
Source: 1979 AC.
- R 322.71.2**
Source: 1979 AC.
- R 322.72.1**
Source: 1979 AC.
- R 322.73.1**
Source: 2008 AACS.

DEPARTMENT OF ENVIRONMENTAL QUALITY
LAND AND WATER MANAGEMENT
GREAT LAKES SUBMERGED LANDS

- R 322.1001**
Source: 1986 AACS.
- R 322.1002**
Source: 1982 AACS.
- R 322.1003**
Source: 1986 AACS.
- R 322.1004**
Source: 1982 AACS.
- R 322.1005**
Source: 1982 AACS.
- R 322.1006**
Source: 1982 AACS.
- R 322.1007**
Source: 1982 AACS.
- R 322.1008**
Source: 1982 AACS.
- R 322.1009**
Source: 1982 AACS.
- R 322.1010**
Source: 1982 AACS.
- R 322.1011**

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Source: 1986 AACS.

R 322.1012

Source: 1982 AACS.

R 322.1013

Source: 2012 AACS.

R 322.1014

Source: 2012 AACS.

R 322.1015

Source: 1982 AACS.

R 322.1016

Source: 1982 AACS.

R 322.1017

Source: 1982 AACS.

R 322.1018

Source: 1982 AACS.

DEPARTMENT OF ENVIRONMENTAL QUALITY

SURFACE WATER QUALITY DIVISION

GENERAL RULES

R 323.1

Source: 1979 AACS.

R 323.2

Source: 2001 AACS.

R 323.3

Source: 1979 AACS.

R 323.4

Source: 2001 AACS.

R 323.5

Source: 2001 AACS.

R 323.6

Source: 1979 AACS.

R 323.7

Source: 1979 AACS.

R 323.8

Source: 2001 AACS.

R 323.9

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R 323.10

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R 323.11
Source: 1979 AACS.

R 323.12
Source: 1979 AACS.

R 323.13
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R 323.14
Source: 1979 AACS.

DEPARTMENT OF ENVIRONMENTAL QUALITY

ENVIRONMENTAL ASSISTANCE DIVISION

WASTE TREATMENT PLANT OPERATORS

R 323.21--R 323.29
Editor's note: Transferred to R 323.1251--R 323.1259.

R 323.41--R 323.52
Editor's note: Transferred to R 323.1231--R 323.1242.

R 323.101
Source : 1979 AC.

DEPARTMENT OF NAUTURAL RESOURCES

NATURAL RESOURCES COMMISSION

STATE REVOLVING LOAN FUND

R 323.951
Source: 1989 AACS.

R 323.952
Source: 1989 AACS.

R 323.953
Source: 1989 AACS.

R 323.954
Source: 1989 AACS.

R 323.955
Source: 1989 AACS.

R 323.956
Source: 1989 AACS.

R 323.957
Source: 1989 AACS.

R 323.958
Source: 1989 AACS.

R 323.959

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Source: 1989 AACS.

R 323.960

Source: 1989 AACS.

R 323.961

Source: 1989 AACS.

R 323.962

Source: 1989 AACS.

R 323.963

Source: 1989 AACS.

R 323.964

Source: 1989 AACS.

R 323.965

Source: 1989 AACS.

DEPARTMENT OF ENVIRONMENTAL QUALITY

WATER RESOURCES PROTECTION

PART 1. GENERAL PROVISIONS

R 323.1001

Source: 2001 AACS.

R 323.1003

Source: 2001 AACS.

R 323.1009

Source: 2001 AACS.

PART 2. ORGANIZATION, OPERATIONS, PROCEDURES, AND HEARINGS

R 323.1011

Source: 2001 AACS.

R 323.1012

Source: 2001 AACS.

R 323.1014

Source: 2001 AACS.

R 323.1015

Source: 2001 AACS.

R 323.1017

Source: 1997 AACS.

R 323.1018

Source: 2001 AACS.

R 323.1021

Source: 2001 AACS.

R 323.1023

Source: 2001 AACS.

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R 323.1025
Source: 2001 AACS.

R 323.1027
Source: 1997 AACS.

R 323.1031
Source: 1997 AACS.

R 323.1032
Source: 1997 AACS.

R 323.1033
Source: 1997 AACS.

R 323.1034
Source: 1997 AACS.

R 323.1035
Source: 1997 AACS.

R 323.1036
Source: 1997 AACS.

R 323.1038
Source: 1997 AACS.

PART 4. WATER QUALITY STANDARDS

R 323.1041
Source: 2006 AACS.

R 323.1043
Source: 2006 AACS.

R 323.1044
Source: 2006 AACS.

R 323.1050
Source: 2006 AACS.

R 323.1051
Source: 1984 AACS.

R 323.1053
Source: 2006 AACS.

R 323.1055
Source: 2006 AACS.

R 323.1057
Source: 1997 AACS.

R 323.1058
Source: 1986 AACS.

R 323.1060
Source: 2006 AACS.

R 323.1062

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Source: 2006 AACS.

R 323.1064

Source: 2006 AACS.

R 323.1065

Source: 2006 AACS.

R 323.1069

Source: 2006 AACS.

R 323.1070

Source: 1986 AACS.

R 323.1074

Source: 1997 AACS.

R 323.1075

Source: 1986 AACS.

R 323.1080

Source: 1997 AACS.

R 323.1082

Source: 2006 AACS.

R 323.1090

Source: 2006 AACS.

R 323.1091

Source: 1997 AACS.

R 323.1092

Source: 2006 AACS.

R 323.1096

Source: 2006 AACS.

R 323.1097

Source: 2006 AACS.

R 323.1098

Source: 1998-2000 AACS.

R 323.1099

Source: 1997 AACS.

R 323.1100

Source: 2006 AACS.

R 323.1103

Source: 1997 AACS.

R 323.1105

Source: 2006 AACS.

R 323.1110

Source: 1997 AACS.

R 323.1115

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Source: 1997 AACS.

R 323.1116

Source: 2006 AACS.

R 323.1117

Source: 2006 AACS.

PART 5. SPILLAGE OF OIL AND POLLUTING MATERIALS

R 323.1151

Source: 2001 AACS.

R 323.1152

Source: 2001 AACS.

R 323.1153

Source: 2001 AACS.

R 323.1154

Source: 2001 AACS.

R 323.1155

Source: 2001 AACS.

R 323.1156

Source: 2001 AACS.

R 323.1157

Source: 2001 AACS.

R 323.1158

Source: 2001 AACS.

R 323.1159

Source: 2001 AACS.

R 323.1161

Source: 2001 AACS.

R 323.1163

Source: 2001 AACS.

R 323.1164

Source: 2001 AACS.

R 323.1169

Source: 2001 AACS.

PART 6. CLEANING AGENTS AND WATER CONDITIONERS

R 323.1171

Source: 2003 AACS.

R 323.1172

Source: 2003 AACS.

R 323.1173

Source: 2003 AACS.

R 323.1174

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Source: 2003 AACS.

R 323.1175

Source: 2003 AACS.

R 323.1180

Source: 2003 AACS.

R 323.1181

Source: 2003 AACS.

PART 8. WATER QUALITY-BASED EFFLUENT LIMIT DEVELOPMENT FOR TOXIC SUBSTANCES

R 323.1201

Source: 1997 AACS.

R 323.1203

Source: 2006 AACS.

R 323.1205

Source: 2006 AACS.

R 323.1209

Source: 2006 AACS.

R 323.1211

Source: 2006 AACS.

R 323.1213

Source: 2006 AACS.

R 323.1217

Source: 2006 AACS.

R 323.1219

Source: 2006 AACS.

R 323.1221

Source: 2006 AACS.

PART 9. WASTEWATER REPORTING

R 323.1231

Source: 1997 AACS.

R 323.1232

Source: 1997 AACS.

R 323.1233

Source: 1997 AACS.

R 323.1234

Source: 1997 AACS.

R 323.1235

Source: 1997 AACS.

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R 323.1236
Source: 1997 AACS.

R 323.1237
Source: 1997 AACS.

R 323.1238
Source: 1997 AACS.

R 323.1239
Source: 1997 AACS.

R 323.1240
Source: 1997 AACS.

R 323.1241
Source: 1997 AACS.

R 323.1242
Source: 1997 AACS.

PART 10. TREATMENT PLANT OPERATORS

R 323.1251
Source: 1979 AC.

R 323.1252
Source: 1979 AC.

R 323.1253
Source: 1979 AC.

R 323.1254
Source: 1979 AC.

R 323.1255
Source: 1979 AC.

R 323.1256
Source: 1979 AC.

R 323.1257
Source: 1979 AC.

R 323.1258
Source: 1979 AC.

R 323.1259
Source: 1979 AC.

PART 11. CONSTRUCTION GRANTS FOR WASTEWATER TREATMENT WORKS

R 323.1271
Source: 1998-2000 AACS.

R 323.1272
Source: 1998-2000 AACS.

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- R 323.1273**
Source: 1998-2000 AACS.
- R 323.1274**
Source: 1998-2000 AACS.
- R 323.1275**
Source: 1998-2000 AACS.
- R 323.1276**
Source: 1998-2000 AACS.
- R 323.1277**
Source: 1998-2000 AACS.
- R 323.1278**
Source: 1998-2000 AACS.
- R 323.1279**
Source: 1998-2000 AACS.
- R 323.1280**
Source: 1998-2000 AACS.
- R 323.1281**
Source: 1998-2000 AACS.
- R 323.1282**
Source: 1998-2000 AACS.
- R 323.1283**
Source: 1998-2000 AACS.
- R 323.1284**
Source: 1998-2000 AACS.
- R 323.1285**
Source: 1998-2000 AACS.
- R 323.1286**
Source: 1998-2000 AACS.
- R 323.1287**
Source: 1998-2000 AACS.
- R 323.1288**
Source: 1998-2000 AACS.

PART 13. FLOODPLAINS AND FLOODWAYS

- R 323.1311**
Source: 1996 AACS.
- R 323.1312**
Source: 1996 AACS.
- R 323.1313**
Source: 1984 AACS.

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R 323.1314
Source: 2008 AACS.

R 323.1315
Source: 1998-2000 AACS.

R 323.1316
Source: 1996 AACS.

R 323.1329
Source: 1996 AACS.

PART 15. IRON ORE BENEFICIATION

R 323.1351
Source: 1979 AC.

R 323.1352
Source: 1979 AC.

R 323.1353
Source: 1979 AC.

R 323.1354
Source: 1979 AC.

PART 17. SOIL EROSION AND SEDIMENTATION CONTROL

R 323.1701
Source: 1998-2000 AACS.

R 323.1702
Source: 1998-2000 AACS.

R 323.1703
Source: 1998-2000 AACS.

R 323.1704
Source: 1998-2000 AACS.

R 323.1705
Source: 1998-2000 AACS.

R 323.1706
Source: 1998-2000 AACS.

R 323.1707
Source: 2007 AACS.

R 323.1708
Source: 1998-2000 AACS.

R 323.1709
Source: 1998-2000 AACS.

R 323.1710
Source: 1998-2000 AACS.

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R 323.1711
Source: 1998-2000 AACS.

R 323.1712
Source: 1998-2000 AACS.

R 323.1713
Source: 1998-2000 AACS.

R 323.1714
Source: 1998-2000 AACS.

PART 21. WASTEWATER DISCHARGE PERMITS

R 323.2101
Source: 2003 AACS.

R 323.2102
Source: 2005 AACS.

R 323.2103
Source: 2006 AACS.

R 323.2104
Source: 2006 AACS.

R 323.2106
Source: 2003 AACS.

R 323.2108
Source: 2006 AACS.

R 323.2109
Source: 2005 AACS.

R 323.2111.
Source: 2003 AACS.

R 323.2112
Source: 2003 AACS.

R 323.2114
Source: 2003 AACS.

R 323.2115
Source: 2003 AACS.

R 323.2117
Source: 2003 AACS.

R 323.2118
Source: 2003 AACS.

R 323.2119
Source: 2003 AACS.

R 323.2121

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Source: 2003 AACS.

R 323.2122

Source: 2003 AACS.

R 323.2124

Source: 2003 AACS.

R 323.2125

Source: 2003 AACS.

R 323.2126

Source: 2003 AACS.

R 323.2127

Source: 2003 AACS.

R 323.2128

Source: 2003 AACS.

R 323.2130

Source: 2003 AACS.

R 323.2131

Source: 2003 AACS.

R 323.2133

Source: 2003 AACS.

R 323.2134

Source: 2003 AACS.

R 323.2136

Source: 2003 AACS.

R 323.2137

Source: 2003 AACS.

R 323.2138

Source: 2003 AACS.

R 323.2139

Source: 2003 AACS.

R 323.2140

Source: 2003 AACS.

R 323.2141

Source: 2003 AACS.

R 323.2142

Source: 2003 AACS.

R 323.2145

Source: 2003 AACS.

R 323.2146

Source: 2003 AACS.

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R 323.2147
Source: 2003 AACS.

R 323.2149
Source: 2003 AACS.

R 323.2150
Source: 2003 AACS.

R 323.2151
Source: 2003 AACS.

R 323.2153
Source: 2003 AACS.

R 323.2154
Source: 2003 AACS.

R 323.2155
Source: 2003 AACS.

R 323.2159
Source: 2003 AACS.

R 323.2160
Source: 2003 AACS.

R 323.2161
Source: 2006 AACS.

R 323.2161a
Source: 2003 AACS.

R 323.2162
Source: 1997 AACS.

R 323.2163
Source: 1997 AACS.

R 323.2164
Source: 1997 AACS.

R 323.2165
Source: 1997 AACS.

R 323.2166
Source: 1997 AACS.

R 323.2167
Source: 1997 AACS.

R 323.2168
Source: 1997 AACS.

R 323.2169
Source: 1997 AACS.

R 323.2170
Source: 1997 AACS.

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R 323.2172
Source: 1997 AACS.

R 323.2173
Source: 1997 AACS.

R 323.2174
Source: 1997 AACS.

R 323.2175
Source: 1997 AACS.

R 323.2176
Source: 1997 AACS.

R 323.2177
Source: 1997 AACS.

R 323.2178
Source: 1997 AACS.

R 323.2179
Source: 1997 AACS.

R 323.2180
Source: 1997 AACS.

R 323.2181
Source: 1997 AACS.

R 323.2182
Source: 1997 AACS.

R 323.2183
Source: 1997 AACS.

R 323.2184
Source: 1997 AACS.

R 323.2185
Source: 1997 AACS.

R 323.2186
Source: 1997 AACS.

R 323.2189
Source: 2006 AACS.

R 323.2190
Source: 2006 AACS.

R 323.2191
Source: 2003 AACS.

R 323.2192
Source: 2003 AACS.

R 323.2193
Source: 2003 AACS.

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R 323.2194
Source: 1998-2000 AACS.

R 323.2195
Source: 2003 AACS.

R 323.2196
Source: 2005 AACS.

R 323.2197
Source: 2006 AACS.

PART 22. GROUNDWATER QUALITY

R 323.2201
Source: 1998-2000 AACS.

R 323.2202
Source: 1998-2000 AACS.

R 323.2203
Source: 1998-2000 AACS.

R 323.2204
Source: 1998-2000 AACS.

R 323.2205
Source: 1998-2000 AACS.

R 323.2206
Source: 1998-2000 AACS.

R 323.2207
Source: 1998-2000 AACS.

R 323.2208
Source: 1998-2000 AACS.

R 323.2209
Source: 1998-2000 AACS.

R 323.2210
Source: 1998-2000 AACS.

R 323.2211
Source: 1998-2000 AACS.

R 323.2212
Source: 1998-2000 AACS.

R 323. 2213
Source: 1998-2000 AACS.

R 323.2214
Source: 1998-2000 AACS.

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R 323.2215
Source: 1998-2000 AACS.

R 323.2216
Source: 1998-2000 AACS.

R 323.2217
Source: 1998-2000 AACS.

R 323.2218
Source: 1998-2000 AACS.

R 323.2219
Source: 1998-2000 AACS.

R 323.2220
Source: 1998-2000 AACS.

R 323.2221
Source: 1998-2000 AACS.

R 323.2222
Source: 1998-2000 AACS.

R 323.2223
Source: 1998-2000 AACS.

R 323.2224
Source: 1998-2000 AACS.

R 323.2225
Source: 1998-2000 AACS.

R 323.2226
Source: 1998-2000 AACS.

R 323.2227
Source: 1998-2000 AACS.

R 323.2229
Source: 1998-2000 AACS.

R 323.2230
Source: 1998-2000 AACS.

R 323.2231
Source: 1998-2000 AACS.

R 323.2232
Source: 1998-2000 AACS.

R 323.2233
Source: 1998-2000 AACS.

R 323.2234
Source: 1998-2000 AACS.

R 323.2235

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Source: 1998-2000 AACS.

R 323.2237

Source: 1998-2000 AACS.

R 323.2238

Source: 1998-2000 AACS.

R 323.2240

Source: 1998-2000 AACS.

PART 23. PRETREATMENT

R 323.2301

Source: 1995 AACS.

R 323.2302

Source: 1995 AACS.

R 323.2303

Source: 1995 AACS.

R 323.2304

Source: 1995 AACS.

R 323.2305

Source: 1995 AACS.

R 323.2306

Source: 1995 AACS.

R 323.2307

Source: 1995 AACS.

R 323.2308

Source: 1995 AACS.

R 323.2309

Source: 1995 AACS.

R 323.2310

Source: 1995 AACS.

R 323.2311

Source: 1995 AACS.

R 323.2312

Source: 1995 AACS.

R 323.2313

Source: 1995 AACS.

R 323.2314

Source: 1995 AACS.

R 323.2315

Source: 1995 AACS.

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R 323.2316
Source: 1995 AACS.

R 323.2317
Source: 1995 AACS.

DEPARTMENT OF ENVIRONMENTAL QUALITY

SURFACE WATER QUALITY DIVISION

WATER RESOURCES PROTECTION

PART 24. LAND APPLICATION OF BIOSOLIDS

R 323.2401
Source: 1998-2000 AACS.

R 323.2402
Source: 1998-2000 AACS.

R 323.2403
Source: 1998-2000 AACS.

R 323.2404
Source: 1998-2000 AACS.

R 323.2405
Source: 1998-2000 AACS.

R 323.2406
Source: 1998-2000 AACS.

R 323.2407
Source: 1998-2000 AACS.

R 323.2408
Source: 1998-2000 AACS.

R 323.2409
Source: 1998-2000 AACS.

R 323.2410
Source: 1998-2000 AACS.

R 323.2411
Source: 1998-2000 AACS.

R 323.2412
Source: 1998-2000 AACS.

R 323.2413
Source: 1998-2000 AACS.

R 323.2414
Source: 1998-2000 AACS.

R 323.2415
Source: 1998-2000 AACS.

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R 323.2416
Source: 1998-2000 AACS.

R 323.2417
Source: 1998-2000 AACS.

R 323.2418
Source: 1998-2000 AACS.

SURFACE WATER QUALITY DIVISION

WATER RESOURCES PROTECTION

PART 30. WATER QUALITY TRADING

R 323.3001
Source: 2013 AACS.

R 323.3002
Source: 2013 AACS.

R 323.3003
Source: 2013 AACS.

R 323.3004
Source: 2013 AACS.

R 323.3005
Source: 2013 AACS.

R 323.3006
Source: 2013 AACS.

R 323.3007
Source: 2013 AACS.

R 323.3008
Source: 2013 AACS.

R 323.3009
Source: 2013 AACS.

R 323.3010
Source: 2013 AACS.

R 323.3011
Source: 2013 AACS.

R 323.3012
Source: 2013 AACS.

R 323.3013
Source: 2013 AACS.

R 323.3014
Source: 2013 AACS.

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R 323.3015
Source: 2013 AACS.

R 323.3016
Source: 2013 AACS.

R 323.3017
Source: 2013 AACS.

R 323.3018
Source: 2013 AACS.

R 323.3019
Source: 2013 AACS.

R 323.3020
Source: 2013 AACS.

R 323.3021
Source: 2013 AACS.

R 323.3022
Source: 2013 AACS.

R 323.3023
Source: 2013 AACS.

R 323.3024
Source: 2013 AACS.

R 323.3025
Source: 2013 AACS.

R 323.3026
Source: 2013 AACS.

R 323.3027
Source: 2013 AACS.

DEPARTMENT OF ENVIRONMENTAL QUALITY

LAND AND WATER MANAGEMENT DIVISION

INLAND LAKES AND WETLANDS UNIT

AQUATIC NUISANCE CONTROL

R 323.3101
Source: 2003 AACS.

R 323.3102
Source: 2003 AACS.

R 323.3103

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Source: 2003 AACS.

R 323.3104

Source: 2003 AACS.

R 323.3105

Source: 2003 AACS.

R 323.3106

Source: 2003 AACS.

R 323.3107

Source: 2003 AACS.

R 323.3108

Source: 2003 AACS.

R 323.3109

Source: 2003 AACS.

R 323.3110

Source: 2003 AACS.

DEPARTMENT OF ENVIRONMENTAL QUALITY
OFFICE OF ADMINISTRATIVE HEARINGS
CONTESTED CASE AND DECLARATORY RULING PROCEDURES

PART 1. GENERAL PROVISIONS

R 324.1

Source: 2003 AACS.

R 324.2

Source: 2003 AACS.

R 324.3

Source: 2003 AACS.

PART 2. COMMENCEMENT OF CONTESTED CASE PROCEEDING

R 324.21

Source: 2003 AACS.

R 324.22

Source: 2003 AACS.

R 324.23

Source: 2003 AACS.

R 324.24

Source: 2003 AACS.

PART 3. FINAL DECISION MAKER AND ADMINISTRATIVE LAW JUDGES

R 324.31

Source: 2003 AACS.

R 324.32
Source: 2003 AACS.

R 324.33
Source: 2003 AACS.

PART 4. PREHEARING CONFERENCES

R 324.41
Source: 2003 AACS.

R 324.42
Source: 2003 AACS.

R 324.43
Source: 2003 AACS.

PART 5. PREHEARING MATTERS

R 324.51
Source: 2003 AACS.

R 324.52
Source: 2003 AACS.

R 324.53
Source: 2003 AACS.

R 324.54
Source: 2003 AACS.

R 324.55
Source: 2003 AACS.

R 324.56
Source: 2003 AACS.

R 324.57
Source: 2003 AACS.

R 324.58
Source: 2003 AACS.

R 324.59
Source: 2003 AACS.

R 324.59a
Source: 2003 AACS.

R 324.59b
Source: 2003 AACS.

R 324.59c
Source: 2003 AACS.

R 324.59d
Source: 2003 AACS.

R 324.59e
Source: 2003 AACS.

PART 6. HEARINGS

R 324.61
Source: 2003 AACS.

R 324.62
Source: 2003 AACS.

R 324.63
Source: 2003 AACS.

R 324.64
Source: 2003 AACS.

R 324.65
Source: 2003 AACS.

PART 7. DECISION PROCESS

R 324.71
Source: 2003 AACS.

R 324.72
Source: 2003 AACS.

R 324.73
Source: 2003 AACS.

R 324.74
Source: 2003 AACS.

R 324.75
Source: 2003 AACS.

PART 8. DECLARATORY RULINGS

R 324.81
Source: 2003 AACS.

DEPARTMENT OF NATURAL RESOURCES

PARKS AND RECREATION DIVISION

RECREATION PASSPORT

R 324.91 Definitions.

Rule 1. (1) As used in these rules:

- (a) "Boating access site" means a state-operated public boating access site so designated by the department.
- (b) "Department" means the department of natural resources.
- (2) Terms not defined in these rules shall have the meanings customarily assigned to them.

History: 2014 MR 2, Eff. Jan 29, 2014.

R 324.92 Purpose; intent.

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Rule 2. (1) The purpose of these rules is to provide a method for an individual to pay a boating access site and state park recreation passport fee other than the method provided in section 805 of the Michigan vehicle code, 1949 PA 300, MCL 257.805.

(2) The rules are intended to provide for the consistent application of the fee for entry to a designated boating access site and state park.

History: 2014 MR 2, Eff. Jan 29, 2014.

R 324.93 Recreation passport; resident motor vehicle; fee required; method of purchase.

Rule 3. (1) The department shall require a fee and issue a recreation passport for a resident motor vehicle for entry to a boating access site or state park. The fee for a recreation passport for a resident motor vehicle issued at a boating access site or state park in 2014 and thereafter shall be designated by the department within the limits authorized by MCL 324.74120 and MCL 257.805.

(2) A recreation passport issued to a resident motor vehicle shall be affixed to the motor vehicle and valid for entry to all Michigan boating access sites and state parks.

(3) A recreation passport issued to a resident motor vehicle shall be valid only for the registration period of the resident motor vehicle to which issued.

History: 2014 MR 2, Eff. Jan 29, 2014.

GEOLOGICAL SURVEY DIVISION

OIL AND GAS OPERATIONS

PART 1. GENERAL PROVISIONS

R 324.101

Source: 1996 AACS.

R 324.102

Source: 2002 AACS.

R 324.103

Source: 2002 AACS.

R 324.104

Source: 1996 AACS.

R 324.199

Source: 1996 AACS.

PART 2. PERMITS TO DRILL AND OPERATE

R 324.201

Source: 1996 AACS.

R 324.202

Source: 2002 AACS.

R 324.203

Source: 2002 AACS.

R 324.204

Source: 1996 AACS.

R 324.205

Source: 1996 AACS.

R 324.206

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Source: 1996 AACS.

R 324.207

Source: 2002 AACS.

R 324.208

Source: 1996 AACS.

R 324.209

Source: 1996 AACS.

R 324.210

Source: 2002 AACS.

R 324.211

Source: 2002 AACS.

R 324.212

Source: 1996 AACS.

R 324.213

Source: 2002 AACS.

R 324.214

Source: 1996 AACS.

R 324.215

Source: 1996 AACS.

R 324.216

Source: 1996 AACS.

PART 3. SPACING AND LOCATION OF WELLS

R 324.301

Source: 1996 AACS.

R 324.302

Source: 1996 AACS.

R 324.303

Source: 1996 AACS.

R 324.304

Source: 1996 AACS.

PART 4. DRILLING AND WELL CONSTRUCTION

R 324.401

Source: 1996 AACS.

R 324.402

Source: 1996 AACS.

R 324.403

Source: 1996 AACS.

R 324.404

Source: 1996 AACS.

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R 324.405
Source: 1996 AACS.

R 324.406
Source: 1996 AACS.

R 324.407
Source: 1996 AACS.

R 324.408
Source: 1996 AACS.

R 324.409
Source: 1996 AACS.

R 324.410
Source: 1996 AACS.

R 324.411
Source: 1996 AACS.

R 324.412
Source: 1996 AACS.

R 324.413
Source: 1996 AACS.

R 324.414
Source: 1996 AACS.

R 324.415
Source: 1996 AACS.

R 324.416
Source: 2001 AACS.

R 324.417
Source: 1996 AACS.

R 324.418
Source: 1996 AACS.

R 324.419
Source: 1996 AACS.

R 324.420
Source: 1996 AACS.

R 324.421
Source: 1996 AACS.

R 324.422
Source: 1996 AACS.

PART 5. COMPLETION AND OPERATION

R 324.501
Source: 2002 AACS.

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R 324.502
Source: 1996 AACS.

R 324.503
Source: 1996 AACS.

R 324.504
Source: 2002 AACS.

R 324.505
Source: 1996 AACS.

R 324.506
Source: 1996 AACS.

R 324.507
Source: 1996 AACS.

R 324.508
Source: 1996 AACS.

R 324.509
Source: 1996 AACS.

R 324.510
Source: 1996 AACS.

R 324.511
Source: 2002 AACS.

PART 6. PRODUCTION AND PRORATION

R 324.601
Source: 1996 AACS.

R 324.602
Source: 1996 AACS.

R 324.603
Source: 1996 AACS.

R 324.604
Source: 1996 AACS.

R 324.605
Source: 1996 AACS.

R 324.606
Source: 1996 AACS.

R 324.607
Source: 1996 AACS.

R 324.608
Source: 1996 AACS.

R 324.609
Source: 1996 AACS.

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R 324.610
Source: 1996 AACS.

R 324.611
Source: 1996 AACS.

R 324.612
Source: 1996 AACS.

R 324.613
Source: 1996 AACS.

PART 7. DISPOSAL OF OIL OR GAS FIELD WASTE, OR BOTH

R 324.701
Source: 1996 AACS.

R 324.702
Source: 1996 AACS.

R 324.703
Source: 1996 AACS.

R 324.704
Source: 1996 AACS.

R 324.705
Source: 1996 AACS.

PART 8. INJECTION WELLS

R 324.801
Source: 1996 AACS.

R 324.802
Source: 1996 AACS.

R 324.803
Source: 1996 AACS.

R 324.804
Source: 1996 AACS.

R 324.805
Source: 1996 AACS.

R 324.806
Source: 1996 AACS.

R 324.807
Source: 1996 AACS.

R 324.808
Source: 1996 AACS.

PART 9. PLUGGING

R 324.901

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Source: 1996 AACS.

R 324.902

Source: 1996 AACS.

R 324.903

Source: 1996 AACS.

R 324.904

Source: 1996 AACS.

**PART 10. WELL SITES AND SURFACE FACILITIES; PREVENTION OF FIRES, POLLUTION, AND
DANGER TO, OR DESTRUCTION OF, PROPERTY OR LIFE**

R 324.1001

Source: 1996 AACS.

R 324.1002

Source: 1996 AACS.

R 324.1003

Source: 1996 AACS.

R 324.1004

Source: 1996 AACS.

R 324.1005

Source: 1996 AACS.

R 324.1006

Source: 1996 AACS.

R 324.1007

Source: 1996 AACS.

R 324.1008

Source: 2001 AACS.

R 324.1009

Source: 1996 AACS.

R 324.1010

Source: 1996 AACS.

R 324.1011

Source: 1996 AACS.

R 324.1008

Source: 2001 AACS.

R 324.1012

Source: 1996 AACS.

R 324.1014

Source: 2002 AACS.

R 324.1015

Source: 1996 AACS.

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R 324.1016
Source: 1996 AACS.

PART 11. HYDROGEN SULFIDE MANAGEMENT

R 324.1101
Source: 1996 AACS.

R 324.1102
Source: 1996 AACS.

R 324.1103
Source: 2001 AACS.

R 324.1104
Source: 1996 AACS.

R 324.1105
Source: 2001 AACS.

R 324.1106
Source: 1996 AACS.

R 324.1107
Source: 2002 AACS.

R 324.1108
Source: 1996 AACS.

R 324.1109
Source: 1996 AACS.

R 324.1110
Source: 2001 AACS.

R 324.1111
Source: 1996 AACS.

R 324.1112
Source: 1996 AACS.

R 324.1113
Source: 2001 AACS.

R 324.1114
Source: 1996 AACS.

R 324.1115
Source: 1996 AACS.

R 324.1116
Source: 1996 AACS.

R 324.1117
Source: 1996 AACS.

R 324.1118
Source: 1996 AACS.

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R 324.1119
Source: 1996 AACS.

R 324.1120
Source: 1996 AACS.

R 324.1121
Source: 1996 AACS.

R 324.1122
Source: 2002 AACS.

R 324.1123
Source: 2002 AACS.

R 324.1124
Source: 1996 AACS.

R 324.1125
Source: 2001 AACS.

R 324.1126
Source: 1996 AACS.

R 324.1127
Source: 1996 AACS.

R 324.1128
Source: 1996 AACS.

R 324.1129
Source: 2001 AACS.

R 324.1130
Source: 2001 AACS.

PART 12. HEARINGS

R 324.1201
Source: 1996 AACS.

R 324.1202
Source: 1996 AACS.

R 324.1203
Source: 1996 AACS.

R 324.1204
Source: 1996 AACS.

R 324.1205
Source: 1996 AACS.

R 324.1206
Source: 1996 AACS.

R 324.1207
Source: 1996 AACS.

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R 324.1208
Source: 1996 AACS.

R 324.1209
Source: 1996 AACS.

R 324.1210
Source: 1996 AACS.

R 324.1211
Source: 1996 AACS.

R 324.1212
Source: 1996 AACS.

PART 13. ENFORCEMENT

R 324.1301
Source: 2002 AACS.

DEPARTMENT OF ENVIRONMENTAL QUALITY

ENVIRONMENTAL ASSISTANCE DIVISION

ENVIRONMENTAL LABORATORY RECOGNITION PROGRAM

R 324.1401
Source: 2011 AACS.

R 324.1402
Source: 2011 AACS.

R 324.1403
Source: 2011 AACS.

R 324.1404
Source: 2011 AACS.

R 324.1405
Source: 2011 AACS.

R 324.1406
Source: 2011 AACS.

R 324.1407
Source: 2011 AACS.

R 324.1408
Source: 2011 AACS.

R 324.1409
Source: 2011 AACS.

R 324.1410
Source: 2011 AACS.

R 324.1411
Source: 2011 AACS.

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R 324.1412
Source: 2011 AACS.

R 324.1413
Source: 2011 AACS.

R 324.1414
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R 324.1415
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R 324.1416
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R 324.1417
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R 324.1418
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R 324.1419
Source: 2011 AACS.

R 324.1420
Source: 2011 AACS.

R 324.1421
Source: 2011 AACS.

R 324.1422
Source: 2011 AACS.

DEPARTMENT OF ENVIRONMENTAL QUALITY

ENVIRONMENTAL ASSISTANCE DIVISION

CLEAN CORPORATE CITIZEN PROGRAM

R 324.1501
Source: 2013 AACS.

R 324.1502
Source: 2013 AACS.

R 324.1503
Source: 2013 AACS.

R 324.1504
Source: 2013 AACS.

R 324.1505
Source: 2013 AACS.

R 324.1506
Source: 2013 AACS.

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R 324.1507
Source: 2013 AACS.

R 324.1508
Source: 2013 AACS.

R 324.1509
Source: 2013 AACS.

R 324.1509a
Source: 2013 AACS.

R 324.1510
Source: 2013 AACS.

R 324.1511
Source: 2013 AACS.

WASTE MANAGEMENT DIVISION

PART 5. SPILLAGE OF OIL AND POLLUTION MATERIALS

R 324.2001
Source: 2001 AACS.

R 324.2002
Source: 2001 AACS.

R 324.2003
Source: 2001 AACS.

R 324.2004
Source: 2001 AACS.

R 324.2005
Source: 2001 AACS.

R 324.2006
Source: 2001 AACS.

R 324.2007
Source: 2001 AACS.

R 324.2008
Source: 2001 AACS.

R 324.2009
Source: 2001 AACS.

DEPARTMENT OF ENVIRONMENTAL QUALITY

SURFACE WATER QUALITY DIVISION

CLEAN MICHIGAN INITIATIVE NONPOINT SOURCE POLLUTION CONTROL GRANTS

R 324.8801

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Source: 1998-2000 AACS.

R 324.8802

Source: 1998-2000 AACS.

R 324.8803

Source: 1998-2000 AACS.

R 324.8804

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R 324.8805

Source: 1998-2000 AACS.

R 324.8806

Source: 1998-2000 AACS.

R 324.8807

Source: 1998-2000 AACS.

R 324.8808

Source: 1998-2000 AACS.

R 324.8809

Source: 1998-2000 AACS.

R 324.8810

Source: 1998-2000 AACS.

MICHIGAN DEPARTMENT OF ENVIRONMENTAL QUALITY

SURFACE WATER QUALITY DIVISION

CLEAN WATER FUND

R 324.8901

Source: 1998-2000 AACS.

R 324.8902

Source: 1998-2000 AACS.

R 324.8903

Source: 1998-2000 AACS.

R 324.8904

Source: 1998-2000 AACS.

R 324.8905

Source: 1998-2000 AACS.

R 324.8906

Source: 1998-2000 AACS.

R 324.8907

Source: 1998-2000 AACS.

R 324.8908

Source: 1998-2000 AACS.

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R 324.8909
Source: 1998-2000 AACS.

R 324.8910
Source: 1998-2000 AACS.

R 324.8911
Source: 1998-2000 AACS.

R 324.8912
Source: 1998-2000 AACS.

R 324.8913
Source: 1998-2000 AACS.

R 324.8914
Source: 1998-2000 AACS.

R 324.8915
Source: 2001 AACS.

R 324.8916
Source: 1998-2000 AACS.

R 324.8917
Source: 1998-2000 AACS.

R 324.8918
Source: 1998-2000 AACS.

R 324.8919
Source: 1998-2000 AACS.

R 324.8920
Source: 1998-2000 AACS.

DEPARTMENT OF ENVIRONMENTAL QUALITY

ENVIRONMENTAL ASSISTANCE DIVISION

SMALL BUSINESS POLLUTION PREVENTION ASSISTANCE LOAN

R 324.14501
Source: 2013 AACS.

R 324.14502
Source: 1998-2000 AACS.

R 324.14503
Source: 2013 AACS.

R 324.14504
Source: 2013 AACS.

R 324.14505
Source: 2013 AACS.

R 324.14506

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Source: 2013 AACS.

R 324.14507

Source: 2013 AACS.

R 324.14508

Source: 2013 AACS.

DEPARTMENT OF ENVIRONMENTAL QUALITY

STORAGE TANK DIVISION

**MICHIGAN UNDERGROUND STORAGE TANK QUALIFIED
CONSULTANTS AND CERTIFIED PROFESSIONALS**

R 324.21501

Source: 2012 AACS.

R 324.21502

Source: 2012 AACS.

R 324.21503

Source: 2012 AACS.

R 324.21504

Source: 2012 AACS.

R 324.21505

Source: 2012 AACS.

R 324.21506

Source: 2012 AACS.

R 324.21507

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R 324.21508

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R 324.21509

Source: 2012 AACS.

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Source: 2012 AACS.

R 324.21511

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R 324.21514

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R 324.21515

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Source: 2012 AACS.

R 324.21516

Source: 2012 AACS.

DEPARTMENT OF COMMUNITY HEALTH
BUREAU OF DISEASE CONTROL AND LABORATORY SERVICES
CONTROL OF COMMUNICABLE DISEASES

R 325.1

Source: 1998-2000 AACS.

R 325.2

Source: 1998-2000 AACS.

R 325.3

Source: 1998-2000 AACS.

R 325.4

Source: 1998-2000 AACS.

R 325.5

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R 325.6

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R 325.7

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R 325.8

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R 325.9

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R 325.10

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R 325.11

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R 325.12

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R 325.17

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R 325.20

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R 325.21

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R 325.22

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R 325.29

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R 325.38
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R 325.40
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R 325.41
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R 325.51
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R 325.52
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R 325.53
Source: 1998-2000 AACS.

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R 325.54
Source: 1998-2000 AACS.

R 325.55
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R 325.56
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R 325.57
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R 325.58
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R 325.59
Source: 1998-2000 AACS.

R 325.60
Source: 2010 AACS.

R 325.61
Source: 2005 AACS.

R 325.62
Source: 2005 AACS.

R 325.63
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R 325.64
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R 325.66
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R 325.67
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R 325.68
Source: 2005 AACS.

R 325.70
Source: 1997 AACS.

R 325.71
Source: 2009 AACS.

R 325.72
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R 325.73
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R 325.74
Source: 2009 AACS.

R 325.75
Source: 2009 AACS.

R 325.80
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R 325.81
Source: 1997 AACS.

R 325.90
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R 325.100
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R 325.101
Source: 1997 AACS.

R 325.102
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R 325.103
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R 325.104
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R 325.106
Source: 1997 AACS.

R 325.107
Source: 1997 AACS.

R 325.110
Source: 1997 AACS.

R 325.115
Source: 1997 AACS.

R 325.120
Source: 1997 AACS.

R 325.121
Source: 1997 AACS.

BUREAU OF HEALTH POLICY, PLANNING AND ACCESS

EMS AND TRAUMA SERVICES SECTION

STATEWIDE TRAUMA SYSTEM

PART 1. GENERAL PROVISIONS

R 325.125
Source: 2007 AACS.

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R 325.126
Source: 2007 AACS.

R 325.127
Source: 2007 AACS.

R 325.128
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R 325.129
Source: 2009 AACS.

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R 325.131
Source: 2007 AACS.

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Source: 2007 AACS.

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R 325.134
Source: 2007 AACS.

R 325.135
Source: 2007 AACS.

R 325.136
Source: 2007 AACS.

R 325.137
Source: 2007 AACS.

R 325.138
Source: 2007 AACS.

FAMILY PLANNING SERVICES

R 325.151
Source: 1979 AC.

R 325.152
Source: 1979 AC.

R 325.153
Source: 1979 AC.

R 325.154
Source: 1979 AC.

R 325.155
Source: 1979 AC.

R 325.156
Source: 1979 AC.

HEALTH LEGISLATION AND POLICY DEVELOPMENT

MICHIGAN CARE IMPROVEMENT REGISTRY

- R 325.161**
Source: 2012 AACS.
- R 325.162**
Source: 2012 AACS.
- R 325.163**
Source: 2012 AACS.
- R 325.163a**
Source: 2012 AACS.
- R 325.164**
Source: 1997 AACS.
- R 325.165**
Source: 2009 AACS.
- R 325.166**
Source: 2012 AACS.
- R 325.167**
Source: 1997 AACS.
- R 325.168**
Source: 2009 AACS.
- R 325.169**
Source: 1997 AACS.

**BUREAU OF INFECTIOUS DISEASE CONTROL
COMMUNICABLE AND RELATED DISEASES**

R 325.171 Definitions.

Rule 1. (1) As used in these rules:

- (a) "Appropriate local health department" means the local health department that has jurisdiction where an individual who has a disease or condition that is required to be reported resides or the local health department of the county in which the service facility is located.
- (b) "Code" means 1978 PA 368, MCL 333.1101 to 333.25211.
- (c) "Communicable" means capable of being transmitted from individual to individual, from animal to individual, or from an inanimate reservoir to an individual.
- (d) "Department" means the Michigan department of community health.
- (e) "Director" means the state director of community health or his or her designee.
- (f) "Epidemic" means any increase in the number of cases, above the number of expected cases, of any disease, infection, or other condition in a specific time period, area, or demographic segment of the population.
- (g) "Local health officer" means the health officer, or his or her designee, in the appropriate local health department.
- (h) "Medical and epidemiological information" means any of the following:
- (i) Medical histories.
 - (ii) Results of examinations.
 - (iii) Findings on laboratory tests.
 - (iv) Diagnoses.
 - (v) Treatments employed.
 - (vi) Outcomes.
 - (vii) Description and source of suspected causative agents.

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(viii) Any other information that is pertinent to an investigation which is requested by the local health department or the department in the course of that investigation.

(i) "Novel influenza" means any strains or subtypes of influenza viruses not included in the current year influenza vaccine formulation.

(k) "Venereal disease" means any of the following:

(i) Syphilis.

(ii) Gonorrhea.

(iii) Chancroid.

(iv) Lymphogranuloma venereum.

(v) Granuloma inguinale.

(2) Unless the context requires otherwise or as further clarified in these rules, terms defined in the code have the same meanings when used in these rules.

History: 1993 AACCS; 1999 AACCS; 2009 AACCS; 2015 MR 24, Eff. Dec. 23, 2014.

R 325.172 Disease reporting.

Rule 2. (1) The department, as required in MCL 333.5111 (1), annually reviews, maintains, and publishes a list of reportable diseases, infections, and disabilities on the department's website.

(2) Physicians and laboratories shall report the unusual occurrence, outbreak, or epidemic of any condition, including healthcare-associated infections, to the local health department and to the department as required in R 325.173.

History: 1993 AACCS; 1999 AACCS; 2005 AACCS; 2009 AACCS; 2015 MR 24, Eff. Dec. 23, 2014.

R 325.173 Reporting and surveillance requirements.

Rule 3. (1) A physician shall report each case of a serious communicable disease that is listed and maintained by the department as required in, MCL 333.5111(1), except for human immunodeficiency virus infection and acquired immunodeficiency syndrome, within 24 hours of diagnosis or discovery, to the appropriate health department. Reporting requirements for human immunodeficiency virus infection and acquired immunodeficiency syndrome are set out in MCL 333.5114 and subrules (12) to (14) of this rule.

(2) A physician shall report the unusual occurrence of any disease, infection, or condition that threatens the health of the public, within 24 hours of diagnosis or discovery, to the appropriate local health department.

(3) A physician shall report noncommunicable diseases that are listed and maintained by the department as required in MCL 333.5111(1) within 3 days of diagnosis or discovery, to the appropriate local health department.

(4) A physician may report any disease, infection, or condition that is not included in subrule (1), (2), or (3) of this rule to the appropriate local health department according to the physician's medical judgment.

(5) A laboratory shall report, within 24 hours of discovery, both of the following to the appropriate local health department:

(a) Laboratory evidence of any serious infection that is listed and maintained by the department as required in MCL333.5111(1), except for human immunodeficiency virus which is governed by MCL 333.5114.

(b) Laboratory evidence of any other disease, infection, or condition that is judged by the laboratory director to indicate that the health of the public is threatened. A laboratory in this state that receives or processes specimens to be tested for the listed agents shall report a result confirming presence of a listed agent, even if the testing is not done on-site, for example, the specimen is shipped to an out-of-state reference laboratory for testing.

(6) When a physician or laboratory director suspects the presence of a designated condition, but does not have sufficient information to confirm its presence, the physician or laboratory shall report the designated condition as suspect to the appropriate local health department. Upon confirmation of the designated condition, a physician or laboratory director shall report the condition as confirmed to the appropriate local health department.

(7) A health facility infection control committee shall develop policies and procedures to ensure the appropriate reporting of designated conditions by physicians who treat individuals at that facility and by laboratories at that facility.

(8) All of the following individuals may report to the appropriate local health department any designated condition or any other disease, infection, or condition which comes to their professional attention and which poses a threat to the health of the public:

(a) An administrator, epidemiologist, or infection control professional from a health care facility or other institution.

(b) A dentist.

(c) A nurse.

(d) A pharmacist.

(e) A physician's assistant.

(f) A veterinarian.

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- (g) Any other health care professional.
- (9) A primary or secondary school, child day care center, or camp shall report, within 24 hours of suspecting, both of the following to the appropriate local health department:
 - (a) The occurrence among those in attendance of any of the serious communicable diseases listed and maintained by the department as required in MCL 333.5111(1), except for human immunodeficiency virus and acquired immunodeficiency syndrome which are governed by MCL 333.5131.
 - (b) The unusual occurrence, outbreak, or epidemic of any disease, infection, or condition among those in attendance.
- (10) A report shall be directed to the appropriate local health department. A report may be written, oral, or transmitted by electronic media. A report shall be transmitted in a manner prescribed or approved by the appropriate local health department.
- (11) Except as provided in subrules (13) and (14) of this rule, a required report by a physician shall contain all of the following information:
 - (a) The patient's full name.
 - (b) The patient's residential address, including street, city, village or township, county, and zip code.
 - (c) The patient's telephone number.
 - (d) The patient's date of birth, age, sex, race, and ethnic origin.
 - (e) The name of the disease, infection, or condition reported.
 - (f) The estimated date of the onset of the disease, infection, or condition, where applicable.
 - (g) The identity of the reporting person.
 - (h) Pertinent laboratory results.
 - (i) Any other information considered by the physician to be related to the health of the public.
- (12) Acquired immunodeficiency syndrome (AIDS), human immunodeficiency virus (HIV) infection, tuberculosis, and venereal disease shall be reported by completing forms provided by the department.
- (13) In addition to reporting requirements under section 5114 of the code for acquired immunodeficiency syndrome (AIDS), human immunodeficiency virus (HIV) infection, a physician shall report, if available, the ethnicity and country of birth, if known, of the test subject.
- (14) Nothing in these rules is intended to limit use or disclosure of information needed by the department or local health department to carry out its responsibilities under the code as authorized by, but not limited to, MCL 333.5131.
- (15) Viral influenza need only be reported by the number of cases identified during a specified time period or when influenza is suspected to have caused or contributed to mortality in a person aged less than 18 years, or if the infected individual traveled outside of North America within the 2 weeks prior to symptom onset.
- (16) A required report by a laboratory shall contain all of the following information, except for human immunodeficiency virus and acquired immunodeficiency syndrome, which are governed by MCL 333.5114:
 - (a) The patient's full name.
 - (b) The patient's residential address, including street, city, village or township, county, and zip code.
 - (c) The patient's telephone number.
 - (d) The patient's date of birth or age.
 - (e) The patient's sex.
 - (f) The specific laboratory test, date performed, and the results.
 - (g) The name and address of the reporting laboratory.
 - (h) The name, address, and telephone number of the ordering person.
- (17) To the extent that the information is readily available, a report of an unusual occurrence, outbreak, or epidemic of a disease, infection, or other condition shall include all of the following information:
 - (a) The nature of the confirmed or suspected disease, infection, or condition.
 - (b) The approximate number of cases.
 - (c) The approximate illness onset dates.
 - (d) The location of the outbreak.
- (18) Within 24 hours of receiving a report, a local health department shall communicate the report of an individual who has a serious communicable disease listed and maintained by the department as required in MCL 333.5111(1) or a serious infection listed and maintained by the department as required in MCL 333.5111(1) to the department and any other Michigan jurisdiction if the individual resides in that other jurisdiction.
- (19) Within 3 days of receiving a report, a local health department shall communicate the report of an individual who has a noncommunicable disease listed and maintained by the department as required in MCL 333.5111(1) to the department and another Michigan jurisdiction if the individual resides in that other jurisdiction.
- (20) Within 24 hours of receiving a report that concerns an individual who resides outside of this state, a local health department shall forward the report to the department.

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(21) Reports of designated conditions acquired by residents of a local health department's jurisdiction shall be recorded by the local health officer and shall be forwarded to the department in a format specified by the department.

History: 1993 AACCS; 2005 AACCS; 2009 AACCS; 2015 MR 24, Eff. Dec. 23, 2014.

R 325.174 Investigation of diseases, infections, epidemics, and situations with potential for causing diseases.

Rule 4. (1) The department or the local health department that has jurisdiction where an individual who has a reported condition resides or where an illness or infection is being or may be spread shall initiate an investigation as necessary.

(2) An investigator who presents official identification of the local health department or the department shall promptly be provided with medical, epidemiologic, and other information pertaining to any of the following:

(a) Individuals who have designated conditions or other conditions of public health significance.

(b) Individuals, whether ill or well, who are part of a group in which an unusual occurrence, outbreak, or epidemic has occurred.

(c) Individuals who are not known to have a designated condition but whose medical or epidemiological information is needed for investigation into the cause of the occurrence of the condition.

(d) Individuals who were potentially exposed to a designated condition.

(e) Individuals who may be a carrier or health threat to others under MCL 333.5201.

(f) Any other information that may be relevant to an investigation under this rule.

(3) Requests for individual medical and epidemiologic information to validate the completeness and accuracy of reporting are specifically authorized. Information released in response to a request made by type of disease, infection, or condition or diagnostic code category may include information about individuals who are not the primary focus of the request if it is not reasonably possible to delete it from the requested information.

(4) A representative of the local health department or the department may obtain human, animal, environmental, or other types of specimens or cause such specimens to be obtained by appropriate means, including venipuncture, in the course of an investigation of a reported disease, infection, or condition.

(5) The local health department shall transmit the results of its investigation of a report of an unusual occurrence of illness, outbreak, or epidemic to the department by an immediate informal report that shall be followed by progress reports and a final report. The reports shall be in a format that is acceptable to the department.

History: 1993 AACCS; 2015 MR 24, Eff. Dec. 23, 2014.

R 325.175 Procedures for physicians, local health officers, and schools for control of diseases and infections.

Rule 5. (1) A physician or other person who attends to a case of communicable disease shall arrange for appropriate barrier precautions, treatment, or isolation if needed to prevent the spread of infection to other household members, patients, or the community. A physician or other person who seeks information on appropriate precautionary measures may request the local health officer or the department to provide the necessary information. Appropriate isolation or other barrier precautions may be instituted for a case or a suspected case of disease, infection, or other condition by the local health officer or the department as necessary to protect the public health.

(2) When a school official reasonably suspects that a student has a communicable disease except for AIDS, HIV infection, and noncommunicable diseases, the official may exclude the student for a period sufficient to obtain a determination by a physician or local health officer as to the presence of a communicable disease.

(3) The local health officer may initiate the exclusion from school or group programs of a student or individual who has a communicable disease. A student or individual may be returned to school or a group program when a physician or local health officer indicates that the excluded individual does not represent a risk to other individuals.

(4) When a local health officer confirms or reasonably suspects that a student or individual attending school or a group program has a communicable disease, the health officer may, as a disease control measure, exclude from attendance any individuals lacking documentation of immunity or otherwise considered susceptible to the disease until such time as the health officer deems there to be no likely further risk of disease spread.

History: 1993 AACCS; 2015 MR 24, Eff. Dec. 23, 2014.

R 325.176 Immunizations required of children attending group programs or entering school.

Rule 6. (1) As used in this rule:

(a) "Certificate of immunization" means a medical, health department, school, or personal record which indicates the dates when each dose of a vaccine was given to an individual and which is certified by a health professional or local health department.

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- (b) "Exemption" means a temporary or permanent waiver of 1 or more of the specific immunization requirements for medical, religious, or other reasons.
- (c) "Medical exemption" means a written statement from a physician that a vaccination is medically contraindicated for a particular child for a specified period of time.
- (d) "Religious or other exemption" means a written statement which is signed by the parent, guardian, or person in loco parentis of a child, which certifies that immunization is in conflict with religious or other convictions of the signer, and which includes the name and date of birth of the child.
- (e) "Vaccine" means an agent for immunization against an infection or disease caused by an infectious agent.
- (2) A child who is 2 months through 3 months of age and who is registered in a program of group residence or care shall have received at least all of the following vaccines:
- (a) One dose of any appropriate diphtheria vaccine.
 - (b) One dose of any appropriate tetanus vaccine.
 - (c) One dose of any appropriate pertussis vaccine.
 - (d) One dose of any appropriate poliovirus vaccine.
 - (e) One dose of any appropriate Haemophilus influenzae type B vaccine.
 - (f) One dose of any appropriate hepatitis B vaccine or a laboratory finding of hepatitis B immunity or disease satisfies this requirement.
 - (g) One dose of any appropriate pneumococcal conjugate vaccine.
- (3) A child who is 4 months through 5 months of age and who is registered in a program of group residence or care shall have received at least all of the following vaccines:
- (a) Two doses of any appropriate diphtheria vaccine.
 - (b) Two doses of any appropriate tetanus vaccine.
 - (c) Two doses of any appropriate pertussis vaccine.
 - (d) Two doses of any appropriate poliovirus vaccine.
 - (e) Two doses of any appropriate Haemophilus influenzae type B vaccine.
 - (f) Two doses of any appropriate hepatitis B vaccine or a laboratory finding of hepatitis B immunity or disease satisfies this requirement.
 - (g) Two doses of any appropriate pneumococcal conjugate vaccine.
- (4) A child who is 6 months through 15 months of age and who is registered in a program of group residence or care shall have received at least all of the following vaccines:
- (a) Three doses of any appropriate diphtheria vaccine.
 - (b) Three doses of any appropriate tetanus vaccine.
 - (c) Three doses of any appropriate pertussis vaccine.
 - (d) Two doses of any appropriate poliovirus vaccine.
 - (e) Two doses of any appropriate Haemophilus influenzae type B vaccine.
 - (f) Two doses of any appropriate hepatitis B vaccine or a laboratory finding of hepatitis B immunity or disease satisfies this requirement.
 - (g) Pneumococcal conjugate vaccine as shown by either of the following:
 - (i) Three doses of any appropriate pneumococcal conjugate vaccine.
 - (ii) Receipt of an age appropriate complete series of any appropriate pneumococcal conjugate vaccine.
- (5) A child who is 16 months through 18 months of age and who is registered in a program of group residence, care, or camping shall have received at least all of the following vaccines:
- (a) Three doses of any appropriate diphtheria vaccine.
 - (b) Three doses of any appropriate tetanus vaccine.
 - (c) Three doses of any appropriate pertussis vaccine.
 - (d) Two doses of any appropriate poliovirus vaccine.
 - (e) Haemophilus Influenzae type B vaccine age as shown by either of the following:
 - (i) Receipt of 1 dose of any appropriate haemophilus influenzae type B vaccine at or after 15 months of age.
 - (ii) Receipt of a complete series of any appropriate haemophilus influenzae type B vaccine.
 - (f) One dose of any appropriate live measles vaccine at or after 12 months of age. A laboratory finding of measles immunity satisfies this requirement.
 - (g) One dose of any appropriate live mumps vaccine at or after 12 months of age. A laboratory finding of mumps immunity satisfies this requirement.
 - (h) One dose of any appropriate live rubella vaccine at or after 12 months of age. A laboratory finding of rubella immunity satisfies this requirement.

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- (i) Two doses of any appropriate hepatitis B vaccine or a laboratory finding of hepatitis B immunity or disease satisfies this requirement.
- (j) Pneumococcal conjugate vaccine as shown by either of the following:
 - (i) Four doses of any appropriate pneumococcal conjugate vaccine.
 - (ii) Receipt of an age appropriate complete series of any appropriate pneumococcal conjugate vaccine.
- (6) A child who is 19 months through 4 years of age and who is registered in a program of group residence, care, or camping shall have received at least all of the following vaccines:
 - (a) Four doses of any appropriate diphtheria vaccine.
 - (b) Four doses of any appropriate tetanus vaccine.
 - (c) Four doses of any appropriate pertussis vaccine.
 - (d) Three doses of any appropriate poliovirus vaccine.
 - (e) Haemophilus influenzae type B vaccine as shown by either of the following:
 - (i) Receipt of 1 dose of any appropriate Haemophilus influenzae type B vaccine at or after 15 months of age.
 - (ii) Receipt of a complete series of any appropriate Haemophilus influenzae type B vaccine.
 - (f) One dose of any appropriate live measles vaccine at or after 12 months of age. A laboratory finding of measles immunity satisfies this requirement.
 - (g) One dose of any appropriate live mumps vaccine at or after 12 months of age. A laboratory finding of mumps immunity satisfies this requirement.
 - (h) One dose of any appropriate live rubella vaccine at or after 12 months of age. A laboratory finding of rubella immunity satisfies this requirement.
 - (i) Three doses of any appropriate hepatitis B vaccine or a laboratory finding of hepatitis B immunity or disease satisfies this requirement.
 - (j) Have evidence of varicella immunity as shown by any of the following:
 - (i) One dose of any appropriate varicella vaccine at or after 12 months of age.
 - (ii) Laboratory evidence of varicella immunity.
 - (iii) A parent, guardian, person in loco parentis, or physician statement that the child has had varicella disease.
 - (k) Pneumococcal conjugate vaccine as shown by either of the following:
 - (i) Four doses of any appropriate pneumococcal conjugate vaccine.
 - (ii) Receipt of an age appropriate complete series of any appropriate pneumococcal conjugate vaccine.
 - (iii) Receipt of 1 dose of any appropriate pneumococcal conjugate vaccine at or after 24 months of age.
- (7) A child who is 5 years of age and who is registered in a program of group residence, care, or camping shall have received at least all of the following vaccines:
 - (a) Four doses of any appropriate diphtheria vaccine.
 - (b) Four doses of any appropriate tetanus vaccine.
 - (c) Four doses of any appropriate pertussis vaccine.
 - (d) Three doses of any appropriate poliovirus vaccine.
 - (e) One dose of any appropriate live measles vaccine at or after 12 months of age. A laboratory finding of measles immunity satisfies this requirement.
 - (f) One dose of any appropriate live mumps vaccine at or after 12 months of age. A laboratory finding of mumps immunity satisfies this requirement.
 - (g) One dose of any appropriate live rubella vaccine at or after 12 months of age. A laboratory finding of rubella immunity satisfies this requirement.
 - (h) Three doses of any appropriate hepatitis B vaccine or a laboratory finding of hepatitis B immunity or disease satisfies this requirement.
 - (i) Have evidence of varicella immunity as shown by any of the following:
 - (i) One dose of any appropriate varicella vaccine at or after 12 months of age.
 - (ii) Laboratory evidence of varicella immunity.
 - (iii) A parent, guardian, person in loco parentis, or physician statement that the child has had varicella disease.
- (8) A child who is 4 years through 6 years of age and who is entering school shall be in compliance with all of the following immunization requirements:
 - (a) Have received 4 doses of any appropriate diphtheria vaccine and, if a dose was not received on or after the fourth birthday, a booster dose at school entry.
 - (b) Have received 4 doses of any appropriate tetanus vaccine and, if a dose was not received on or after the fourth birthday, a booster dose at school entry.

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- (c) Have received 4 doses of any appropriate pertussis vaccine and, if a dose was not received on or after the fourth birthday, a booster dose at school entry.
- (d) Have received 4 doses of any appropriate polio vaccine. If dose 3 was administered on or after the fourth birthday only 3 doses are required.
- (e) Have evidence of measles immunity as shown by either of the following:
 - (i) Two doses of any appropriate live measles vaccine received after the first birthday, not less than 28 days apart.
 - (ii) Laboratory evidence of measles immunity.
- (f) Have evidence of mumps immunity as shown by either of the following:
 - (i) Two doses of any appropriate live mumps vaccine received after the first birthday, not less than 28 days apart.
 - (ii) Laboratory evidence of mumps immunity.
- (g) Have evidence of rubella immunity as shown by either of the following:
 - (i) Two doses of any appropriate live rubella vaccine received after the first birthday, at least 28 days apart.
 - (ii) Laboratory evidence of rubella immunity.
- (h) Three doses of any appropriate hepatitis B vaccine or a laboratory finding of hepatitis B immunity or disease satisfies this requirement.
 - (i) Have evidence of varicella immunity as shown by any of the following:
 - (i) Two doses of any appropriate live varicella vaccine at or after 12 months of age.
 - (ii) Laboratory evidence of varicella immunity.
 - (iii) A parent, guardian, person in loco parentis, or physician statement that the child has had varicella disease.
- (9) A child who is 7 through 18 years of age and who is entering school or enrolled in grade 7, shall be in compliance with all of the following immunization requirements:
 - (a) Have received 4 doses of any appropriate diphtheria vaccine - 3 doses if the first dose was received on or after the first birthday.
 - (b) Have received 4 doses of any appropriate tetanus vaccine - 3 doses if the first dose was received on or after the first birthday.
 - (c) Have received a dose of Tdap vaccine for grades 7 and higher with children 11 years of age and older.
 - (d) Have received 4 doses of any appropriate poliovirus vaccine. If dose 3 was administered on or after the fourth birthday only 3 doses are required.
 - (e) Have evidence of measles immunity as shown by either of the following:
 - (i) Two doses of any appropriate live measles vaccine received after the first birthday, not less than 28 days apart.
 - (ii) Laboratory evidence of measles immunity.
 - (f) Have evidence of mumps immunity as shown by either of the following:
 - (i) Two doses of any appropriate live mumps vaccine received after the first birthday, not less than 28 days apart.
 - (ii) Laboratory evidence of mumps immunity.
 - (g) Have evidence of rubella immunity as shown by either of the following:
 - (i) Two doses of any appropriate live rubella vaccine received after the first birthday, not less than 28 days apart.
 - (ii) Laboratory evidence of rubella immunity.
 - (h) Receipt of a complete series of any appropriate hepatitis B vaccine or a laboratory finding of hepatitis b immunity or disease satisfies this requirement.
 - (i) Have evidence of varicella immunity as shown by any of the following:
 - (i) Two doses of any appropriate live varicella vaccine at or after 12 months of age.
 - (ii) Laboratory evidence of varicella immunity.
 - (iii) A parent, guardian, person in loco parentis, or physician statement that the child has had varicella disease.
 - (j) Have received 1 dose of meningococcal conjugate vaccine for grades 7 and higher with children 11 years of age and older.
- (10) To satisfy the requirements in subrules (2) to (9) of this rule, each vaccine shall have been administered in accordance with the manufacturer's instructions. A 4-day grace leniency is allowed on the minimum ages and intervals for each vaccine.
- (11) If the requirements for immunization cannot be completed due to medical reasons within 4 months of admittance, a child may remain enrolled in a school or group program for a reasonable length of time that is consistent with good medical practice. A statement requesting the enrollment of the child beyond the exclusion date shall be signed by a physician or local health officer and shall certify that the child is in the process of complying with all immunization requirements. This medical exemption shall be filed with the child's school or group program immunization records until it can be replaced with proof that the vaccines for which an exemption was granted have been received. Upon completion of the required immunizations, a parent shall present the school or group program with a certificate of immunization.

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(12) When presented with a medical exemption, religious or other exemption, the administrator of a child's school or operator of a child's group program shall recognize the exemption status of the child. Each nonmedical exemption filed at the child's school or group program of a child entering a program after December 31, 2014 shall be certified by the local health department that the individual received education on the risks of not receiving the vaccines being waived and the benefits of vaccination to the individual and the community. All waivers shall be submitted using the waiver form prescribed by the department.

(13) A standard record of the immunizations required by this rule and exemptions shall be maintained by every school for every pupil on forms supplied by the department. When a pupil transfers to another school or school district, the record of immunization, or a true copy of the record, shall be sent to the new school by the original school.

(14) All of the following information shall be provided to fulfill the requirements of section 9209(1) of the code:

(a) A listing, by child, of the number of doses of each vaccine received.

(b) The date of each immunization for each vaccine received in the series.

(c) A listing, by type of exemption granted, of the children who have exemptions.

(15) Not less than 95% of entering students in a school, — less the entering students who have medical, religious, or other exemptions, — shall have received vaccinations as outlined in subrules (8) and (9) of this rule.

(16) A principal of a school or operator of a group program shall make immunization records available for inspection by authorized representatives of the department or the appropriate local health department. The local health officer shall also make public clinic immunization records available to local schools or group programs for the purpose of verifying pupil immunizations.

(17) A requirement for immunization with a specific vaccine may be suspended temporarily at the request of the department director for reasons of inadequate vaccine supply.

History: 1993 AACS; 1994 AACS; 1995 AACS; 1999 AACS; 2006 AACS; 2009 MR 19, Oct. 2, 2009; 2015 MR 24, Eff. Dec. 23, 2014.

R 325.177

Source: 1993 AACS.

R 325.178 Rescinded.

History: 1993 AACS; 1999 AACS; 2015 MR 23, Eff. Dec. 23, 2014.

R 325.179

Source: 2009 AACS.

R 325.179a. Submission of other designated conditions specimens.

Rule 9a. A laboratory shall submit to the department the first isolate or subculture thereof, or specimen where appropriate, from the patient being tested, any of the following:

(a) Specimens suspected to contain and suspect isolates of any of the following:

(i) *Bacillus anthracis*.

(ii) *Brucella* species.

(iii) *Burkholderia pseudomallei*.

(iv) *Burkholderia mallei*.

(v) *Clostridium botulinum*.

(vi) *Coxiella burnetii*.

(vii) *Francisella tularensis*.

(viii) Orthopox viruses, including smallpox and monkey pox.

(ix) *Yersinia pestis*.

(b) Specimens that contain and isolates any of the following:

(i) *Corynebacterium diphtheriae*.

(ii) *Escherichia coli* 0157:H7 and all other shiga toxin positive serotypes.

(iii) *Haemophilus influenzae*, only if isolate collected from a normally sterile site or if patient is less than 15 years of age.

(iv) *Legionella* species.

(v) *Listeria monocytogenes*.

(vi) *Neisseria meningitidis*, only if isolate collected from a normally sterile site.

(vii) Novel influenza.

(viii) *Salmonella* species including Typhi.

(ix) Severe Acute Respiratory Syndrome (SARS) coronavirus.

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- (x) *Shigella* species.
- (xi) *Staphylococcus aureus*, only vancomycin intermediate and resistant.
- (xii) *Vibrio cholera*.
- (xiii) *Vibrio parahaemolyticus*.
- (xiv) *Vibrio vulnificus*.

History: 2009 AACCS; 2015 MR 23, Eff. Dec. 23, 2014.

R 325.179b

Source: 2009 AACCS.

R 325.180 Procedures for control of rabies; disposition of rabid animals.

Rule 10. (1) For the purposes of this rule, animals that are subject to rabies testing are any nonhuman mammals, except for rabbits or hares and rodents other than woodchucks.

(2) As used in this rule, "owner" means a person who has a right of property ownership of an animal, who keeps or harbors an animal, who has custody of an animal, or who permits an animal to remain on or about any premises occupied by the person.

(3) Any laboratory in this state that conducts examinations of animals for rabies shall report all of the following data to the department within 7 days after examination:

- (a) Species of animal.
- (b) Name and address of the owner of the animal.
- (c) Name and address of the person who submits the specimen.
- (d) Name and address of the individuals who have been exposed to the animal or the name and address of the owner of the pet that has been exposed to the animal.
- (e) Date and results of the examination.

(4) A physician who performs a postmortem on the body of an individual who died of rabies or who was suspected of dying of rabies shall immediately submit nonpreserved portions of the hippocampus major and spinal cord to the department for rabies examination. A history of the case shall accompany the specimens.

(5) An animal that has bitten an individual or otherwise potentially exposed an individual to rabies shall be handled pursuant to the provisions of the publication entitled "Compendium of Animal Rabies Control, 2011" issued by the national association of state public health veterinarians (NASPHV). The provisions of the publication entitled "Compendium of Animal Rabies Control, ~~2011~~ 2008" or most recent version, are adopted by reference in these rules. Copies of this publication may be obtained from the State Public Health Veterinarian, Communicable Disease Division, Bureau of Disease Control, Prevention & Epidemiology, Michigan Department of Community Health, 201 Townsend Street, 5th Floor, Lansing, Michigan 48909 at no cost as of the time of adoption of these rules.

(6) Any person who has knowledge of an animal bite where rabies is suspected shall, within 24 hours of the biting incident, report the bite to the appropriate local health department and to the local health department where the bite occurred. The report shall include all of the following information:

- (a) Animal species inflicting the bite.
- (b) Animal owner's name, address, and telephone number.
- (c) Vaccination status of the animal.
- (d) Date and location of the biting incident.
- (e) Name, address, and telephone number of the individual bitten.
- (f) Site of the bite on the body.
- (g) Name of the reporter of the bite.

(7) Upon request by the department or local health department, any person who has information regarding the identity, whereabouts, or vaccination status of an animal that has bitten an individual or otherwise potentially exposed an individual to rabies, or information about the owner of the animal, shall provide information about the animal or the animal's owner to the department or local health department.

History: 1993 AACCS; 1999 AACCS; 2009 AACCS; 2015 MR 23, Eff. Dec. 23, 2014.

R 325.181 Confidentiality of reports, records, and data pertaining to testing, diagnosis, care, treatment, reporting, and research.

Rule 11. (1) This rule applies to the communicable, serious communicable, chronic and noncommunicable diseases, infections, and disabilities listed and maintained by the department as required in MCL 333.5111 (1), except for human immunodeficiency virus (HIV) infection and acquired immunodeficiency syndrome (AIDS).

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(2) Medical and epidemiological information that identifies an individual and that is gathered in connection with an investigation is confidential and is not open to public inspection without the individual's consent or the consent of the individual's guardian, unless public inspection is necessary to protect the public health as determined by a local health officer or the director.

(3) Medical and epidemiological information that is released to a legislative body shall not contain information that identifies a specific individual.

History: 1993 AACS; 2015 MR 23, Eff. Dec. 23, 2014.

R 325.182

Source: 2010 AACS.

R 325.199

Source: 1993 AACS.

RABIES

R 325.201

Source: 1997 AACS.

OFFICE OF THE DIRECTOR
CONVALESCENT SERA AND VACCINES

R 325.210

Source: 1997 AACS.

R 325.211

Source: 1997 AACS.

R 325.212

Source: 1997 AACS.

R 325.213

Source: 1997 AACS.

R 325.214

Source: 1997 AACS.

R 325.215

Source: 1997 AACS.

R 325.216

Source: 1997 AACS.

R 325.217

Source: 1997 AACS.

R 325.218

Source: 1997 AACS.

R 325.219

Source: 1997 AACS.

R 325.220

Source: 1997 AACS.

R 325.221

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Source: 1997 AACS.

R 325.222

Source: 1997 AACS.

R 325.223

Source: 1997 AACS.

R 325.224

Source: 1997 AACS.

POLIOMYELITIS VACCINE

R 325.231

Source: 1997 AACS.

R 325.232

Source: 1997 AACS.

R 325.233

Source: 1997 AACS.

R 325.234

Source: 1997 AACS.

R 325.235

Source: 1997 AACS.

R 325.236

Source: 1997 AACS.

R 325.237

Source: 1997 AACS.

R 325.238

Source: 1997 AACS.

R 325.239

Source: 1997 AACS.

DIABETES RESEARCH

R 325.271

Source: 1997 AACS.

R 325.272

Source: 1997 AACS.

R 325.273

Source: 1997 AACS.

R 325.274

Source: 1997 AACS.

R 325.275

Source: 1997 AACS.

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KIDNEY TRAINING

R 325.281
Source: 1997 AACS.

R 325.282
Source: 1997 AACS.

R 325.283
Source: 1997 AACS.

R 325.284
Source: 1997 AACS.

BUREAU OF EPIDEMIOLOGY

DIVISION OF ENVIRONMENTAL HEALTH

REPORTING OF TRAUMATIC INJURIES

R 325.301
Source: 2010 AACS.

R 325.302
Source: 2010 AACS.

R 325.303
Source: 2010 AACS.

R 325.304
Source: 2010 AACS.

R 325.305
Source: 2010 AACS.

R 325.306
Source: 2010 AACS.

BUREAU OF PERSONAL HEALTH SERVICES

MIDWIVES

R 325.321
Source: 1997 AACS.

R 325.322
Source: 1997 AACS.

R 325.323
Source: 1997 AACS.

R 325.324
Source: 1997 AACS.

R 325.325
Source: 1997 AACS.

R 325.326
Source: 1997 AACS.

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R 325.327
Source: 1997 AACS.

R 325.328
Source: 1997 AACS.

R 325.329
Source: 1997 AACS.

R 325.330
Source: 1997 AACS.

OFFICE OF THE DIRECTOR
MINIMUM STANDARDS FOR GROUP DAY CARE OF CHILDREN

R 325.341
Source: 1997 AACS.

R 325.342
Source: 1997 AACS.

R 325.343
Source: 1997 AACS.

**COMMUNICABLE DISEASES IN CHILDREN IN GROUP RESIDENCE,
CARE, EDUCATION, AND CAMPING**

R 325.351
Source: 1997 AACS.

R 325.352
Source: 1997 AACS.

SPECIAL AGENTS OF BUREAU OF RECORDS AND STATISTICS

R 325.361
Source: 1997 AACS.

CONSTRUCTION AND ALTERATION OF PUBLIC SWIMMING POOLS

R 325.391--R 325.406
Source: 1971 AC.

OUTHOUSES

R 325.421
Source: 1979 AC.

R 325.422
Source: 1979 AC.

R 325.423
Source: 1979 AC.

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R 325.424
Source: 1979 AC.

R 325.425
Source: 1979 AC.

R 325.426
Source: 1979 AC.

BARBER SHOPS

R 325.451
Source: 1997 AACS.

FOOD ESTABLISHMENTS

R 325.592
Source: 1997 AACS.

R 325.593
Source: 1997 AACS.

MICHIGAN MILK ORDINANCE

R 325.681--R 325.717
Source: 1979 AC.

Editor's note: At the request of the department of public health, the above rules have been omitted from the Michigan Administrative Code of 1979. For text of these rules, see the Michigan Administrative Code of 1954, pp. 2295-2303.

DEPARTMENT OF ENVIRONMENTAL QUALITY

WATER BUREAU

SANITARY STANDARDS FOR SCHOOLS

R 325.721
Source: 2005 AACS.

R 325.722
Source: 2005 AACS.

R 325.723
Source: 2005 AACS.

R 325.724
Source: 2005 AACS.

R 325.725
Source: 2005 AACS.

R 325.726
Source: 2005 AACS.

R 325.727
Source: 2005 AACS.

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R 325.728
Source: 2005 AACS.

R 325.729
Source: 2005 AACS.

R 325.730
Source: 2005 AACS.

R 325.731
Source: 2005 AACS.

R 325.732
Source: 2005 AACS.

R 325.733
Source: 2005 AACS.

R 325.734
Source: 2005 AACS.

BOTTLE CAPS

R 325.741
Source: 1997 AACS.

TRAILER COACH PARKS

R 325.746
Source: 1997 AACS.

BUREAU OF DISEASE CONTROL AND LABORATORY SERVICES

CONTROL OF TUBERCULOSIS

PART 1. STATE SUBSIDY

R 325.763
Source: 1997 AACS.

PART 2. ADMISSIONS TO TUBERCULOSIS HOSPITALS

R 325.771
Source: 1997 AACS.

R 325.772
Source: 1997 AACS.

R 325.773
Source: 1997 AACS.

R 325.775
Source: 1997 AACS.

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PART 3. TRANSFERS, DISCHARGES, AND DEATHS

R 325.781
Source: 1997 AACS.

R 325.782
Source: 1997 AACS.

R 325.783
Source: 1997 AACS.

R 325.784
Source: 1997 AACS.

R 325.786
Source: 1997 AACS.

PART 4A. VOUCHERS FOR COUNTY CHARGE PATIENTS

R 325.801
Source: 1997 AACS.

R 325.802
Source: 1997 AACS.

R 325.803
Source: 1997 AACS.

R 325.804
Source: 1997 AACS.

PART 4B. VOUCHERS FOR STATE AT LARGE PATIENTS

R 325.811
Source: 1997 AACS.

R 325.812
Source: 1997 AACS.

R 325.813
Source: 1997 AACS.

R 325.814
Source: 1997 AACS.

R 325.815
Source: 1997 AACS.

R 325.816
Source: 1997 AACS.

R 325.817
Source: 1997 AACS.

R 325.818
Source: 1997 AACS.

R 325.820

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Source: 1997 AACS.

PART 5. REIMBURSEMENTS FOR CARE OF PATIENTS

R 325.831

Source: 1997 AACS.

R 325.832

Source: 1997 AACS.

R 325.833

Source: 1997 AACS.

R 325.834

Source: 1997 AACS.

PART 6. RECALCITRANT PATIENTS

R 325.841

Source: 1997 AACS.

R 325.842

Source: 1997 AACS.

R 325.843

Source: 1997 AACS.

R 325.844

Source: 1997 AACS.

R 325.845

Source: 1997 AACS.

R 325.846

Source: 1997 AACS.

R 325.847

Source: 1997 AACS.

R 325.848

Source: 1997 AACS.

R 325.849

Source: 1997 AACS.

R 325.850

Source: 1997 AACS.

R 325.851

Source: 1997 AACS.

R 325.852

Source: 1997 AACS.

PART 7. REIMBURSEMENT PROCEDURE

R 325.861

Source: 1997 AACS.

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R 325.862
Source: 1997 AACS.

R 325.863
Source: 1997 AACS.

R 325.864
Source: 1997 AACS.

R 325.865
Source: 1997 AACS.

R 325.866
Source: 1997 AACS.

R 325.867
Source: 1997 AACS.

R 325.871
Source: 1997 AACS.

R 325.872
Source: 1997 AACS.

R 325.873
Source: 1997 AACS.

R 325.874
Source: 1997 AACS.

R 325.875
Source: 1997 AACS.

PART 8. VOLUNTARY AGREEMENTS BY PATIENTS TO MAKE REIMBURSEMENT

R 325.881
Source: 1997 AACS.

R 325.882
Source: 1997 AACS.

R 325.883
Source: 1997 AACS.

R 325.884
Source: 1997 AACS.

R 325.885
Source: 1997 AACS.

R 325.886
Source: 1997 AACS.

PART 9. WITHHOLDING SUBSIDIES

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R 325.891
Source: 1997 AACS.

PART 10. REPORTS OF CHEST X-RAYS

R 325.896
Source: 1997 AACS.

PART 11. EXAMINATION OF PERSONS IN HIGH EXPOSURE GROUPS

R 325.897
Source: 1997 AACS.

R 325.898
Source: 1997 AACS.

REIMBURSEMENT FOR OUTPATIENT SERVICES

R 325.901
Source: 1997 AACS.

R 325.902
Source: 1997 AACS.

HUMANE CARE AND USE OF ANIMALS

R 325.921 Rescinded.
History: 1980 AACS; 2014 MR 16, Eff. Sept. 2, 2014.

R 325.922 Rescinded.
History: 1980 AACS; 2014 MR 16, Eff. Sept. 2, 2014.

R 325.923 Rescinded.
History: 1980 AACS; 2014 MR 16, Eff. Sept. 2, 2014.

R 325.924 Rescinded.
History: 1980 AACS; 2014 MR 16, Eff. Sept. 2, 2014.

R 325.925 Rescinded.
History: 1980 AACS; 2014 MR 16, Eff. Sept. 2, 2014.

R 325.926 Rescinded.
History: 1980 AACS; 2014 MR 16, Eff. Sept. 2, 2014.

ANATOMY BOARD
ANATOMICAL GIFTS

R 325.951
Source: 1981 AACS.

R 325.952
Source: 1981 AACS.

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R 325.953
Source: 1981 AACS.

R 325.954
Source: 1981 AACS.

R 325.955
Source: 1981 AACS.

BUREAU OF DISEASE CONTROL AND LABORATORY SERVICES
HUMANE USE OF ANIMALS

R 325.981
Source: 1997 AACS.

R 325.982
Source: 1997 AACS.

R 325.983
Source: 1997 AACS.

R 325.984
Source: 1997 AACS.

R 325.985
Source: 1997 AACS.

R 325.986
Source: 1997 AACS.

R 325.987
Source: 1997 AACS.

R 325.988
Source: 1997 AACS.

R 325.989
Source: 1997 AACS.

R 325.990
Source: 1997 AACS.

R 325.991
Source: 1997 AACS.

R 325.992
Source: 1997 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

BUREAU OF HEALTH SYSTEMS

DIVISION OF HEALTH FACILITIES AND SERVICES

MINIMUM STANDARDS FOR HOSPITALS

R 325.1001

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Source: 1979 AC.

R 325.1002

Source: 1979 AC.

R 325.1003

Source: 1979 AC.

R 325.1004

Source: 1979 AC.

R 325.1005

Source: 1979 AC.

PART 2. LICENSURE AND REPORTS FOR MATERNITY HOSPITALS

R 325.1011

Source: 1979 AC.

R 325.1012

Source: 1979 AC.

R 325.1013

Source: 1979 AC.

R 325.1014

Source: 1979 AC.

R 325.1015

Source: 1979 AC.

R 325.1016

Source: 1979 AC.

**PART 3. OPERATIONAL RULES AND MINIMUM STANDARDS FOR ALL HOSPITAL PHYSICAL
PLANT, FACILITIES, EQUIPMENT, AND OPERATIONS**

R 325.1021

Source: 1979 AC.

R 325.1022

Source: 1979 AC.

R 325.1023

Source: 1979 AC.

R 325.1024

Source: 1979 AC.

R 325.1025

Source: 1979 AC.

R 325.1026

Source: 1979 AC.

R 325.1027

Source: 1979 AC.

R 325.1028

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Source: 1979 AC.

ADDITIONAL REQUIREMENTS FOR MATERNITY HOSPITALS AND DEPARTMENTS

R 325.1051

Source: 1979 AC.

R 325.10521

Source: 1979 AC.

R 325.1053

Source: 1981 AACS.

R 325.1054

Source: 1981 AACS.

R 325.1055

Source: 1979 AC.

R 325.1056

Source: 1981 AACS.

R 325.1057

Source: 1979 AC.

R 325.1058

Source: 1979 AC.

R 325.1059

Source: 1979 AC.

R 325.1060

Source: 1979 AC.

R 325.1071

Source: 1979 AC.

R 325.1081

Source: 1979 AC.

R 325.1100

Source: 1979 AC.

DEPARTMENT OF ENVIRONMENTAL QUALITY

SOLID WASTE MANAGEMENT DIVISION

SOLID WASTE DISPOSAL

R 325.1101, R 325.1102

Editor's note: Transferred to R 325.2701, R 325.2702.

R 325.1103--R 325.1105

Editor's note: Transferred to R 325.2721--R 325.2723.

R 325.1106--R 325.1110

Editor's note: Transferred to R 325.2731--R 325.2735.

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R 325.1121--R 325.1128
Source: 1976 AC.

DEPARTMENT OF COMMUNITY HEALTH

BUREAU OF EPIDEMIOLOGY

TRANSPORTATION AND DISPOSITION OF DEAD BODIES

R 325.1141
Source: 1979 AC.

R 325.1142
Source: 1979 AC.

R 325.1143
Source: 1979 AC.

R 325.1144
Source: 1979 AC.

R 325.1145
Source: 1979 AC.

DEPARTMENT OF COMMUNITY HEALTH

BUREAU OF EPIDEMIOLOGY

DONATED AND UNCLAIMED DEAD HUMAN BODIES OR PARTS

R 325.1151--R 325.1161
Source: 1966 AC.

R 325.1171--R 325.1177
Source: 1984 AC.

R 325.1178
Source: 1979 AC.

HEARINGS

R 325.1201
Source: 1997 AACS.

R 325.1202
Source: 1997 AACS.

R 325.1203
Source: 1997 AACS.

R 325.1204
Source: 1997 AACS.

R 325.1205
Source: 1997 AACS.

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R 325.1206
Source: 1997 AACS.

**DEPARTMENT OF COMMUNITY HEALTH
LEGISLATION AND POLICY
REQUESTS FOR DECLARATORY RULINGS**

R 325.1211
Source: 2008 AACS.

**DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES
BUREAU OF HEALTH SYSTEMS
OFFICE OF THE DIRECTOR
COMPLAINTS**

R 325.1213
Source: 1979 AC.

R 325.1214
Source: 1979 AC.

R 325.1215
Source: 1979 AC.

R 325.1216
Source: 1979 AC.

R 325.1217
Source: 1979 AC.

**DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES
BUREAU OF HEALTH SYSTEMS
OFFICE OF THE DIRECTOR
PUBLIC INSPECTION OF LICENSE RECORDS**

R 325.1281
Source: 1979 AC.

R 325.1282
Source: 1979 AC.

**DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES
BOARD OF EXAMINERS FOR SANITARIANS**

R 325.1401
Source: 1997 AACS.

R 325.1402
Source: 1997 AACS.

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R 325.1403
Source: 1997 AACS.

R 325.1404
Source: 1997 AACS.

R 325.1405
Source: 1997 AACS.

R 325.1406
Source: 1997 AACS.

R 325.1407
Source: 1997 AACS.

R 325.1408
Source: 1997 AACS.

R 325.1409
Source: 1997 AACS.

R 325.1410
Source: 1997 AACS.

R 325.1411
Source: 1997 AACS.

R 325.1412
Source: 1997 AACS.

DEPARTMENT OF COMMUNITY HEALTH
POLICY AND LEGAL AFFAIRS ADMINISTRATION
PHENYLKETONURIA TEST ON NEWBORN INFANTS

R 325.1471
Source: 2003 AACS.

R 325.1472
Source: 2003 AACS.

R 325.1473
Source: 2003 AACS.

R 325.1474
Source: 2003 AACS.

R 325.1475
Source: 2003 AACS.

DEPARTMENT OF COMMUNITY HEALTH
OFFICE OF THE DIRECTOR
PRESCHOOL VISION TESTS

R 325.1481

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Source: 1997 AACS.

DISEASE CONTROL IN SCHOOLS

R 325.1491

Source: 1997 AACS.

DEPARTMENT OF AGRICULTURE

AGRICULTURAL LABOR CAMPS

R 325.1501

Source: 1997 AACS.

R 325.1502

Source: 1997 AACS.

R 325.1503

Source: 1997 AACS.

R 325.1504

Source: 1997 AACS.

R 325.1505

Source: 1997 AACS.

R 325.1506

Source: 1997 AACS.

R 325.1507

Source: 1997 AACS.

R 325.1508

Source: 1997 AACS.

R 325.1509

Source: 1997 AACS.

R 325.1510

Source: 1997 AACS.

R 325.1511

Source: 1997 AACS.

R 325.1512

Source: 1997 AACS.

R 325.1513

Source: 1997 AACS.

R 325.1514

Source: 1997 AACS.

R 325.1515

Source: 1997 AACS.

R 325.1531

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Source: 1997 AACS.

R 325.1532

Source: 1997 AACS.

R 325.1533

Source: 1997 AACS.

R 325.1534

Source: 1997 AACS.

R 325.1535

Source: 1997 AACS.

R 325.1536

Source: 1997 AACS.

DEPARTMENT OF ENVIRONMENTAL QUALITY

DRINKING WATER AND RADIOLOGICAL PROTECTION DIVISION

MEDICAL WASTE PRODUCING FACILITIES

325.1541

Source: 1998-2000 AACS.

325.1542

Source: 1998-2000 AACS.

325.1543

Source: 1998-2000 AACS.

325.1544

Source: 1998-2000 AACS.

325.1545

Source: 1998-2000 AACS.

325.1546

Source: 1998-2000 AACS.

325.1547

Source: 1998-2000 AACS.

325.1548

Source: 1998-2000 AACS.

325.1549

Source: 1998-2000 AACS.

DEPARTMENT OF ENVIRONMENTAL QUALITY

DIVISION OF ENVIRONMENTAL HEALTH

CAMPGROUNDS

R 325.1551

Source: 1998-2000 AACS.

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R 325.1552
Source: 1998-2000 AACS.

R 325.1553
Source: 1998-2000 AACS.

R 325.1554
Source: 1998-2000 AACS.

R 325.1555
Source: 1998-2000 AACS.

R 325.1555a
Source: 1998-2000 AACS.

R 325.1555b
Source: 1998-2000 AACS.

R 325.1556
Source: 1998-2000 AACS.

R 325.1556a
Source: 1998-2000 AACS.

R 325.1556b
Source: 1998-2000 AACS.

R 325.1557
Source: 1998-2000 AACS.

R 325.1558
Source: 1998-2000 AACS.

R 325.1559
Source: 1998-2000 AACS.

R 325.1560
Source: 1998-2000 AACS.

R 325.1561
Source: 1998-2000 AACS.

R 325.1562
Source: 1998-2000 AACS.

R 325.1563
Source: 1998-2000 AACS.

R 325.1564
Source: 1998-2000 AACS.

R 325.1566
Source: 1998-2000 AACS.

R 325.1568
Source: 1998-2000 AACS.

R 325.1569

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Source: 1987 AACS.

R 325.1571

Source: 1998-2000 AACS.

R 325.1574

Source: 1998-2000 AACS.

R 325.1576

Source: 1998-2000 AACS.

R 325.1585

Source: 1987 AACS.

R 325.1586

Source: 1998-2000 AACS.

R 325.1599

Source: 1998-2000 AACS.

DIVISION OF WATER SUPPLY
GROUNDWATER QUALITY CONTROL
PART 1. WELL CONSTRUCTION CODE

R 325.1601

Source: 1994 AACS.

R 325.1601a

Source: 1994 AACS.

R 325.1602

Source: 1994 AACS.

R 325.1603

Source: 1994 AACS.

R 325.1603a

Source: 1994 AACS.

R 325.1604

Source: 1994 AACS.

R 325.1605

Source: 1994 AACS.

R 325.1606

Source: 1994 AACS.

R 325.1607

Source: 1994 AACS.

R 325.1608

Source: 1994 AACS.

R 325.1610

Source: 1994 AACS.

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R 325.1611
Source: 1994 AACS.

R 325.1612
Source: 1994 AACS.

R 325.1613
Source: 1994 AACS.

R 325.1621
Source: 1994 AACS.

R 325.1622
Source: 1994 AACS.

R 325.1624
Source: 1994 AACS.

R 325.1625
Source: 1994 AACS.

R 325.1626
Source: 1994 AACS.

R 325.1627
Source: 1994 AACS.

R 325.1631
Source: 1997 AACS.

R 325.1631a
Source: 1994 AACS.

R 325.1631b
Source: 1994 AACS.

R 325.1631c
Source: 1994 AACS.

R 325.1631d
Source: 1994 AACS.

R 325.1632
Source: 1994 AACS.

R 325.1632a
Source: 1994 AACS.

R 325.1633
Source: 1997 AACS.

R 325.1633a
Source: 1994 AACS.

R 325.1634
Source: 1997 AACS.

R 325.1634a
Source: 1994 AACS.

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R 325.1635
Source: 1994 AACS.

R 325.1636
Source: 1997 AACS.

R 325.1637
Source: 1994 AACS.

R 325.1637a
Source: 1994 AACS.

R 325.1638
Source: 1994 AACS.

R 325.1639
Source: 1994 AACS.

R 325.1640
Source: 1994 AACS.

R 325.1641
Source: 1994 AACS.

R 325.1642
Source: 1994 AACS.

R 325.1651
Source: 1994 AACS.

R 325.1652
Source: 1997 AACS.

R 325.1653
Source: 1994 AACS.

R 325.1653a
Source: 1994 AACS.

R 325.1654
Source: 1994 AACS.

R 325.1655
Source: 1994 AACS.

R 325.1656
Source: 1994 AACS.

R 325.1656a
Source: 1994 AACS.

R 325.1657
Source: 1994 AACS.

R 325.1657a
Source: 1994 AACS.

R 325.1658
Source: 1994 AACS.

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R 325.1661
Source: 1994 AACS.

R 325.1662
Source: 1994 AACS.

R 325.1663
Source: 1994 AACS.

R 325.1664
Source: 1994 AACS.

R 325.1665
Source: 1994 AACS.

R 325.1666
Source: 1997 AACS.

R 325.1667
Source: 1994 AACS.

R 325.1668
Source: 1994 AACS.

R 325.1669
Source: 1994 AACS.

R 325.1670
Source: 1994 AACS.

R 325.1671
Source: 1997 AACS.

R 325.1672
Source: 1994 AACS.

R 325.1673
Source: 1994 AACS.

R 325.1674
Source: 1994 AACS.

R 325.1674a
Source: 1994 AACS.

R 325.1675
Source: 1994 AACS.

R 325.1676
Source: 1994 AACS.

PART 2. DRILLING CONTRACTORS' AND PUMP INSTALLERS' REGISTRATION

R 325.1701
Source: 1994 AACS.

R 325.1701a
Source: 1994 AACS.

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R 325.1702
Source: 1994 AACS.

R 325.1703
Source: 1994 AACS.

R 325.1704
Source: 1994 AACS.

R 325.1705
Source: 1997 AACS.

R 325.1705a
Source: 1994 AACS.

R 325.1706
Source: 1994 AACS.

R 325.1707
Source: 1994 AACS.

R 325.1707a
Source: 1994 AACS.

R 325.1708
Source: 1994 AACS.

R 325.1709
Source: 1994 AACS.

R 325.1711
Source: 1994 AACS.

PART 3. DRILLING MACHINES AND SERVICE VEHICLES

R 325.1721
Source: 1994 AACS.

R 325.1722
Source: 1994 AACS.

FAMILY INDEPENDENCE AGENCY

DIRECTOR'S OFFICE

HOMES FOR THE AGED

R 325.1801
Source: 2004 AACS.

R 325.1811
Source: 2004 AACS.

R 325.1812
Source: 2004 AACS.

R 325.1813
Source: 2004 AACS.

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R 325.1815
Source: 2004 AACS.

R 325.1816
Source: 2004 AACS.

R 325.1819
Source: 2004 AACS.

R 325.1821
Source: 2004 AACS.

R 325.1825
Source: 2004 AACS.

R 325.1827
Source: 2004 AACS.

R 325.1829
Source: 2004 AACS.

R 325.1831
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R 325.1833
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R 325.1835
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R 325.1836
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R 325.1837
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R 325.1839
Source: 2004 AACS.

R 325.1841
Source: 2004 AACS.

R 325.1843
Source: 2004 AACS.

R 325.1845
Source: 2004 AACS.

R 325.1847
Source: 2004 AACS.

R 325.1851
Source: 2004 AACS.

R 325.1853

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Source: 2004 AACS.

R 325.1855

Source: 2004 AACS.

R 325.1857

Source: 2004 AACS.

R 325.1859

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R 325.1861

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R 325.1863

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R 325.1865

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R 325.1867

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R 325.1871

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R 325.1872

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R 325.1873

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R 325.1874

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R 325.1875

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R 325.1876

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R 325.1877

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R 325.1878

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R 325.1879

Source: 2004 AACS.

R 325.1880

Source: 2004 AACS.

R 325.1881

Source: 2004 AACS.

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R 325.1882
Source: 2004 AACS.

R 325.1883
Source: 2004 AACS.

R 325.1884
Source: 2004 AACS.

R 325.1885
Source: 2004 AACS.

R 325.1886
Source: 2004 AACS.

R 325.1887
Source: 2004 AACS.

R 325.1888
Source: 2004 AACS.

R 325.1889
Source: 2004 AACS.

R 325.1890
Source: 2004 AACS.

R 325.1891
Source: 2004 AACS.

PART 1. GENERAL PROVISIONS

R 325.1901
Source: 2004 AACS.

R 325.1909
Source: 1997 AACS.

PART 2. STATE ADMINISTRATION

R 325.1911
Source: 2004 AACS.

R 325.1912
Source: 2004 AACS.

R 325.1913
Source: 2004 AACS.

R 325.1914
Source: 2004 AACS.

R 325.1915
Source: 2004 AACS.

R 325.1916
Source: 2004 AACS.

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R 325.1917
Source: 2004 AACS.

R 325.1919
Source: 1997 AACS.

PART 3. ADMINISTRATIVE MANAGEMENT OF HOMES

R 325.1921
Source: 2004 AACS.

R 325.1922
Source: 2004 AACS.

R 325.1923
Source: 2004 AACS.

R 325.1924
Source: 2004 AACS.

R 325.1925
Source: 1997 AACS.

R 325.1927
Source: 1997 AACS.

R 325.1928
Source: 1997 AACS.

PART 4. RESIDENT CARE

R 325.1931
Source: 2004 AACS.

R 325.1932
Source: 2013 AACS.

R 325.1933
Source: 2004 AACS.

R 325.1934
Source: 2004 AACS.

R 325.1935
Source: 2004 AACS.

R 325.1936
Source: 1997 AACS.

R 325.1937
Source: 1997 AACS.

R 325.1938
Source: 1997 AACS.

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R 325.1939
Source: 1997 AACS.

PART 5. RECORDS

R 325.1941
Source: 2004 AACS.

R 325.1942
Source: 2004 AACS.

R 325.1943
Source: 2004 AACS.

R 325.1944
Source: 2004 AACS.

R 325.1945
Source: 1997 AACS.

R 325.1947
Source: 1997 AACS.

PART 6. FOOD SERVICE

R 325.1951
Source: 2004 AACS.

R 325.1952
Source: 2004 AACS.

R 325.1953
Source: 2004 AACS.

R 325.1954
Source: 2004 AACS.

R 325.1957
Source: 1997 AACS.

R 325.1959
Source: 1997 AACS.

PART 7. BUILDINGS AND GROUNDS

R 325.1961
Source: 2004 AACS.

R 325.1962
Source: 2004 AACS.

R 325.1963
Source: 2004 AACS.

R 325.1964
Source: 2004 AACS.

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R 325.1965
Source: 2004 AACS.

R 325.1966
Source: 2004 AACS.

R 325.1967
Source: 2004 AACS.

R 325.1968
Source: 2004 AACS.

R 325.1969
Source: 2004 AACS.

R 325.1970
Source: 2004 AACS.

R 325.1971
Source: 2004 AACS.

R 325.1972
Source: 2004 AACS.

R 325.1973
Source: 2004 AACS.

R 325.1974
Source: 2004 AACS.

R 325.1975
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R 325.1976
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R325.1977
Source: 2004 AACS.

R 325.1978
Source: 2004 AACS.

R 325.1979
Source: 2004 AACS.

R 325.1980
Source: 2004 AACS.

PART 8. EMERGENCY PROCEDURES

R 325.1981
Source: 2004 AACS.

R 325.1982
Source: 1997 AACS.

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R 325.1983
Source: 1997 AACS.

R 325.1984
Source: 1997 AACS.

R 325.1985
Source: 1997 AACS.

R 325.1986
Source: 1997 AACS.

R 325.1991
Source: 1997 AACS.

R 325.1993
Source: 1997 AACS.

R 325.1995
Source: 1997 AACS.

R 325.1997
Source: 1997 AACS.

R 325.2001
Source: 1997 AACS.

R 325.2002
Source: 1997 AACS.

R 325.2004
Source: 1997 AACS.

R 325.2005
Source: 1997 AACS.

R 325.2007
Source: 1997 AACS.

R 325.2011
Source: 1997 AACS.

R 325.2012
Source: 1997 AACS.

R 325.2013
Source: 1997 AACS.

R 325.2014
Source: 1997 AACS.

R 325.2015
Source: 1997 AACS.

R 325.2016

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Source: 1997 AACS.

R 325.2017

Source: 1997 AACS.

R 325.2018

Source: 1997 AACS.

R 325.2019

Source: 1997 AACS.

R 325.2020

Source: 1997 AACS.

R 325.2021

Source: 1997 AACS.

R 325.2022

Source: 1997 AACS.

R 325.2023

Source: 1997 AACS.

R 325.2024

Source: 1997 AACS.

R 325.2025

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R 325.2026

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R 325.2027

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R 325.2028

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R 325.2029

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R 325.2031

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R 325.2032

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R 325.2033

Source: 1997 AACS.

R 325.2034

Source: 1997 AACS.

R 325.2035

Source: 1997 AACS.

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- R 325.2036**
Source: 1997 AACS.
- R 325.2037**
Source: 1997 AACS.
- R 325.2038**
Source: 1997 AACS.
- R 325.2041**
Source: 1997 AACS.
- R 325.2051**
Source: 1997 AACS.
- R 325.2052**
Source: 1997 AACS.
- R 325.2053**
Source: 1997 AACS.
- R 325.2055**
Source: 1997 AACS.
- R 325.2057**
Source: 1997 AACS.
- R 325.2059**
Source: 1997 AACS.
- R 325.2061**
Source: 1997 AACS.
- R 325.2062**
Source: 1997 AACS.
- R 325.2064**
Source: 1997 AACS.
- R 325.2065**
Source: 1997 AACS.
- R 325.2066**
Source: 1997 AACS.
- R 325.2068**
Source: 1997 AACS.
- R 325.2071**
Source: 1997 AACS.
- R 325.2072**
Source: 1997 AACS.
- R 325.2073**
Source: 1997 AACS.

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R 325.2074
Source: 1997 AACS.

R 325.2075
Source: 1997 AACS.

R 325.2081
Source: 1997 AACS.

R 325.2082
Source: 1997 AACS.

R 325.2083
Source: 1997 AACS.

R 325.2084
Source: 1997 AACS.

R 325.2085
Source: 1997 AACS.

R 325.2091
Source: 1997 AACS.

R 325.2092
Source: 1997 AACS.

R 325.2093
Source: 1997 AACS.

R 325.2094
Source: 1997 AACS.

R 325.2095
Source: 1997 AACS.

R 325.2096
Source: 1997 AACS.

R 325.2097
Source: 1997 AACS.

DEPARTMENT OF COMMUNITY HEALTH
BUREAU OF ENVIRONMENTAL AND OCCUPATIONAL HEALTH
PUBLIC BATHING BEACHES

R 325.2101
Source: 1995 AACS.

R 325.2102
Source: 1995 AACS.

R 325.2103
Source: 1995 AACS.

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DEPARTMENT OF ENVIRONMENTAL QUALITY
ENVIRONMENTAL AND OCCUPATIONAL HEALTH SERVICES ADMINISTRATION

PUBLIC SWIMMING POOLS

PART 1. GENERAL PROVISIONS

R 325.2111
Source: 2001 AACS.

R 325.2113
Source: 2001 AACS.

R 325.2113a
Source: 2001 AACS.

R 325.2114
Source: 2001 AACS.

R 325.2115
Source: 2001 AACS.

R 325.2116
Source: 2001 AACS.

R 325.2117
Source: 2001 AACS.

R 325.2118
Source: 2001 AACS.

R 325.2118a
Source: 2001 AACS.

R 325.2118d
Source: 2001 AACS.

PART 2. CONSTRUCTION

R 325.2121
Source: 2001 AACS.

R 325.2122
Source: 2001 AACS.

R 325.2123
Source: 2001 AACS.

R 325.2124
Source: 2001 AACS.

R 325.2125
Source: 2001 AACS.

R 325.2126
Source: 2001 AACS.

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R 325.2127
Source: 2001 AACS.

R 325.2128
Source: 2001 AACS.

R 325.2129
Source: 2001 AACS.

R 325.2129a
Source: 2001 AACS.

R 325.2131
Source: 2001 AACS.

R 325.2132
Source: 2001 AACS.

R 325.2133
Source: 2001 AACS.

R 325.2134
Source: 2001 AACS.

R 325.2135
Source: 2001 AACS.

R 325.2136
Source: 2001 AACS.

R 325.2137
Source: 2001 AACS.

R 325.2138
Source: 2001 AACS.

R 325.2141
Source: 2001 AACS.

R 325.2142
Source: 2001 AACS.

R 325.2143
Source: 2001 AACS.

R 325.2143a
Source: 2001 AACS.

R 325.2144
Source: 2001 AACS.

R 325.2145
Source: 2001 AACS.

R 325.2146
Source: 2001 AACS.

R 325.2151
Source: 2001 AACS.

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R 325.2152
Source: 2001 AACS.

R 325.2153
Source: 2001 AACS.

R 325.2154
Source: 2001 AACS.

R 325.2155
Source: 2001 AACS.

R 325.2156
Source: 2001 AACS.

R 325.2157
Source: 2001 AACS.

R 325.2158
Source: 2001 AACS.

R 325.2159
Source: 2001 AACS.

R 325.2161
Source: 2001 AACS.

R 325.2163
Source: 2001 AACS.

R 325.2165
Source: 2001 AACS.

R 325.2171
Source: 2001 AACS.

R 325.2174
Source: 2001 AACS.

R 325.2175
Source: 2001 AACS.

R 325.2176
Source: 2001 AACS.

R 325.2178
Source: 2001 AACS.

R 325.2179
Source: 2001 AACS.

R 325.2181
Source: 2001 AACS.

R 325.2182
Source: 2001 AACS.

R 325.2183
Source: 2001 AACS.

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R 325.2184
Source: 2001 AACS.

PART 3. OPERATION AND USE

R 325.2191
Source: 2001 AACS.

R 325.2192
Source: 2001 AACS.

R 325.2193
Source: 2001 AACS.

R 325.2194
Source: 2001 AACS.

R 325.2194a
Source: 2001 AACS.

R 325.2195
Source: 2001 AACS.

R 325.2196
Source: 2001 AACS.

R 325.2197
Source: 2001 AACS.

R 325.2198
Source: 2001 AACS.

R 325.2199
Source: 2001 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES
OFFICE OF DIRECTOR
AMBULANCES

R 325.2201
Source: 1997 AACS.

R 325.2202
Source: 1997 AACS.

R 325.2203
Source: 1997 AACS.

R 325.2204
Source: 1997 AACS.

R 325.2205
Source: 1997 AACS.

R 325.2206

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Source: 1997 AACS.

R 325.2207

Source: 1997 AACS.

R 325.2208

Source: 1997 AACS.

BUREAU OF HEALTH CARE ADMINISTRATION
ADVANCED EMERGENCY MEDICAL SERVICES

R 325.2211

Source: 1997 AACS.

R 325.2221

Source: 1997 AACS.

R 325.2222

Source: 1997 AACS.

R 325.2223

Source: 1997 AACS.

R 325.2224

Source: 1997 AACS.

R 325.2225

Source: 1997 AACS.

R 325.2226

Source: 1997 AACS.

R 325.2227

Source: 1997 AACS.

R 325.2228

Source: 1997 AACS.

R 325.2231

Source: 1997 AACS.

R 325.2232

Source: 1997 AACS.

R 325.2233

Source: 1997 AACS.

R 325.2234

Source: 1997 AACS.

R 325.2241

Source: 1997 AACS.

R 325.2242

Source: 1997 AACS.

R 325.2243

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Source: 1997 AACS.

R 325.2244

Source: 1997 AACS.

R 325.2245

Source: 1997 AACS.

R 325.2246

Source: 1997 AACS.

DEPARTMENT OF COMMUNITY HEALTH

BUREAU OF LABORATORIES

CLINICAL LABORATORIES

R 325.2301

Source: 1979 AC.

R 325.2302

Source: 1979 AC.

R 325.2311

Source: 1979 AC.

R 325.2315

Source: 1979 AC.

R 325.2319

Source: 1979 AC.

R 325.2321

Source: 1979 AC.

R 325.2322

Source: 1979 AC.

R 325.2323

Source: 1979 AC.

R 325.2324

Source: 1979 AC.

R 325.2325

Source: 1979 AC.

R 325.2326

Source: 1979 AC.

R 325.2327

Source: 1979 AC.

R 325.2331

Source: 1979 AC.

R 325.2332

Source: 1979 AC.

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- R 325.2333**
Source: 1979 AC.
- R 325.2334**
Source: 1979 AC.
- R 325.2335**
Source: 1979 AC.
- R 325.2336**
Source: 1979 AC.
- R 325.2337**
Source: 1979 AC.
- R 325.2338**
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- R 325.2339**
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- R 325.2340**
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- R 325.2341**
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- R 325.2342**
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- R 325.2343**
Source: 1979 AC.
- R 325.2344**
Source: 1979 AC.
- R 325.2351**
Source: 1979 AC.
- R 325.2352**
Source: 1979 AC.
- R 325.2353**
Source: 1979 AC.
- R 325.2354**
Source: 1979 AC.
- R 325.2355**
Source: 1979 AC.
- R 325.2361**
Source: 1979 AC.
- R 325.2362**
Source: 1979 AC.
- R 325.2363**
Source: 1979 AC.

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R 325.2364
Source: 1979 AC.

R 325.2365
Source: 1979 AC.

R 325.2366
Source: 1979 AC.

R 325.2367
Source: 1979 AC.

R 325.2368
Source: 1979 AC.

R 325.2369
Source: 1979 AC.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

DIRECTOR'S OFFICE

OCCUPATIONAL HEALTH STANDARDS

R 325.2401
Source: 2003 AACS.

R 325.2402
Source: 2003 AACS.

R 325.2403
Source: 2003 AACS.

R 325.2404
Source: 2003 AACS.

R 325.2405
Source: 2003 AACS.

R 325.2410
Source: 2003 AACS.

R 325.2411
Source: 2003 AACS.

R 325.2412
Source: 2003 AACS.

R 325.2413

Source: 2003 AACS.

R 325.2414
Source: 2003 AACS.

R 325.2415
Source: 2003 AACS.

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R 325.2416
Source: 2003 AACS.

R 325.2417
Source: 2003 AACS.

R 325.2418
Source: 2003 AACS.

R 325.2419
Source: 2003 AACS.

R 325.2421
Source: 2003 AACS.

R 325.2422
Source: 2003 AACS.

R 325.2424
Source: 2003 AACS.

R 325.2429
Source: 2003 AACS.

R 325.2430
Source: 2003 AACS.

R 325.2431
Source: 2003 AACS.

R 325.2434
Source: 2003 AACS.

R 325.2435
Source: 2003 AACS.

R 325.2436
Source: 2003 AACS.

R 325.2437
Source: 2003 AACS.

R 325.2438
Source: 2003 AACS.

R 325.2439
Source: 2003 AACS.

R 325.2440
Source: 2003 AACS.

R 325.2441
Source: 2003 AACS.

R 325.2442
Source: 2003 AACS.

R 325.2442a

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Source: 2003 AACS.

R 325.2442b

Source: 2003 AACS.

R 325.2442c

Source: 2003 AACS.

R 325.2443

Source: 2003 AACS.

R 325.2444

Source: 2003 AACS.

R 325.2445

Source: 2003 AACS.

R 325.2446

Source: 2003 AACS.

R 325.2447

Source: 2003 AACS.

R 325.2448

Source: 2003 AACS.

DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WATER AND RADIOLOGICAL PROTECTION
TELECOMMUNICATIONS INDUSTRY

R 325.2491

Source: 1979 AC.

R 325.2492

Source: 1979 AC.

R 325.2493

Source: 1979 AC.

DEPARTMENT OF AGRICULTURE
FOOD SERVICE SANITATION

R 325.2501

Source: 1997 AACS.

R 325.2502

Source: 1997 AACS.

R 325.2503

Source: 1997 AACS.

R 325.2504

Source: 1997 AACS.

R 325.2505

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Source: 1997 AACS.

DEPARTMENT OF ENVIRONMENTAL QUALITY

DRINKING WATER AND RADIOLOGICAL PROTECTION DIVISION

MARINA FACILITIES

R 325.2581

Source: 1979 AC.

R 325.2583

Source: 1979 AC.

R 325.2584

Source: 1979 AC.

R 325.2586

Source: 1979 AC.

R 325.2587

Source: 1979 AC.

R 325.2588

Source: 1979 AC.

R 325.2589

Source: 1979 AC.

R 325.2590

Source: 1979 AC.

R 325.2591

Source: 1979 AC.

DEPARTMENT OF COMMUNITY HEALTH

OFFICE OF THE DIRECTOR

MERCURY LEVELS IN FISH FROM MICHIGAN WATERS

R 325.2601

Source: 1997 AACS.

R 325.2602

Source: 1997 AACS.

R 325.2603

Source: 1997 AACS.

R 325.2604

Source: 1997 AACS.

R 325.2605

Source: 1997 AACS.

DEPARTMENT OF STATE POLICE

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SPECIAL OPERATIONS DIVISION

TESTS FOR BREATH ALCOHOL

R 325.2651
Source: 2007 AACS.

R 325.2652
Source: 2010 AACS.

R 325.2653
Source: 2010 AACS.

R 325.2654
Source: 2007 AACS.

R 325.2655
Source: 2007 AACS.

R 325.2656
Source: 1994 AACS.

R 325.2657
Source: 1997 AACS.

R 325.2658
Source: 2007 AACS.

R 325.2659
Source: 2005 AACS.

**FORENSIC SCIENCE DIVISION
ALCOHOL AND DRUG TESTING OF BIOLOGICAL AND NONBIOLOGICAL SPECIMENS**

R 325.2671
Source: 2005 AACS.

R 325.2672
Source: 2005 AACS.

R 325.2673
Source: 2011 AACS.

R 325.2674
Source: 2005 AACS.

R 325.2675
Source: 2011 AACS.

R 325.2676
Source: 1997 AACS.

R 325.2677
Source: 1997 AACS.

**DEPARTMENT OF ENVIRONMENTAL QUALITY
BUREAU OF ENVIRONMENTAL AND OCCUPATIONAL HEALTH**

SOLID WASTE DISPOSAL

- R 325.2701**
Source: 1997 AACS.
- R 325.2702**
Source: 1997 AACS.
- R 325.2721**
Source: 1997 AACS.
- R 325.2722**
Source: 1997 AACS.
- R 325.2723**
Source: 1997 AACS.
- R 325.2731**
Source: 1997 AACS.
- R 325.2732**
Source: 1997 AACS.
- R 325.2733**
Source: 1997 AACS.
- R 325.2734**
Source: 1997 AACS.
- R 325.2735**
Source: 1997 AACS.
- R 325.2741**
Source: 1997 AACS.
- R 325.2742**
Source: 1997 AACS.
- R 325.2743**
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- R 325.2744**
Source: 1997 AACS.
- R 325.2745**
Source: 1997 AACS.
- R 325.2746**
Source: 1997 AACS.
- R 325.2747**
Source: 1997 AACS.
- R 325.2749**
Source: 1997 AACS.

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R 325.2751
Source: 1997 AACS.

R 325.2752
Source: 1997 AACS.

R 325.2753
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R 325.2754
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R 325.2755
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R 325.2756
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R 325.2757
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R 325.2758
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R 325.2759
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R 325.2760
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R 325.2761
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R 325.2762
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R 325.2763
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R 325.2764
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R 325.2765
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R 325.2766
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R 325.2767
Source: 1997 AACS.

R 325.2671
Source: 2005 AACS.

R 325.2672
Source: 2005 AACS.

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R 325.2673
Source: 2005 AACS.

R 325.2674
Source: 2005 AACS.

R 325.2775
Source: 1997 AACS.

R 325.2776
Source: 1997 AACS.

R 325.2777
Source: 1997 AACS.

R 325.2778
Source: 1997 AACS.

R 325.2781
Source: 1997 AACS.

R 325.2782
Source: 1997 AACS.

R 325.2783
Source: 1997 AACS.

R 325.2784
Source: 1997 AACS.

R 325.2785
Source: 1997 AACS.

R 325.2786
Source: 1997 AACS.

R 325.2787
Source: 1997 AACS.

R 325.2788
Source: 1997 AACS.

R 325.2789
Source: 1997 AACS.

DEPARTMENT OF COMMUNITY HEALTH

COMMUNITY PUBLIC HEALTH AGENCY

BLOOD BANKS

R 325.2941
Source: 1997 AACS.

R 325.2942
Source: 1997 AACS.

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R 325.2943
Source: 1997 AACS.

R 325.2944
Source: 1997 AACS.

R 325.2945
Source: 1997 AACS.

DEPARTMENT OF COMMUNITY HEALTH
OFFICE OF THE DIRECTOR
CERTIFICATION OF SPECIAL SERVICES IN HOSPITALS

R 325.3001
Source: 1997 AACS.

R 325.3051
Source: 1997 AACS.

R 325.3053
Source: 1997 AACS.

R 325.3055
Source: 1997 AACS.

R 325.3057
Source: 1997 AACS.

R 325.3058
Source: 1997 AACS.

R 325.3061
Source: 1997 AACS.

R 325.3063
Source: 1997 AACS.

R 325.3064
Source: 1997 AACS.

R 325.3065
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R 325.3066
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R 325.3067
Source: 1997 AACS.

R 325.3068
Source: 1997 AACS.

R 325.3069

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Source: 1997 AACS.

R 325.3070

Source: 1997 AACS.

R 325.3071

Source: 1997 AACS.

R 325.3073

Source: 1997 AACS.

R 325.3074

Source: 1997 AACS.

R 325.3075

Source: 1997 AACS.

R 325.3077

Source: 1997 AACS.

R 325.3078

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R 325.3079

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R 325.3080

Source: 1997 AACS.

R 325.3082

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R 325.3084

Source: 1997 AACS.

R 325.3085

Source: 1997 AACS.

R 325.3087

Source: 1997 AACS.

R 325.3088

Source: 1997 AACS.

R 325.3089

Source: 1997 AACS.

R 325.3091

Source: 1997 AACS.

R 325.3101

Source: 1997 AACS.

R 325.3103

Source: 1997 AACS.

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R 325.3105
Source: 1997 AACS.

R 325.3107
Source: 1997 AACS.

R 325.3108
Source: 1997 AACS.

R 325.3110
Source: 1997 AACS.

R 325.3112
Source: 1997 AACS.

R 325.3113
Source: 1997 AACS.

R 325.3114
Source: 1997 AACS.

R 325.3116
Source: 1997 AACS.

R 325.3117
Source: 1997 AACS.

R 325.3118
Source: 1997 AACS.

R 325.3119
Source: 1997 AACS.

R 325.3121
Source: 1997 AACS.

R 325.3123
Source: 1997 AACS.

R 325.3124
Source: 1997 AACS.

R 325.3125
Source: 1997 AACS.

R 325.3127
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R 325.3128
Source: 1997 AACS.

R 325.3129
Source: 1997 AACS.

R 325.3131
Source: 1997 AACS.

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R 325.3132
Source: 1997 AACS.

R 325.3134
Source: 1997 AACS.

R 325.3136
Source: 1997 AACS.

R 325.3138
Source: 1997 AACS.

R 325.3139
Source: 1997 AACS.

R 325.3140
Source: 1997 AACS.

R 325.3141
Source: 1997 AACS.

R 325.3142
Source: 1997 AACS.

R 325.3144
Source: 1997 AACS.

R 325.3151
Source: 1997 AACS.

R 325.3153
Source: 1997 AACS.

R 325.3155
Source: 1997 AACS.

R 325.3157
Source: 1997 AACS.

R 325.3158
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R 325.3159
Source: 1997 AACS.

R 325.3160
Source: 1997 AACS.

R 325.3161
Source: 1997 AACS.

R 325.3162
Source: 1997 AACS.

R 325.3165

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Source: 1997 AACS.

R 325.3166

Source: 1997 AACS.

R 325.3167

Source: 1997 AACS.

R 325.3168

Source: 1997 AACS.

R 325.3169

Source: 1997 AACS.

R 325.3170

Source: 1997 AACS.

R 325.3171

Source: 1997 AACS.

R 325.3172

Source: 1997 AACS.

R 325.3173

Source: 1997 AACS.

R 325.3174

Source: 1997 AACS.

R 325.3176

Source: 1997 AACS.

R 325.3178

Source: 1997 AACS.

R 325.3181

Source: 1997 AACS.

R 325.3182

Source: 1997 AACS.

R 325.3184

Source: 1997 AACS.

R 325.3185

Source: 1997 AACS.

R 325.3187

Source: 1997 AACS.

OFFICE OF VITAL AND HEALTH STATISTICS
COMPLETION, FILING, AND REGISTRATION OF VITAL RECORDS DOCUMENTS

R 325.3201

Annual Administrative Code Supplement
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Source: 1981 AACS.

R 325.3202

Source: 1981 AACS.

R 325.3203

Source: 1981 AACS.

R 325.3204

Source: 1981 AACS.

R 325.3205

Source: 1981 AACS.

R 325.3206

Source: 1981 AACS.

R 325.3207

Source: 1981 AACS.

R 325.3208

Source: 1981 AACS.

R 325.3209

Source: 1981 AACS.

R 325.3210

Source: 1981 AACS.

R 325.3211

Source: 1981 AACS.

R 325.3212

Source: 1981 AACS.

R 325.3213

Source: 1981 AACS.

R 325.3214

Source: 1981 AACS.

R 325.3215

Source: 1981 AACS.

R 325.3216

Source: 1981 AACS.

R 325.3217

Source: 1981 AACS.

R 325.3218

Source: 1981 AACS.

R 325.3219

Source: 1981 AACS.

R 325.3220

Source: 1981 AACS.

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R 325.3221
Source: 1981 AACS.

VITAL RECORDS INSPECTION AND DISCLOSURE

R 325.3231
Source: 1983 AACS.

R 325.3232
Source: 1983 AACS.

R 325.3233
Source: 1983 AACS.

R 325.3234
Source: 1983 AACS.

R 325.3235
Source: 1983 AACS.

R 325.3236
Source: 1983 AACS.

AMENDMENTS TO VITAL RECORDS

R 325.3251
Source: 1981 AACS.

R 325.3252
Source: 1981 AACS.

R 325.3253
Source: 1981 AACS.

R 325.3254
Source: 1981 AACS.

R 325.3255
Source: 1981 AACS.

R 325.3256
Source: 1981 AACS.

R 325.3257
Source: 1981 AACS.

R 325.3258
Source: 1981 AACS.

R 325.3259
Source: 1981 AACS.

R 325.3260
Source: 1981 AACS.

R 325.3261
Source: 1981 AACS.

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R 325.3262
Source: 1981 AACS.

R 325.3263
Source: 1981 AACS.

R 325.3264
Source: 1981 AACS.

R 325.3265
Source: 1981 AACS.

R 325.3266
Source: 1981 AACS.

R 325.3267
Source: 1981 AACS.

DIVISION OF CHILD HEALTH
HEARING SCREENING AND TESTS

R 325.3271
Source: 2004 AACS.

R 325.3272
Source: 2004 AACS.

R 325.3273
Source: 2004 AACS.

R 325.3274
Source: 2004 AACS.

R 325.3275
Source: 2004 AACS.

R 325.3276
Source: 2004 AACS.

DEPARTMENT OF AGRICULTURE
BUREAU OF ENVIRONMENTAL AND OCCUPATIONAL HEALTH
MOBILE HOME PARKS AND SEASONAL MOBILE HOME PARKS

PART 1. GENERAL PROVISIONS

R 325.3311
Source: 1984 AACS.

R 325.3312
Source: 1980 AACS.

R 325.3313
Source: 1980 AACS.

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R 325.3314
Source: 1984 AACS.

PART 2. WATER SUPPLY SYSTEMS

R 325.3321
Source: 1984 AACS.

PART 3. SEWAGE COLLECTION AND DISPOSAL SYSTEMS

R 325.3331
Source: 1984 AACS.

R 325.3332
Source: 1984 AACS.

R 325.3333
Source: 1980 AACS.

R 325.3334
Source: 1984 AACS.

R 325.3335
Source: 1984 AACS.

PART 4. DRAINAGE

R 325.3341
Source: 1984 AACS.

R 325.3342
Source: 1984 AACS.

R 325.3343
Source: 1984 AACS.

R 325.3344
Source: 1980 AACS.

R 325.3345
Source: 1980 AACS.

R 325.3346
Source: 1980 AACS.

R 325.3347
Source: 2008 AACS.

R 325.3348
Source: 2008 AACS.

R 325.3349
Source: 2008 AACS.

PART 5. GARBAGE AND RUBBISH STORAGE AND DISPOSAL

R 325.3351
Source: 2008 AACS.

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R 325.3352
Source: 1984 AACS.

R 325.3353
Source: 2008 AACS.

R 325.3354
Source: 1984 AACS.

PART 6. INSECT AND RODENT CONTROL

R 325.3361
Source: 2008 AACS.

R 325.3362
Source: 1984 AACS.

R 325.3363
Source: 2008 AACS.

PART 7. GENERAL OPERATION, MAINTENANCE, AND SAFETY

R 325.3371
Source: 2008 AACS.

R 325.3372
Source: 2008 AACS.

R 325.3373
Source: 1984 AACS.

R 325.3374
Source: 1984 AACS.

PART 8. COORDINATION OF APPROVALS FOR CONSTRUCTION

R 325.3381
Source: 1984 AACS.

R 325.3382
Source: 1984 AACS.

R 325.3383
Source: 1980 AACS.

R 325.3384
Source: 1984 AACS.

R 325.3385
Source: 1984 AACS.

PART 9. CERTIFICATION OF COMPLIANCE

R 325.3391
Source: 1984 AACS.

R 325.3392
Source: 1984 AACS.

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R 325.3393
Source: 1984 AACS.

DEPARTMENT OF COMMUNITY HEALTH
BUREAU OF DISEASE CONTROL AND LABORATORY SERVICES
VENEREAL DISEASE

R 325.3401
Source: 1997 AACS.

R 325.3402
Source: 1997 AACS.

R 325.3403
Source: 1997 AACS.

R 325.3404
Source: 1997 AACS.

R 325.3405
Source: 1997 AACS.

R 325.3406
Source: 1997 AACS.

R 325.3407
Source: 1997 AACS.

R 325.3408
Source: 1997 AACS.

R 325.3409
Source: 1997 AACS.

R 325.3410
Source: 1981 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES
OCCUPATIONAL HEALTH STANDARDS COMMISSION
EMPLOYEE MEDICAL RECORDS AND TRADE SECRETS

R 325.3451
Source: 1983 AACS.

R 325.3451a Referenced standard and appendices.

Rule 1a. (1) The Occupational Health Standard Part 430 “Hazard Communication,” R 325.77001 to R 325.77003, is referenced in this standard. Up to 5 copies of this standard may be obtained at no charge 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: www.michigan.gov/mioshastandards. For quantities greater than 5, the cost, at the time of adoption of these rules, is 4 cents per page.

(2) The standard referenced in subrule (1) of this rule is 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.

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(3) Copies of the standard referenced 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.

(4) The information contained in the appendices to these rules is informational and is not intended, by itself, to create any additional obligations not otherwise imposed by these rules, nor to detract from any existing obligations.

History: 2014 MR 1, Eff. Jan. 17, 2014.

R 325.3452 Definitions; A to E.

Rule 2. As used in these rules:

- (a) "Access" means the right and opportunity to examine and copy.
- (b) "Act" means the Michigan occupational safety and health act (MIOSHA), 1974 PA 154, MCL 408.1001 to 408.1094.
- (c) "Analysis using exposure or medical records" means any compilation of data or any research, statistical, or other study based, at least in part, on information collected from individual employee exposure or medical records or information collected from health insurance claim records, if either the analysis has been reported to an employer or no further work is currently being done by the person who is responsible for preparing the analysis.
- (d) "Department" means the department of licensing and regulatory affairs.
- (e) "Designated representative" means an individual or organization to whom or to which an employee gives written authorization to exercise a right of access. For purposes of access to employee exposure records and analyses using exposure or medical records, a recognized or certified collective bargaining agent shall be treated automatically as a designated representative.
- (f) "Director" means the director of the department.
- (g) "Employee" means a current employee, a former employee, or an employee who is being assigned or transferred to work where there will be exposure to toxic substances or harmful physical agents. In the case of a deceased or legally incapacitated employee, the employee's legal representative may directly exercise all of the employee's rights under these rules.
- (h) "Employee exposure record" means a record that contains any of the following kinds of information concerning employee exposure to toxic substances or harmful physical agents:
 - (i) Workplace environmental monitoring or measuring, including personal, area, grab, wipe, or other forms of sampling, and related collection and analytical methodologies, calculations, and other background data relevant to the interpretation of the results obtained.
 - (ii) Biological monitoring results that directly assess the absorption of a substance or agent by body systems, such as the level of a chemical in the blood, urine, breath, hair, or fingernails, but not including results that assess the biological effect of a substance or agent or which assess an employee's use of alcohol or drugs.
 - (iii) Material safety data sheets or safety data sheets indicating that the material may pose a hazard to human health.
 - (iv) In the absence of the information identified in subdivision (h)(i) to (iii) of this rule, any other record, such as chemical, common, or trade name, that reveals the identity of a toxic substance or harmful physical agent.
- (i) "Employee medical record" means a record concerning any medical tests, examinations, or health status of an employee that is made or maintained by a physician, nurse, technician, or other health care personnel, including the items listed in subdivision (i)(i) to (vi) of this rule, but does not include the items listed in subdivision (i)(vii) to (x) of this rule:
 - (i) Medical and employment questionnaires or histories, including job descriptions and occupational exposures.
 - (ii) The results of preplacement, periodic, or episodic medical examinations and laboratory tests, including x-ray examinations and all biological monitoring.
 - (iii) Medical opinions, diagnoses, progress notes, and recommendations.
 - (iv) Descriptions of treatments and prescriptions, including first aid records.
 - (v) Employee medical complaints.
 - (vi) Death certificates.
 - (vii) Physical specimens, such as blood or urine samples, which are routinely discarded as a part of normal medical practice and which are not required to be maintained by other legal requirements.
 - (viii) Records concerning health insurance claims which are maintained separately from an employer's medical program and its records and which are not accessible to the employer by employee name or other direct personal identifier, such as a social security number or payroll number.
 - (ix) Records concerning voluntary employee assistance programs, such as alcohol, drug abuse, or personal counseling programs, if maintained separately from an employer's medical program and its records.
 - (x) Records which are created solely in preparation for litigation and which are privileged from discovery under the applicable rules of procedure or evidence.
- (j) "Employer" means a current employer, a former employer, or a successor employer.

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(k) "Exposure" or "exposed" means subjection of an employee to a toxic substance or harmful physical agent in the course of employment through any route of entry, including inhalation, ingestion, skin contact, or absorption, and includes past and potential exposure. "Exposure" or "exposed" does not include situations where an employer can demonstrate that a toxic substance or harmful physical agent is not used, handled, stored, generated, or present in the workplace in any manner different from typical non-occupational situations.

(l) "Health professional" means any of the following persons who provide medical or other occupational health services to exposed employees:

- (i) A physician.
- (ii) A nurse.
- (iii) An industrial hygienist.
- (iv) A toxicologist.
- (v) An epidemiologist.

History: 1983 AACCS; 1993 AACCS; 1998-2000 AACCS; 2014 MR 1, Eff. Jan. 17, 2014.

R 325.3453 Definitions; R to T.

Rule 3. As used in these rules:

(a) "Record" means an item, a collection, or a grouping of information, regardless of the form or process by which it is maintained, including paper documents, microfilm, microfiche, x-ray film, or automated data processing.

(b) "Specific chemical identity" means the chemical name, chemical abstract service (CAS) registry number, or any other information that reveals the precise chemical designation of the substance.

(c) "Specific written consent" means a written authorization that contains all of the following information:

- (i) The name and signature of the employee who authorized the release of medical information.
- (ii) The date of written authorization.
- (iii) The name of the individual or organization that is authorized to release the medical information.
- (iv) The name of the designated representative, either an individual or an organization, that is authorized to receive the released information.

(v) A general description of the medical information that is authorized to be released.

(vi) A general description of the purpose for the release of the medical information.

(vii) A date or condition upon which the written authorization shall expire, if less than 1 year. A written authorization does not operate to authorize the release of medical information that is not in existence on the date of written authorization, unless expressly authorized, and does not operate for more than 1 year from the date of written authorization. A written authorization may be revoked, in writing, prospectively at any time.

(d) "Toxic substance or harmful physical agent" means a chemical substance, a biological agent, or physical stress, such as noise, heat, cold, vibration, repetitive motion, ionizing and nonionizing radiation, hypobaric or hyperbaric pressure, or other commonly recognized environmental stress, to which any of the following provisions apply:

- (i) Is regulated by a federal or state law or rule due to a health hazard.
- (ii) Is listed in the latest printed edition of the national institute for occupational safety and health (NIOSH) registry of toxic effects of chemical substances. Appendix B to these rules describes the availability of the NIOSH registry of toxic effects of chemical substances.
- (iii) Has yielded positive evidence of an acute or chronic health hazard in human, animal, or other biological testing that is conducted by, or known to, an employer.
- (iv) Has a material safety data sheet or safety data sheet which is available to an employer and which indicates that the material may pose a hazard to human health.

(e) "Trade secret" means any confidential formula, pattern, process, device, or information or compilation of information that is used in an employer's business and that gives the employer an opportunity to obtain an advantage over competitors who do not know or use it.

History: 1983 AACCS; 1993 AACCS; 1998-2000 AACCS; 2014 MR 1, Eff. Jan. 17, 2014.

R 325.3454

Source: 1983 AACCS.

R 325.3455

Source: 1983 AACCS.

R 325.3456

Source: 1993 AACCS.

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R 325.3457 Preservation of employee exposure records.

Rule 7. (1) Each employee exposure record shall be preserved and maintained for not less than 30 years, except as follows:

(a) Background data that is relative to workplace environmental monitoring or measuring, such as laboratory reports and worksheets, shall be required to be retained only for 1 year if the sampling results, the collection methodology, a description of the analytical and mathematical methods used, and a summary of other background data relevant to interpretation of the results obtained are retained for not less than 30 years.

(b) Material safety data sheets, safety data sheets, and records that are identified in R 325.3452(h)(iv) concerning the identity of a substance or agent shall not be required for any specified period of time if some record of the identity of the substance or agent, such as the chemical name if known, where it was used, and when it was used is retained for not less than 30 years.

(c) Records may be transferred or disposed of pursuant to the provisions of R 325.3475.

(2) Biological monitoring results that are designated as exposure records by specific occupational health rules promulgated pursuant to the act shall be preserved and maintained as required by such specific rules.

(3) Safety data sheets shall be kept for those chemicals currently in use in accordance with Occupational Health Standard Part 430 "Hazard Communication," as referenced in R 325.3451a.

History: 1983 AACS; 1993 AACS; 2014 MR 1, Eff. Jan. 17, 2014.

R 325.3458

Source: 1983 AACS.

R 325.3459

Source: 1993 AACS.

R 325.3460

Source: 1993 AACS.

R 325.3461

Source: 1993 AACS.

R 325.3462

Source: 1983 AACS.

R 325.3463

Source: 1983 AACS.

R 325.3464

Source: 1993 AACS.

R 325.3465

Source: 1983 AACS.

R 325.3466 Employee medical records; access by employee-designated representative.

Rule 16. An employer shall, upon request, assure the access of each designated representative to employee medical records of an employee who has given the designated representative specific written consent, except that death certificates shall be made available to the designated representative without specific written consent. Appendix A to these rules contains a sample form which may be used to establish specific written consent for access to employee medical records.

History: 1983 AACS; 2014 MR 1, Eff. Jan. 17, 2014.

R 325.3467

Source: 1993 AACS.

R 325.3468

Source: 1983 AACS.

R 325.3469

Source: 1983 AACS.

R 325.3470

Source: 1983 AACS.

R 325.3471

Source: 1993 AACS.

R 325.3472 Trade secrets; employee requests, procedures; discrimination complaints.

Rule 22. (1) Except as provided in subrule (3) of this rule, an employer may delete, from records that are requested by a health professional, employee, or designated representative, a trade secret, as defined by section 6(7) of the act, which discloses manufacturing processes or which discloses the percentage of a chemical substance in a mixture, if the employer notifies the health professional, employee, or designated representative, in writing, that the trade secret information has been deleted.

(2) If deletion of trade secret information by an employer pursuant to the provisions of subrule (1) of this rule substantially impairs the evaluation of a place where, or a time when, exposure of an employee to a toxic substance or harmful physical agent occurred, the employer shall provide alternative information that is sufficient to permit the employee or designated representative to identify where and when exposure occurred.

(3) An employer may withhold a specific chemical name and identity, the exact percentage (concentration) of the substance in a mixture, and other specific identification of a toxic substance from a disclosable record if all of the following provisions are satisfied:

(a) The claim that the information withheld is a trade secret can be supported pursuant to the provisions of section 14d of the act.

(b) All other available information on the properties and toxic effects of the substances is disclosed.

(c) The employer informs the requesting party that the specific chemical identity and percentage composition are withheld as a trade secret.

(d) The specific chemical identity and percentage composition are made available, upon request, to health professionals, employees, and designated representatives pursuant to the applicable provisions of R 325.3472a.

History: 1983 AACS; 1993 AACS; 2014 MR 1, Eff. Jan. 17, 2014.

R 325.3472a Trade secrets; disclosure in medical emergency and nonemergency.

Rule 22a. (1) If a treating physician or nurse determines that a medical emergency exists and the specific chemical identity or specific percentage of composition of a toxic substance is necessary for emergency or first aid treatment, an employer shall immediately disclose the specific chemical identity or percentage composition of a trade secret chemical to the treating physician or nurse, regardless of the existence of a written statement of need or a confidentiality agreement. The employer may require a written statement of need and confidentiality agreement, pursuant to the provisions of subrules (2) and (3) of this rule, as soon as circumstances permit.

(2) In nonemergency situations, an employer shall, upon request, disclose a specific chemical identity or percentage composition, otherwise permitted to be withheld pursuant to the provisions of R 325.3472(4), to a health professional, employee, or designated representative if all of the following provisions are met:

(a) The request is in writing.

(b) The request describes, with reasonable detail, 1 or more of the following occupational health needs for the information:

(i) To assess the hazards of the chemicals to which employees will be exposed.

(ii) To conduct or assess sampling of the workplace atmosphere to determine employee exposure levels.

(iii) To conduct preassignment or periodic medical surveillance of exposed employees.

(iv) To provide medical treatment to exposed employees.

(v) To select or assess appropriate personal protective equipment for exposed employees.

(vi) To design or assess engineering controls or other protective measures for exposed employees.

(vii) To conduct studies to determine the health effects of exposure.

(c) The request explains, in detail, why the disclosure of the specific chemical identity or percentage composition is essential and why the disclosure of the following information would not enable the health professional, employee, or designated representative to provide the occupational health services described in subrule (2)(b) of this rule:

(i) The properties and effects of the chemical.

(ii) Measures for controlling workers' exposure to the chemical.

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- (iii) Methods of monitoring and analyzing worker exposure to the chemical.
- (iv) Methods of diagnosing and treating harmful exposures to the chemical.
- (d) The request includes a description of the procedures to be used to maintain the confidentiality of the disclosed information.
- (e) The health professional, employee, or designated representative and the employer or contractor of the services of the health professional or designated representative agree, in a written confidentiality agreement, that the health professional, employee, or designated representative will not use the trade secret information for any purpose other than the health need asserted and agree not to release the information under any circumstances other than to the department, as provided in subrule (7) of this rule, except as authorized by the terms of the agreement or by the employer.
- (3) The confidentiality agreement that is authorized by subrule (2) of this rule may do either of the following:
 - (a) Restrict the use of the information to the health purposes indicated in the written statement of need.
 - (b) Provide for appropriate legal remedies for a breach of the agreement, including stipulation of a reasonable estimate of likely damages. The agreement shall not include requirements for the posting of a penalty bond.
- (4) Nothing in these rules is meant to preclude the parties from pursuing non-contractual remedies to the extent permitted by law.
- (5) If the health professional, employee, or designated representative who receives the trade secret information decides that there is a need to disclose it to the department, then the employer who provided the information shall be informed by the health professional before, or at the same time as, the disclosure.
- (6) If an employer denies a written request for disclosure of a specific chemical identity or percentage composition, then the denial shall be in compliance with all of the following provisions:
 - (a) Be provided to the health professional, employee, or designated representative within 30 days of the request.
 - (b) Be in writing.
 - (c) Include evidence to support the claim that the specific chemical identity or percentage composition is a trade secret according to the provisions of section 14d of the act.
 - (d) State the specific reasons why the request is being denied.
 - (e) Explain in detail how alternative information may satisfy the specific medical or occupational health need without revealing the specific chemical identity or percentage composition.
- (7) The health professional, employee, or designated representative whose request for information is denied pursuant to the provisions of subrule (2) of this rule, may refer the request and the written denial of the request to the department for consideration.
- (8) If a health professional, employee, or designated representative refers a denial to the department pursuant to subrule (2) of this rule, the department shall consider the evidence to determine which of the following are true:
 - (a) The employer has supported the claim that the specific chemical identity or percentage composition is a trade secret.
 - (b) The health professional, employee, or designated representative has supported the claim that there is a medical or occupational health need for the information.
 - (c) The health professional, employee, or designated representative has demonstrated adequate means to maintain confidentiality.
- (9) With regard to an investigation, both of the following provisions apply:
 - (a) If the department determines that the specific chemical identity or percentage composition requested pursuant to the provisions of subrule (2) of this rule is not a bona fide trade secret, or that it is a trade secret, but the requesting health professional, employee, or designated representative has a legitimate medical or occupational health need for the information, has executed a written confidentiality agreement, and has shown adequate means for complying with the terms of such agreement, then the employer will be subject to citation by the department.
 - (b) If an employer demonstrates to the department that the execution of a confidentiality agreement would not provide sufficient protection against the potential harm from the authorized disclosure of a trade secret specific chemical identity or percentage composition, then the department may issue such orders or impose such additional limitations or conditions upon the disclosure of the requested chemical information as may be appropriate to assure that the occupational health needs are met without an undue risk of harm to the employer.
- (10) Notwithstanding the existence of a trade secret claim, an employer shall, upon request, disclose to the director any information that these rules require the employer to make available. If there is a trade secret claim, the claim shall be made not later than at the time the information is provided to the director so that suitable determinations of trade secret status can be made and the necessary protections can be implemented.
- (11) Nothing in these rules shall be construed as requiring, under any circumstances, the disclosure of process or percentage of mixture information that is a trade secret.

History: 1993 AACs; 2014 MR 1, Eff. Jan. 17, 2014.

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R 325.3473
Source: 1993 AACS.

R 325.3474
Source: 1983 AACS.

R 325.3475 Transfer of records.

Rule 25. (1) If an employer ceases to do business, the employer shall transfer all records subject to these rules to a successor employer. The successor employer shall receive and maintain the records.

(2) If an employer ceases to do business and there is no successor employer to receive and maintain the records subject to these rules, the employer shall notify affected employees of their right of access to the records not less than 3 months prior to the cessation of the employer's business.

History: 1983 AACS; 2014 MR 1, Eff. Jan. 17, 2014.

R 325.3476 Rescinded.

History: 1983 AACS; 1993 AACS; 1998 AACS; 2014 MR 1, Eff. Jan. 17, 2014.

DEPARTMENT OF COMMUNITY HEALTH
BUREAU OF DISEASE CONTROL AND LABORATORY SERVICES
IMMUNIZATIONS IN SCHOOLS, DAY CARE CENTERS, AND CAMPING PROGRAMS

R 325.3501
Source: 1997 AACS.

R 325.3502
Source: 1997 AACS.

R 325.3503
Source: 1997 AACS.

R 325.3504
Source: 1997 AACS.

R 325.3505
Source: 1997 AACS.

R 325.3506
Source: 1997 AACS.

R 325.3507
Source: 1997 AACS.

R 325.3508
Source: 1997 AACS.

R 325.3509
Source: 1997 AACS.

R 325.3510
Source: 1997 AACS.

R 325.3511
Source: 1997 AACS.

R 325.3512
Source: 1997 AACS.

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R 325.3513
Source: 1997 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES
BUREAU OF ENVIRONMENTAL AND OCCUPATIONAL HEALTH
ASBESTOS CONTRACTOR LICENSING

R 325.3551
Source: 1988 AACS.

R 325.3553
Source: 1988 AACS.

R 325.3555
Source: 1988 AACS.

R 325.3557
Source: 1988 AACS.

R 325.3559
Source: 1988 AACS.

R 325.3561
Source: 1988 AACS.

R 325.3563
Source: 1988 AACS.

R 325.3565
Source: 1988 AACS.

R 325.3567
Source: 1988 AACS.

R 325.3569
Source: 1988 AACS.

R 325.3571
Source: 1988 AACS.

AGRICULTURAL LABOR CAMPS

R 325.3601
Source: 1989 AACS.

R 325.3603
Source: 1989 AACS.

R 325.3605
Source: 1989 AACS.

R 325.3607
Source: 1989 AACS.

R 325.3609
Source: 1989 AACS.

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R 325.3611
Source: 1989 AACS.

R 325.3613
Source: 1989 AACS.

R 325.3615
Source: 1989 AACS.

R 325.3617
Source: 1989 AACS.

R 325.3619
Source: 1989 AACS.

R 325.3621
Source: 1989 AACS.

R 325.3623
Source: 1989 AACS.

R 325.3625
Source: 1989 AACS.

R 325.3627
Source: 1989 AACS.

R 325.3629
Source: 1989 AACS.

R 325.3631
Source: 1989 AACS.

R 325.3633
Source: 1989 AACS.

R 325.3635
Source: 1989 AACS.

R 325.3637
Source: 1989 AACS.

R 325.3639
Source: 1989 AACS.

R 325.3641
Source: 1989 AACS.

R 325.3643
Source: 1989 AACS.

R 325.3699
Source: 1989 AACS.

DEPARTMENT OF COMMUNITY HEALTH
OFFICE OF THE DIRECTOR
TOXIC SUBSTANCE LOAN PROGRAM

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R 325.3701
Source: 1997 AACS.

R 325.3702
Source: 1997 AACS.

R 325.3703
Source: 1997 AACS.

R 325.3704
Source: 1997 AACS.

R 325.3705
Source: 1997 AACS.

R 325.3706
Source: 1997 AACS.

R 325.3707
Source: 1997 AACS.

R 325.3708
Source: 1997 AACS.

R 325.3709
Source: 1997 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

BUREAU OF HEALTH SYSTEMS

FREESTANDING SURGICAL OUTPATIENT FACILITIES

R 325.3801
Source: 2001 AACS.

R 325.3802
Source: 2013 AACS.

R 325.3803
Source: 2001 AACS.

R 325.3811
Source: 2001 AACS.

R 325.3812
Source: 2001 AACS.

R 325.3813
Source: 1979 AC.

R 325.3815
Source: 2013 AACS.

R 325.3816
Source: 2001 AACS.

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- R 325.3817**
Source: 2001 AACS.
- R 325.3818**
Source: 2001 AACS.
- R 325.3819**
Source: 2001 AACS.
- R 325.3820**
Source: 1979 AC.
- R 325.3821**
Source: 1979 AC.
- R 325.3822**
Source: 1979 AC.
- R 325.3825**
Source: 1979 AC.
- R 325.3826**
Source: 2013 AACS.
- R 325.3827**
Source: 1979 AC.
- R 325.3828**
Source: 2001 AACS.
- R 325.3831**
Source: 1979 AC.
- R 325.3832**
Source: 2013 AACS.
- R 325.3833**
Source: 1979 AC.
- R 325.3834**
Source: 1979 AC.
- R 325.3835**
Source: 2001 AACS.
- R 325.3836**
Source: 1979 AC.
- R 325.3837**
Source: 2013 AACS.
- R 325.3838**
Source: 1979 AC.
- R 325.3839**
Source: 1979 AC.
- R 325.3840**

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Source: 1979 AC.

R 325.3841

Source: 1979 AC.

R 325.3842

Source: 1979 AC.

R 325.3843

Source: 1979 AC.

R 325.3844

Source: 1979 AC.

R 325.3845

Source: 1979 AC.

R 325.3846

Source: 1979 AC.

R 325.3847

Source: 2013 AACS.

R 325.3848

Source: 1979 AC.

R 325.3851

Source: 2001 AACS.

R 325.3855

Source: 2013 AACS.

R 325.3856

Source: 2013 AACS.

R 325.3857

Source: 2013 AACS.

R 325.3858

Source: 2013 AACS.

R 325.3859

Source: 1979 AC.

R 325.3860

Source: 1979 AC.

R 325.3866

Source: 2001 AACS.

R 325.3867

Source: 2013 AACS.

R 325.3868

Source: 2001 AACS.

R 325.3868a

Source: 2013 AACS.

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- R 325.3869**
Source: 1979 AC.
- R 325.3871**
Source: 1979 AC.
- R 325.3872**
Source: 1979 AC.
- R 325.3873**
Source: 1979 AC.
- R 325.3874**
Source: 2013 AACS.
- R 325.3877**
Source: 1979 AC.

OFFICE OF SUBSTANCE ABUSE SERVICES
SUBSTANCE ABUSE SERVICES PROGRAMS

- R 325.4001**
Source: 1997 AACS.
- R 325.4002**
Source: 1997 AACS.
- R 325.4003**
Source: 1997 AACS.
- R 325.4004**
Source: 1997 AACS.
- R 325.4005**
Source: 1997 AACS.
- R 325.4006**
Source: 1997 AACS.
- R 325.4007**
Source: 1997 AACS.
- R 325.4008**
Source: 1997 AACS.
- R 325.4009**
Source: 1997 AACS.
- R 325.4010**
Source: 1997 AACS.
- R 325.4011**
Source: 1997 AACS.
- R 325.4012**

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Source: 1997 AACS.

R 325.4013

Source: 1997 AACS.

R 325.4014

Source: 1997 AACS.

R 325.4015

Source: 1997 AACS.

R 325.4016

Source: 1997 AACS.

R 325.4017

Source: 1997 AACS.

R 325.4018

Source: 1997 AACS.

R 325.4019

Source: 1997 AACS.

R 325.4021

Source: 1997 AACS.

R 325.4022

Source: 1997 AACS.

R 325.4023

Source: 1997 AACS.

R 325.4024

Source: 1997 AACS.

R 325.4025

Source: 1997 AACS.

R 325.4026

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R 325.4027

Source: 1997 AACS.

R 325.4028

Source: 1997 AACS.

R 325.4031

Source: 1997 AACS.

R 325.4032

Source: 1997 AACS.

R 325.4033

Source: 1997 AACS.

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R 325.4034
Source: 1997 AACS.

R 325.4035
Source: 1997 AACS.

R 325.4036
Source: 1997 AACS.

R 325.4037
Source: 1997 AACS.

R 325.4038
Source: 1997 AACS.

R 325.4041
Source: 1997 AACS.

R 325.4042
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R 325.4043
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R 325.4044
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R 325.4045
Source: 1997 AACS.

R 325.4046
Source: 1997 AACS.

R 325.4047
Source: 1997 AACS.

R 325.4048
Source: 1997 AACS.

R 325.4051
Source: 1997 AACS.

R 325.4052
Source: 1997 AACS.

R 325.4053
Source: 1997 AACS.

R 325.4054
Source: 1997 AACS.

R 325.4055
Source: 1997 AACS.

R 325.4056
Source: 1997 AACS.

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R 325.4057
Source: 1997 AACCS.

R 325.4058
Source: 1997 AACCS.

R 325.4061
Source: 1997 AACCS.

R 325.4062
Source: 1997 AACCS.

R 325.4063
Source: 1997 AACCS.

R 325.4064
Source: 1997 AACCS.

R 325.4065
Source: 1997 AACCS.

R 325.4066
Source: 1997 AACCS.

R 325.4067
Source: 1997 AACCS.

R 325.4071
Source: 1997 AACCS.

R 325.4081
Source: 1997 AACCS.

R 325.4082
Source: 1997 AACCS.

R 325.4083
Source: 1997 AACCS.

R 325.4084
Source: 1997 AACCS.

PROGRAM MATCH REQUIREMENTS

R 325.4151
Source: 1981 AACCS.

R 325.4152
Source: 1981 AACCS.

R 325.4153
Source: 1981 AACCS.

R 325.4154
Source: 1997 AACCS.

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R 325.4155
Source: 1981 AACS.

R 325.4156
Source: 1981 AACS.

DEPARTMENT OF CONSUMER & INDUSTRY SERVICES

RADIATION SAFETY

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R 325.5051
Source: 1979 AC.

R 325.5074
Source: 1979 AC.

R 325.5101
Source: 1979 AC.

R 325.5102
Source: 1979 AC.

R 325.5117a
Source: 1979 AC.

R 325.5118
Source: 1979 AC.

R 325.5119
Source: 1979 AC.

R 325.5120
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R 325.5122
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R 325.5124
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R 325.5141
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R 325.5142
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R 325.5143
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Source: 1979 AC.

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R 325.5187

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R 325.5188

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R 325.5192

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R 325.5193

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Source: 1979 AC.

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Source: 1979 AC.

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RADIATION SAFETY SECTION

R 325.5281

Source: 1979 AC.

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- R 325.5282**
Source: 1979 AC.
- R 325.5286**
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- R 325.5287**
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- R 325.5289**
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- R 325.5290**
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- R 325.5291**
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- R 325.5293**
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- R 325.5294**
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- R 325.5296**
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- R 325.5298**
Source: 1979 AC.
- R 325.5299**
Source: 1979 AC.
- R 325.5301**
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- R 325.5302**
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- R 325.5303**
Source: 1979 AC.
- R 325.5305**
Source: 1979 AC.
- R 325.5306**
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- R 325.5307**
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- R 325.5309**
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DIRECTOR'S OFFICE

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BUREAU OF HEALTH SYSTEMS – RADIATION SAFETY SECTION

- R 325.5311**
Source: 1979 AC.
- R 325.5312**
Source: 1979 AC.
- R 325.5315**
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- R 325.5317**
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- R 325.5321**
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- R 325.5322**
Source: 1979 AC.
- R 325.5323**
Source: 1979 AC.
- R 325.5325**
Source: 1979 AC.
- R 325.5331**
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- R 325.5333**
Source: 1979 AC.
- R 325.5337**
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- R 325.5347**
Source: 1979 AC.
- R 325.5348**
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- R 325.5351**
Source: 1979 AC.
- R 325.5352**
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- R 325.5353**
Source: 1979 AC.
- R 325.5355**
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- R 325.5357**
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- R 325.5358**

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Source: 1979 AC.

R 325.5359

Source: 1979 AC.

R 325.5361

Source: 1979 AC.

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Source: 1979 AC.

R 325.5365

Source: 1979 AC.

R 325.5366

Source: 1979 AC.

R 325.5368

Source: 1979 AC.

R 325.5371

Source: 1979 AC.

R 325.5372

Source: 1979 AC.

R 325.5373

Source: 1979 AC.

R 325.5375

Source: 1979 AC.

R 325.5376

Source: 1979 AC.

R 325.5378

Source: 1979 AC.

R 325.5379

Source: 1979 AC.

R 325.5380

Source: 1979 AC.

R 325.5381

Source: 1979 AC.

R 325.5383

Source: 1979 AC.

R 325.5384

Source: 1979 AC.

R 325.5385

Source: 1979 AC.

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Source: 1979 AC.

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- R 325.5388**
Source: 1979 AC.
- R 325.5389**
Source: 1979 AC.
- R 325.5390**
Source: 1979 AC.
- R 325.5391**
Source: 1979 AC.
- R 325.5395**
Source: 1979 AC.
- R 325.5396**
Source: 2007 AACCS.
- R 325.5397**
Source: 1979 AC.
- R 325.5401**
Source: 1979 AC.
- R 325.5402**
Source: 1979 AC.
- R 325.5403**
Source: 1979 AC.
- R 325.5404**
Source: 1979 AC.
- R 325.5405**
Source: 1979 AC.
- R 325.5407**
Source: 1979 AC.
- R 325.5409**
Source: 1979 AC.
- R 325.5411**
Source: 1979 AC.
- R 325.5417**
Source: 1979 AC.
- R 325.5418**
Source: 1979 AC.
- R 325.5421**
Source: 1979 AC.
- R 325.5422**
Source: 1979 AC.
- R 325.5423**
Source: 1979 AC.

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R 325.5425
Source: 1979 AC.

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RADIATION SAFETY SECTION

R 325.5431
Source: 1979 AC.

R 325.5432
Source: 1979 AC.

R 325.5435
Source: 1979 AC.

R 325.5437
Source: 1979 AC.

R 325.5438
Source: 1979 AC.

R 325.5439
Source: 1979 AC.

R 325.5440
Source: 1979 AC.

R 325.5441
Source: 1979 AC.

R 325.5442
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R 325.5445
Source: 1979 AC.

R 325.5446
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R 325.5449
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R 325.5450
Source: 1979 AC.

R 325.5452
Source: 1979 AC.

R 325.5455
Source: 1979 AC.

R 325.5481

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Source: 1979 AC.

R 325.5482

Source: 1979 AC.

R 325.5484

Source: 1979 AC.

R 325.54855

Source: 1979 AC.

R 325.5486

Source: 1979 AC.

R 325.5487

Source: 1979 AC.

R 325.5491

Source: 1979 AC.

R 325.5492

Source: 1979 AC.

R 325.5493

Source: 1979 AC.

R 325.5494

Source: 1979 AC.

R 325.5495

Source: 1979 AC.

R 325.5501

Source: 1979 AC.

R 325.5505

Source: 1979 AC.

R 325.5506

Source: 1979 AC.

R 325.5507

Source: 1979 AC.

R 325.5508

Source: 1979 AC.

R 325.5511

Source: 1979 AC.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES
DIVISION OF RADIOLOGICAL HEALTH
IONIZING RADIATION
PART 14. MAMMOGRAPHY
GENERAL PROVISIONS

Annual Administrative Code Supplement
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R 325.5601
Source: 2013 AACS.

R 325.5601a
Source: 2013 AACS.

R 325.5602
Source: 2013 AACS.

R 325.5603
Source: 2013 AACS.

MAMMOGRAPHY AUTHORIZATION

R 325.5605
Source: 2013 AACS.

R 325.5606
Source: 1993 AACS.

R 325.5607
Source: 2013 AACS.

R 325.5608
Source: 2013 AACS.

R 325.5609
Source: 1993 AACS.

R 325.5610
Source: 2013 AACS.

R 325.5611
Source: 2013 AACS.

R 325.5612
Source: 2013 AACS.

R 325.5613
Source: 2013 AACS.

MAMMOGRAPHY SUPERVISOR

R 325.5617
Source: 2013 AACS.

R 325.5618
Source: 2013 AACS.

R 325.5619
Source: 2013 AACS.

OPERATORS OF MAMMOGRAPHY EQUIPMENT

R 325.5621

Annual Administrative Code Supplement
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Source: 2013 AACS.

R 325.5622

Source: 2013 AACS.

R 325.5623

Source: 2013 AACS.

R 325.5624

Source: 2013 AACS.

R 325.5625

Source: 2013 AACS.

PERSONNEL

R 325.5626

Source: 2013 AACS.

R 325.5627

Source: 2013 AACS.

R 325.5628

Source: 2013 AACS.

R 325.5629

Source: 2013 AACS.

R 325.5630

Source: 2013 AACS.

RADIATION PHYSICIST

R 325.5631

Source: 2013 AACS.

R 325.5632

Source: 2013 AACS.

R 325.5633

Source: 2013 AACS.

R 325.5634

Source: 2013 AACS.

R 325.5635

Source: 2013 AACS.

X-RAY EQUIPMENT

R 325.5637

Source: 2013 AACS.

R 325.5638

Source: 2013 AACS.

Annual Administrative Code Supplement
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R 325.5639
Source: 2013 AACS.

R 325.5640
Source: 2013 AACS.

R 325.5641
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R 325.5642
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R 325.5643
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R 325.5649
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R 325.5650
Source: 2013 AACS.

R 325.5651
Source: 2013 AACS.

R 325.5652
Source: 2013 AACS.

R 325.5655
Source: 2013 AACS.

R 325.5656
Source: 2013 AACS.

MEDICAL RECORDS AND MAMMOGRAPHY REPORTS

R 325.5657
Source: 2013 AACS.

QUALITY ASSURANCE

R 325.5658

Annual Administrative Code Supplement
2014 Edition

Source: 2013 AACS.

QUALITY CONTROL

R 325.5659

Source: 2013 AACS.

R 325.5660

Source: 2013 AACS.

R 325.5661

Source: 2013 AACS.

R 325.5662

Source: 2013 AACS.

R 325.5663

Source: 2013 AACS.

R 325.5664

Source: 2013 AACS.

R 325.5665

Source: 2013 AACS.

R 325.5667

Source: 2013 AACS.

R 325.5668

Source: 2013 AACS.

R 325.5669

Source: 2013 AACS.

STEREOTACTIC BREAST BIOPSY

PERSONNEL

R 325.5674

Source: 2013 AACS.

R 325.5675

Source: 2013 AACS.

X-RAY EQUIPMENT

R 325.5676

Source: 2013 AACS.

R 325.5677

Source: 2013 AACS.

R 325.5678

Source: 2013 AACS.

MEDICAL RECORDS AND STEREOTACTIC BREAST BIOPSY REPORTS

Annual Administrative Code Supplement
2014 Edition

R 325.5679
Source: 2013 AACS.

R 325.5681
Source: 2013 AACS.

R 325.5682
Source: 2013 AACS.

R 325.5683
Source: 2013 AACS.

QUALITY ASSURANCE

R 325.5684
Source: 2013 AACS.

R 325.5685
Source: 2013 AACS.

R 325.5686
Source: 2013 AACS.

R 325.5687
Source: 2013 AACS.

R 325.5688
Source: 2013 AACS.

R 325.5689
Source: 2013 AACS.

R 325.5690
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R 325.5691
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R 325.5692
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R 325.5693
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R 325.5694
Source: 2013 AACS.

R 325.5695
Source: 2013 AACS.

R 325.5696
Source: 2013 AACS.

R 325.5697
Source: 2013 AACS.

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R 325.5698
Source: 2013 AACS.

PART 15. COMPUTED TOMOGRAPHY INSTALLATIONS

R 325.5701
Source: 2011 AACS.

R 325.5703
Source: 2011 AACS.

R 325.5705
Source: 2011 AACS.

R 325.5707
Source: 2011 AACS.

R 325.5709
Source: 2011 AACS.

R 325.5711
Source: 2011 AACS.

R 325.5713
Source: 2011 AACS.

R 325.5715
Source: 2011 AACS.

R 325.5717
Source: 2011 AACS.

R 325.5719
Source: 2011 AACS.

R 325.5721
Source: 2011 AACS.

DEPARTMENT OF ENVIRONMENTAL QUALITY
DRINKING WATER AND RADIOLOGICAL PROTECTION DIVISION
RADIOACTIVE MATERIAL TRANSPORTATION

R 325.5801
Source: 1997 AACS.

R 325.5802
Source: 1997 AACS.

R 325.5803
Source: 1997 AACS.

R 325.5804
Source: 1997 AACS.

R 325.5805

Annual Administrative Code Supplement
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Source: 1997 AACS.

R 325.5806

Source: 1997 AACS.

R 325.5807

Source: 1997 AACS.

R 325.5808

Source: 1997 AACS.

R 325.5809

Source: 1997 AACS.

R 325.5810

Source: 1997 AACS.

DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF WATER AND RADIOLOGICAL PROTECTION
PEACETIME NUCLEAR INCIDENTS

PART 1. DEFINITIONS

R 325.5901

Source: 2012 AACS.

R 325.5902

Source: 2012 AACS.

R 325.5903

Source: 2012 AACS.

R 325.5904

Source: 2012 AACS.

PART 2. NUCLEAR INCIDENTS AND PUBLIC INTEREST OCCURRENCES

R 325.5911

Source: 2012 AACS.

R 325.5912

Source: 2012 AACS.

R 325.5913

Source: 2012 AACS.

R 325.5914

Source: 2012 AACS.

PART 3. EMERGENCY PLANS

R 325.5921

Source: 2012 AACS.

R 325.5922

Source: 2012 AACS.

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R 325.5923
Source: 2012 AACS.

R 325.5924
Source: 2012 AACS.

R 325.5925
Source: 2012 AACS.

R 325.5926
Source: 2012 AACS.

R 325.5927
Source: 2012 AACS.

R 325.5928
Source: 2012 AACS.

R 325.5929
Source: 2012 AACS.

R 325.5930
Source: 2012 AACS.

R 325.5931
Source: 2012 AACS.

R 325.5932
Source: 2012 AACS.

R 325.5933
Source: 2012 AACS.

R 325.5934
Source: 2012 AACS.

BUREAU OF HEALTH CARE ADMINISTRATION
FREESTANDING SURGICAL OUTPATIENT FACILITIES
DIFFERENTIATED FROM PRIVATE PRACTICE OFFICES

R 325.6001
Source: 2013 AACS.

R 325.6002
Source: 2013 AACS.

DEPARTMENT OF COMMUNITY HEALTH
AND INSURANCE BUREAU
HEALTH MAINTENANCE ORGANIZATIONS

PART 1. GENERAL PROVISIONS

R 325.6101
Source: 1988 AACS.

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R 325.6105
Source: 1988 AACS.

R 325.6110
Source: 1988 AACS.

R 325.6115
Source: 1988 AACS.

R 325.6120
Source: 1997 AACS.

R 325.6125
Source: 1988 AACS.

R 325.6130
Source: 1988 AACS.

R 325.6135
Source: 1988 AACS.

PART 2. STATE ADMINISTRATION

R 325.6201
Source: 1997 AACS.

R 325.6205
Source: 1988 AACS.

R 325.6210
Source: 1988 AACS.

R 325.6215
Source: 1997 AACS.

R 325.6220
Source: 1997 AACS.

R 325.6225
Source: 1997 AACS.

R 325.6230
Source: 1988 AACS.

R 325.6235
Source: 1988 AACS.

R 325.6240
Source: 1988 AACS.

R 325.6245
Source: 1988 AACS.

R 325.6250
Source: 1997 AACS.

R 325.6255
Source: 1997 AACS.

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R 325.6260
Source: 1997 AACS.

R 325.6265
Source: 1997 AACS.

R 325.6270
Source: 1988 AACS.

R 325.6275
Source: 1988 AACS.

R 325.6280
Source: 1997 AACS.

R 325.6285
Source: 1988 AACS.

R 325.6290
Source: 1988 AACS.

PART 3. BUSINESS AND OPERATIONAL REQUIREMENTS

R 325.6301
Source: 1988 AACS.

R 325.6305
Source: 1988 AACS.

R 325.6310
Source: 1988 AACS.

R 325.6315
Source: 1988 AACS.

R 325.6320
Source: 1997 AACS.

R 325.6325
Source: 1997 AACS.

R 325.6330
Source: 1988 AACS.

R 325.6335
Source: 1988 AACS.

R 325.6340
Source: 1988 AACS.

R 325.6345
Source: 1988 AACS.

R 325.6350
Source: 1988 AACS.

R 325.6355
Source: 1988 AACS.

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R 325.6360
Source: 1988 AACS.

R 325.6365
Source: 1988 AACS.

PART 4. SUBSCRIBER CONTRACTS, COVERAGE, AND RELATED REQUIREMENTS

R 325.6401
Source: 1988 AACS.

R 325.6405
Source: 1988 AACS.

R 325.6410
Source: 1988 AACS.

R 325.6415
Source: 1988 AACS.

R 325.6420
Source: 1988 AACS.

R 325.6425
Source: 1988 AACS.

R 325.6430
Source: 1988 AACS.

PART 5. MARKETING AND ENROLLMENT

R 325.6501
Source: 1988 AACS.

R 325.6505
Source: 1988 AACS.

R 325.6510
Source: 1988 AACS.

R 325.6515
Source: 1997 AACS.

**PART 6. STANDARDS FOR SERVICES, STAFFING, QUALITY ASSURANCE,
AND UTILIZATION REVIEW**

R 325.6601
Source: 1988 AACS.

R 325.6605
Source: 1988 AACS.

R 325.6610
Source: 1988 AACS.

R 325.6615
Source: 1988 AACS.

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R 325.6620
Source: 1988 AACS.

R 325.6625
Source: 1988 AACS.

R 325.6635
Source: 1988 AACS.

PART 7. FACILITY STANDARDS

R 325.6701
Source: 1988 AACS.

R 325.6702
Source: 1988 AACS.

R 325.6705
Source: 1997 AACS.

R 325.6710
Source: 1991 AACS.

R 325.6715
Source: 1988 AACS.

R 325.6720
Source: 1988 AACS.

R 325.6725
Source: 1988 AACS.

R 325.6730
Source: 1988 AACS.

R 325.6735
Source: 1988 AACS.

R 325.6740
Source: 1988 AACS.

R 325.6745
Source: 1988 AACS.

R 325.6750
Source: 1988 AACS.

R 325.6755
Source: 1988 AACS.

R 325.6760
Source: 1997 AACS.

R 325.6765
Source: 1997 AACS.

R 325.6770
Source: 1997 AACS.

R 325.6775

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Source: 1997 AACS.

R 325.6780

Source: 1988 AACS.

R 325.6785

Source: 1988 AACS.

R 325.6790

Source: 1988 AACS.

R 325.6795

Source: 1988 AACS.

PART 8. ENROLLEE CLINICAL RECORDS; REPORTS AND INSPECTIONS

R 325.6801

Source: 1988 AACS.

R 325.6805

Source: 1988 AACS.

R 325.6810

Source: 1988 AACS.

R 325.6815

Source: 1988 AACS.

R 325.6820

Source: 1997 AACS.

R 325.6825

Source: 1988 AACS.

R 325.6830

Source: 1988 AACS.

R 325.6835

Source: 1988 AACS.

PART 9. HEALTH MAINTENANCE ORGANIZATION INCLUSION IN HEALTH BENEFIT PLANS

R 325.6901

Source: 1988 AACS.

R 325.6905

Source: 1988 AACS.

R 325.6910

Source: 1988 AACS.

R 325.6925

Source: 1988 AACS.

R 325.6930

Source: 1988 AACS.

R 325.6935

Source: 1988 AACS.

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R 325.6950
Source: 1988 AACS.

R 325.6955
Source: 1988 AACS.

R 325.6960
Source: 1988 AACS.

R 325.6965
Source: 1997 AACS.

DEPARTMENT OF COMMUNITY HEALTH
OFFICE OF VITAL AND HEALTH STATISTICS
DISINTERMENT—REINTERMENT

R 325.8051
Source: 1982 AACS.

R 325.8052
Source: 1982 AACS.

R 325.8053
Source: 1982 AACS.

R 325.8054
Source: 1982 AACS.

R 325.8055
Source: 1982 AACS.

R 325.8056
Source: 1982 AACS.

R 325.8057
Source: 1982 AACS.

LABORATORY AND EPIDEMIOLOGICAL SERVICES ADMINISTRATION
DISEASE SURVEILLANCE AND CONTROL

R 325.9001
Source: 1997 AACS.

R 325.9002
Source: 1997 AACS.

R 325.9003
Source: 1997 AACS.

R 325.9004
Source: 1997 AACS.

R 325.9005
Source: 1997 AACS.

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R 325.9006
Source: 1997 AACS.

R 325.9007
Source: 1997 AACS.

R 325.9008
Source: 1997 AACS.

R 325.9009
Source: 1997 AACS.

R 325.9010
Source: 1997 AACS.

R 325.9011
Source: 1997 AACS.

R 325.9012
Source: 1981 AACS.

BUREAU OF LABORATORY AND EPIDEMIOLOGICAL SERVICES
DEFINITION OF “INFECTIOUS AGENT”

R 325.9031
Source: 1987 AACS.

DIVISION OF RESEARCH AND DEVELOPMENT
CHRONIC DISEASE PREVENTION AND CONTROL LIST

R 325.9041
Source: 1989 AACS.

OFFICE OF THE STATE REGISTRAR AND
CENTER FOR HEALTH STATISTICS
CANCER REPORTING

R 325.9050
Source: 2004 AACS.

R 325.9051
Source: 2004 AACS.

R 325.9052
Source: 2004 AACS.

R 325.9053
Source: 1985 AACS.

R 325.9054
Source: 1985 AACS.

R 325.9055
Source: 1985 AACS.

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R 325.9056
Source: 1985 AACS.

R 325.9057
Source: 1985 AACS.

CENTER FOR HEALTH PROMOTION
SPINAL CORD AND TRAUMATIC BRAIN INJURY REPORTING

R 325.9061 Rescinded.

History: 1993 AACS; rescinded 2014 MR 16, Repealed Eff. Aug 26, 2014.

R 325.9062 Rescinded.

History: 1993 AACS; rescinded 2014 MR 16, Repealed Eff. Aug 26, 2014.

R 325.9063 Rescinded.

History: 1993 AACS; rescinded 2014 MR 16, Repealed Eff. Aug 26, 2014.

R 325.9064 Rescinded.

History: 1993 AACS; rescinded 2014 MR 16, Repealed Eff. Aug 26, 2014.

R 325.9065 Rescinded.

History: 1993 AACS; rescinded 2014 MR 16, Repealed Eff. Aug 26, 2014.

R 325.9066 Rescinded.

History: 1993 AACS; rescinded 2014 MR 16, Repealed Eff. Aug 26, 2014.

R 325.9067 Rescinded.

History: 1993 AACS; rescinded 2014 MR 16, Repealed Eff. Aug 26, 2014.

BIRTH DEFECTS REPORTING

R 325.9071
Source: 2011 AACS.

R 325.9072
Source: 2011 AACS.

R 325.9073
Source: 2011 AACS.

R 325.9074
Source: 2011 AACS.

R 325.9075
Source: 1991 AACS.

R 325.9076
Source: 2011 AACS.

HEALTH LEGISLATION AND POLICY DEVELOPMENT

BLOOD LEAD ANALYSIS REPORTING

R 325.9081
Source: 1997 AACS.

R 325.9082
Source: 1997 AACS.

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R 325.9083

Source: 1997 AACS.

R 325.9084

Source: 2006 AACS.

R 325.9085

Source: 1997 AACS.

R 325.9086

Source: 2006 AACS.

R 325.9087

Source: 1997 AACS.

DEPARTMENT OF COMMUNITY HEALTH

HEALTH POLICY AND REGULATION ADMINISTRATION

CERTIFICATE OF NEED

PART 1. GENERAL PROVISIONS

R 325.9101 Definitions; A to D.

Rule 101. As used in these rules:

- (a) "Applicant" means the person, as defined in section 1106 of the code, or a governmental entity, as defined in section 1104 of the code, applying for a certificate of need and authorized to conduct business in this state.
 - (b) "Application" means the department forms, in electronic or in paper format, that are currently in effect at the time the application is submitted, and any information or documentation prespecified in the forms to be provided as attachments or supplements.
 - (c) "Appropriate regional certificate of need review agency" means the regional certificate of need review agency that the department designates under section 22226 of the code that is within the geographical review area where an applicant proposes to locate a project.
 - (d) "Bureau" means the administrative unit of the department that the director designates as responsible for the certificate of need program.
 - (e) "Code" means 1978 PA 368, MCL 333.101.
 - (f) "Comparative group" means the applications which have been grouped for the same type of project in the same planning area that are being reviewed comparatively according to these rules.
 - (g) "Completed application," except as provided in R 325.9229, means the application submitted by the applicant, including any additional information provided by the applicant on or before the date the application is deemed complete under R 325.9201(3).
 - (h) "Completed project" means a project that the department has determined both of the following:
 - (i) That all activities and construction necessary to offer the services, beds, facilities, or equipment approved by a certificate of need have been executed in compliance with the terms and conditions of the certificate of need.
 - (ii) That the project has been implemented as defined in R 325.9103(b).
 - (i) "Department" means the Michigan department of community health.
 - (j) "Director" means the director of the Michigan department of community health.
- History: 1986 AACS; 1996 AACS; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9103 Definitions; I, L.

Rule 103. As used in these rules:

- (a) "Incur an obligation" means entering into either of the following:
 - (i) An executed contract or contracts for the construction, acquisition, lease, or financing of all or substantially all, of the project, as determined by the department.
 - (ii) An executed contract or contracts for the construction, acquisition, lease, or finance of, a phased project. A phased project is a project accomplished in segments over a period of time in compliance with a project timetable acceptable to the department and approved in the certificate of need.

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- (b) "Implement", except as provided in R 325.9403(5), means 1 of the following:
- (i) For a project that involves the performance of the first surgical procedure of either of the following:
 - (A) Extrarenal organ transplantation (heart, lung, liver, bone marrow).
 - (B) Open heart surgery.
 - (ii) For a project that involves any of the following, the performance of the first procedure or the signing of a contract that specifies the installation date of the equipment occurring within 24 months and the first procedure within 30 months of the effective date of the certificate of need:
 - (A) Urinary extracorporeal shock wave lithotripsy (UESWL).
 - (B) Megavoltage radiation therapy (MRT).
 - (C) Positron emission tomography (PET) scanning.
 - (D) Computed tomography (CT) scanning.
 - (E) Cardiac catheterization.
 - (F) Magnetic resonance imaging (MRI).
 - (G) Air ambulance services.
 - (iii) For a project that involves beds or surgical services, either of the following:
 - (A) The signing of a contract for the construction, renovation, purchase or lease of equipment or space to house the beds or operating rooms.
 - (B) The licensure or certification of the beds or operating rooms for use, whichever occurs first.
 - (iv) For a project that involves capital expenditures other than projects specified in paragraphs (i) to (iii) of this subdivision when an obligation is incurred or, if the certificate of need expressly defines a series of obligations for discrete components to be incurred over a period of more than 1 year, when each of the designated obligations is incurred.
 - (v) For a project that involves the acquisition of licensed health facilities, the issuance of a new license by the Michigan department of licensing and regulatory affairs.
 - (vi) For a project that is not specified in paragraphs (i) to (v) of this subdivision, the occurrence of the implementation event as defined in the applicable certificate of need review standards.
- (c) "Letter of intent" means the department form, in electronic or paper format, to determine the reviewability, type of review, and appropriate application forms for a proposed project.
- History: 1986 AACCS; 1996 AACCS; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9105 Definitions; N to S.

Rule 105. As used in these rules:

- (a) "Nonsubstantive review" means review of a project accepted for review under R 325.9205 and R 325.9206.
 - (b) "Offer" means to perform a procedure or serve a patient, as applicable, as authorized by a certificate of need.
 - (c) "Qualifying project" means each application in a comparative group which has been reviewed individually and which the department determines to satisfy all the requirements of section 22225 of the code, all other applicable requirements for approval in the code, and all applicable certificate of need review standards.
 - (d) "Recipient" means a person who validly holds a signed, approved certificate of need under the code and these rules.
 - (e) "Regional certificate of need review agency" means the agency designated by the department pursuant to section 22226 of the code.
 - (f) "Single project" means an activity that requires a certificate of need or, in the case of a capital expenditure, an activity or a group of activities involving a distinct physical area or areas of a health facility or involving the same service or similar services.
 - (g) "Site" means the physical location and address (or legal description of property) of a covered service or beds, unless otherwise defined in the applicable certificate of need review standards.
- History: 1986 AACCS; 1996 AACCS; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9109 Terms defined in code and certificate of need review standards; establishment of certificate of need review standards.

Rule 109. (1) Terms defined in the code and certificate of need review standards have the same meanings when used in these rules.

(2) All certificate of need review standards used in making determinations on applications under these rules shall be established by law.

History: 1986 AACCS; 1996 AACCS; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9121 Computation of time deadline.

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Rule 121. Any deadline falling on a nonworking day, will be extended to the next department working day.

History: 1986 AACCS; 1996 AACCS; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9123 Designated application dates.

Rule 123. (1) The designated application date is the date that the rules set as the deadline for submitting applications for a certificate of need. An application is considered timely if it is received at the department's Lansing office and date and time stamped as received before 4:00 p.m. on a designated application date. An application received, including electronic submissions, at the department's Lansing offices after 4:00 p.m. on a designated application date is not considered timely and shall be deemed submitted on the next designated application date.

(2) For an applicant seeking a nonsubstantive review under R 325.9205 and R 325.9206, the designated application date is the department working day that the department received the application.

(3) For an application that is not eligible for nonsubstantive review and not subject to comparative review, the designated application date is the first department working day of each month.

(4) For an application that is subject to comparative review, the designated application dates are February 1, June 1, and October 1 of each year.

(5) An application is not considered submitted to the department until it is submitted to the appropriate regional certificate of need review agency.

History: 1986 AACCS; 1996 AACCS; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9125 Extensions.

Rule 125. (1) The department may extend the date to issue a proposed or final decision on an application for not less than 30 days, but not more than 90 days, either under R 325.9229 or upon receipt of a written request from an applicant.

(2) An applicant's written request for an extension shall specify either the date or the number of days being requested for an extension. The department may extend the date to issue a proposed or final decision if in either case, both of the following requirements, as applicable, are met:

(i) The extension will not result in a delay in the start of the review of similar applications filed subsequently as provided by R 325.9207(2)(b).

(ii) All applicants in the comparative group, for applications subject to comparative review request an extension of the same duration.

(3) The department may grant an extension for longer than 90 days if the applicant provides justification that the department considers satisfactory. The department's decision to deny an extension request is not subject to administrative hearing or appeal.

History: 1986 AACCS; 1996 AACCS; 2014 MR 3, Eff. Feb. 4, 2014.

PART 2. APPLICATIONS; REVIEWS

R 325.9201 Letters of intent; applications; forms; copies; attachments and supplements; content; completeness; additional information; department's authority to consider relevant information not limited; notification of information considered relevant; public availability.

Rule 201. (1) Before applying for a certificate of need for a project, except for projects that are covered by section 22235 of the code, a person shall submit a letter of intent simultaneously to the department and the appropriate regional certificate of need review agency. The letter of intent shall be on a form supplied by the department. Within 15 days of receipt of a letter of intent, the department shall notify the person proposing the project whether the project requires a certificate of need and, if so, the type of review (nonsubstantive, substantive, potential comparative) and provide the applicant with appropriate forms. The department may decline to process a letter of intent if the same covered service or beds already exists at that site under a different entity that has submitted a letter of intent or application or has previous certificate of need approval before the new letter of intent, or would otherwise result in a conflicting or duplicative CON review. The department shall not review any application it receives before the department finishes processing the letter of intent for that application. A letter of intent expires if an application has not been submitted to the department within 1 year of receipt of the letter of intent by the department. The department shall provide the applicant with a copy of the current work plan of the certificate of need commission indicating the timing by which the certificate of need review standards are being revised or are scheduled to be revised by the commission.

(2) At the time of submission of an application, a person applying for a certificate of need shall simultaneously submit 3 copies of an application, or 3 copies of any supplemental documents for an electronic application, for a single project to the department and, if applicable, 1 additional copy to the appropriate regional certificate of need review agency. The application shall be made on the application forms authorized and provided by the department. The application forms

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may include requirements for attachments and supplements specified by the department in the forms. An application shall clearly state the persons, buildings and properties to which it applies and clearly define the scope, nature, cost, time limits, and other aspects of the proposal. A letter of intent, application, or an amendment to an approved certificate of need shall be accompanied by the fee, if any, required by law and these rules. A letter of intent or an amendment not accompanied by the required fee if any, will not be processed until the bureau receives the required fee, if any. An application not accompanied by the required fee will not be considered timely and will be deemed submitted on the next designated application date after receipt of the required fee. An application received, including electronic submissions, that does not include statements addressing each of the review criteria listed in section 22225 of the code is not timely and will be deemed submitted on the next designated application date after receipt of the required documents. Statements addressing section 22225 are not required for proposed projects eligible for nonsubstantive reviews under R 325.9205.

(3) The department shall consider only those applications that it deems submitted on or before the designated application date and shall determine if the application is complete. The department may request additional information and provide notification of a determination to the applicant and the appropriate regional certificate of need review agency within 15 days of receipt of the application. The applicant has 15 days from receipt of the department's notice to respond to the request to the department's satisfaction. If the department does not request additional information the department shall consider the application to be complete as submitted by the applicant on the designated application date. If additional information is requested for applications subject to nonsubstantive or substantive review, the department shall consider the application to be complete on the next designated application date with or without the additional information. If additional information is requested for applications subject to comparative review, the department shall consider the application to be complete on the first department working day of the next month, with or without the additional information.

(4) This rule does not limit the department's authority to consider all available information relevant to the department's review of an application.

(5) An applicant may request, and the department may allow, the submission of information after the date the application is deemed complete if the application is not subject to comparative review. When a request under this subrule is made, the department may require that the applicant authorizes an extension to the date a decision must be issued if the department determines that an extension is necessary to perform its review.

(6) The department's review shall be conducted using the completed application and any other information the department considers relevant to the decision and under all applicable provisions in the certificate of need review standards and the code, including information which becomes available or developments which occur after the date an application is deemed complete.

(7) Before issuing a proposed decision, the bureau shall notify an applicant of all information that the department relied upon in conducting the department's review. If the department relies on information other than submitted by the applicant in its application, the bureau or department shall cite in the proposed or final decision letter, as applicable, the information it relied upon. The department shall make this information available to the public upon request.

(8) The department's decision to request additional information is not subject to administrative hearing or appeal.

History: 1986 AACCS; 1996 AACCS; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9203 Rescinded.

History: 1986 AACCS; 1996 AACCS; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9204 Data and physician commitments.

Rule 204. (1) If a certificate of need review standard requires a data commitment, including Michigan inpatient data base (MIDB) data or cancer registry data, the health facility or freestanding facility committing the data shall be regularly admitting patients and providing services as of the date the director makes the final decision on an application under section 22231 of the code. Further, the department shall not consider any commitment if a health facility or freestanding facility withdrew its commitment before the final decision on an application.

(2) If a certificate of need review standard requires a physician commitment, then all of the following apply, unless otherwise specified in a review standard:

(a) The commitments shall be submitted at the time the application is submitted to the department.

(b) A commitment shall not be withdrawn after the date an application is deemed complete by the department and after a proposed decision to approve an application has been issued by the department.

History: 1996 AACCS; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9205 Nonsubstantive reviews; eligibility.

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- Rule 205. (1) A person may submit a letter of intent requesting a nonsubstantive certificate of need review.
- (2) The department shall approve the request as appropriate when the department is satisfied that all of the following conditions have been met:
- (a) The completed project will not result in any of the following:
 - (i) An increase in the number of beds licensed to the applicant at the licensed site at which the project is proposed.
 - (ii) The initiation or expansion of a covered clinical service.
 - (iii) Beginning operation of a new health facility at a site that is not currently licensed for that type of health facility.
 - (iv) A capital expenditure in excess of a covered capital expenditure as defined in the code.
 - (b) The proposed project is not subject to comparative review under the code or the applicable certificate of need review standards.
- (3) The department may accept other projects for nonsubstantive review under section 22233 of the code. The department shall maintain a public list of the types of projects eligible for nonsubstantive review under this rule.
- History: 1986 AACCS; 1996 AACCS; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9206 Nonsubstantive review; procedure; time for decision; notice; effect of denial of request for review; department decision to deny review not subject to administrative appeal; review period; submittal of regional certificate of need review agency's recommendations.

- Rule 206. (1) The department shall determine whether an application submitted for nonsubstantive review is complete as provided by R 325.9201(3). The department shall notify the applicant of its decision and send a copy of the decision to the appropriate regional certificate of need review agency. The department's decision to deny nonsubstantive review of a project is not subject to administrative hearing or appeal.
- (2) If a request for nonsubstantive review is denied, the application is deemed submitted for the purposes of substantive review on the next designated application date after the date of denial and the time frames to determine completeness for substantive review shall be those in R 325.9201(3).
- (3) The department shall consider only those applications that are filed on or before the designated application date and will determine whether the application is complete or incomplete. The department shall provide notification of a determination to the applicant and the appropriate regional certificate of need review agency within 15 days of receipt of the application. The applicant has 15 days from receipt of the department's notice to provide additional information or otherwise complete the application. If additional information is not requested by the department, the department will consider the application to be complete as submitted by the applicant on the designated application date. If additional information is requested, the department will consider the application to be complete on the date the department receives the applicant's responses. If the additional information requested is not received within 15 days, the application will be deemed complete.
- (4) The period for the review of a nonsubstantive application shall be not more than 45 days from the date the application is deemed complete by the department. The appropriate regional certificate of need review agency shall submit its recommendations with respect to a nonsubstantive application within 30 days of the date the application is accepted for nonsubstantive review by the department so that the recommendations can be included in the department's review process. If new or revised certificate of need review standards applicable to a proposed project become effective before the issuance of a final decision by the director of the department, the review and issuance of proposed and final decisions shall be made according to the provisions of R 325.9229.
- (5) The department's review shall be conducted using the completed application and any other information the department considers relevant to the decision and under all applicable provisions in the certificate of need review standards and the code, including information which becomes available or developments which occur after the date an application is deemed complete.
- (6) Before issuing a proposed decision, the bureau shall notify an applicant of all information that the department relied upon in conducting the department's review. If the department relies on information, other than submitted by the applicant in its application, the bureau or department shall cite in the proposed or final decision letter, as applicable, the information it relied upon. The department shall make this information available to the public upon request.

History: 1986 AACCS; 1996 AACCS; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9207 Substantive individual or comparative review; scheduling of reviews; procedures.

- Rule 207. (1) Projects subject to comparative review shall be designated under section 22229 of the code or the applicable certificate of need review standards. Proposed projects that are not subject to comparative review and are not eligible for nonsubstantive review will be subject to substantive individual review under this subrule and not subrule (2) of this rule. The bureau will issue a proposed decision on a certificate of need application within 120 days of the date an application is deemed complete under R 325.9201(3). The appropriate regional certificate of need review agency will

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concurrently review the application and submit its recommendations to the department within 90 days of the date the department determines the application is complete and the review period has commenced. If new or revised certificate of need review standards applicable to a proposed project become effective before the issuance of a final decision by the director of the department, the review and issuance of proposed and final decisions shall be made in accordance with R 325.9229. A review shall commence on the date an application is deemed complete by the department. The department, with the advice of the regional certificate of need review agency will determine if an application filed by each applicant meets all applicable requirements for approval under part 222 of the code.

(2) The following provisions shall apply to projects subject to comparative review under section 22229 of the code:

(a) Within 30 days after the date that all of the applications are deemed complete, the department shall place the timely applications into comparative groups and shall notify the appropriate regional certificate of need review agency and each applicant whether each comparative group will be subject to comparative review. For comparative reviews, the review period begins on the date in the notice under this subrule. In cases where a final decision on a prior review of similar projects, services or facilities in the same planning area has not yet been issued by the director, the review period begins only after the director issues a final decision on such prior review.

(i) For each comparative group subject to comparative review, the notice shall also include all of the following findings by the department:

(A) The projections of need for the proposed facilities, beds, or services.

(B) That the total proposed facilities beds or services in the comparative group are more than the projections of need.

(C) That the applications, when taken together, are mutually exclusive in that, under existing certificate of need review standards, the approval of 1 or more of the applications will necessarily result in the denial of other applications.

(ii) Applications that are not subject to comparative review shall be reviewed individually in the same manner as a project submitted under subrule (1) of this rule, with the 120-day and concurrent 90-day review periods commencing on the date on which the department determines that the applications are not subject to comparative review. The review period cannot commence when a final decision on a prior review of similar projects, services, or facilities in the same planning area has not been issued by the director. In this case, the review period begins only after the director issues a final decision on such prior review.

(b) If upon review under subdivision (a) of this subrule, the department determines that an application could fall into more than 1 comparative group the department shall notify the applicant. The applicant shall notify the department that the project is amended so that the proposed project involves only services, facilities, equipment, or beds relative to a single comparative group or notify the department that the project in its entirety is withdrawn. If the applicant advises the department that it is amending the application, additional information related to the amendment may be submitted under R 325.9201(3). In the absence of notification by an applicant, the original application is subject to comparative review in the comparative group determined by the department and the portion of the application involving the other comparative group or groups will not be considered by the department in its review of the application. The applicant may submit according to these rules, a separate application for the portion of the application not being considered.

(3) This rule does not limit the department's authority to consider all available information relevant to the department's review of an application.

(4) The department's review shall be conducted using the completed application and any other information the department considers relevant to the decision and under all applicable provisions in the certificate of need review standards and the code, including information which becomes available or developments which occur after the date an application is deemed complete.

(5) Before issuing a proposed decision, the bureau shall notify an applicant of all information that the department relied upon in conducting the department's review. If the department relies on information other than submitted by the applicant in its application, the bureau or department shall cite in the proposed or final decision letter, as applicable, the information it relied upon. The department shall make all other information available to the public upon request.

History: 1986 AACCS; 1987 AACCS; 1996 AACCS; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9208 Comparative reviews; procedures.

Rule 208. (1) For a comparative group, the department, with the advice of the regional certificate of need review agency, shall review the applications within the comparative group pursuant to the following procedure:

(a) A regional certificate of need review agency shall concurrently review the applications and submit its recommendations to the department as soon as practicable, but not later than 90 days after the notification of the start of a comparative review.

(b) The bureau shall concurrently review and issue a single proposed decision regarding the applications in the comparative group subject to comparative review as soon as practicable, but not later than 120 days after notification of

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the start of a comparative review. If new or revised certificate of need review standards applicable to a proposed project become effective before the director issues a final decision, then R 325.9229 applies to the review and issuance of proposed and final decisions.

(c) The bureau, with the advice of the regional certificate of need review agency, shall determine if the application filed by each applicant meets all applicable requirements for approval under part 222 of the code.

(d) The bureau shall rank all qualifying projects in the comparative group as provided by the applicable certificate of need review standards and shall issue a single proposed decision. The bureau shall approve the highest ranking applications that, in total do not exceed the amount of need as determined by section 22225(1) of the code. If a higher ranking application cannot be approved because its approval would exceed the amount of need, the bureau shall approve the remaining applications in the comparative group from highest to lowest score until the level of need is met. The bureau shall issue a proposed disapproval as part of the single decision for the remaining applications in the comparative group.

(2) This rule and R 325.9207 do not apply to certificates of need applied for and issued under sections 22233 and 22235 of the code.

History: 1986 AACS; 1996 AACS; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9210 Finance Reviews; procedures.

Rule 210. (1) A person applying for a certificate of need for a project shall provide all of the following information as applicable:

(a) Audited financial statements for existing providers including balance sheet, income statement, statement of cash flow, and footnotes to the financial statements.

(b) For new providers, the department may accept evidence of secured capital funding or a letter of interest from a financial institution, if audited financial statements are not available.

(c) Verification for all sources of funds dated within 30 days of submission of the application.

(d) Signed vendor quote dated within 6 months of application submission for applications involving covered clinical equipment.

(e) All applicable proposed lease and purchase agreements.

(f) Designated funds specifying what type of funds are used (for example, cash, bond, etc.).

(g) The book value for the assets of a licensed health facility or covered clinical service verifiable by an unrelated party; as determined by the department.

(2) For construction projects, the applicant will competitively bid capital expenditures among qualified contractors or alternatively, the applicant is proposing an alternative to competitive bidding that will achieve substantially the same results as competitive bidding.

(3) An applicant utilizing future operations (for example, capital/operating lease) as a source of funds shall provide the following, as applicable:

(a) Current bank or financial institution statement or balance and dated within 30 days of submission of the application.

(b) Third party verification of a bank loan, HELP loan, or other equivalent source of funding.

(4) The department's finance review shall be conducted using the completed application and any other information the department considers relevant to the decision and under all applicable provisions in the certificate of need review standards and the code, including information which becomes available or developments which occur after the date an application is deemed complete.

(5) Before issuing a proposed decision, the bureau must notify an applicant of all information that the department relied upon in conducting the department's review. If the department relies on information, other than submitted by the applicant in its application, the bureau or department must cite in the proposed or final decision letter, as applicable, the information it relied upon. The department shall make this information available to the public upon request.

(6) This rule does not limit the department's authority to consider all available financial information relevant to the department's review of an application.

History: 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9215 Amendments to applications before a proposed decision is issued by the bureau.

Rule 215. (1) An applicant shall not amend an application subject to a comparative review after the designated application date established under R 325.9123, except to the extent that additional information is requested by the department to make the application complete under R 325.9201 or R 325.9229(6) or as provided for in R 325.9207(2)(b). A person desiring to amend an application may do any of the following:

(a) Withdraw the amendment.

(b) Have the project considered under a new application on a subsequent designated application date.

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(c) If the application is subject to comparative review, amend the application if all applicants in the comparative group agree to allow an amendment, if the amendment does not increase the scope of the project.

(2) An amendment shall not change the person, the site of a proposed health facility or covered clinical service, or increase the number of beds or covered clinical services proposed in a certificate of need.

(3) A request to amend an application shall be accompanied by the required fee if the amendment request results in higher costs under the fee schedule in section 20161 of the code for the proposed project that would have required a higher application fee when submitted originally. An amendment not accompanied by the required fee will not be processed by the department until the required fee is received.

(4) An application that is not subject to comparative review may be amended by the applicant up to 30 days in advance of the proposed decision date established by these rules. If the department, with the advice of the appropriate regional certificate of need review agency, determines that the proposed amendment substantially changes the original application and that additional review by the department and the regional certificate of need review agency is required to adequately evaluate the proposal according to the code and these rules, the department shall require, as a condition of the amendment, that the applicant agree to extend the date for proposed decision as required to permit the additional review.

(5) The department may consider new or revised information submitted by an applicant for an application that is not being reviewed on a comparative basis, within 30 days of the proposed decision date or at any time after the proposed decision and before a final decision is issued, if an applicant requests an extension to the proposed or final decision date sufficient to allow the department and the appropriate regional certificate review agency, up to 30 days to review the new or revised information. The department may request from an applicant a longer extension, if necessary to review new or revised information. The applicant shall also simultaneously submit the new or revised information to the appropriate regional certificate of need review agency. The department shall make the new or revised information available to the public upon request.

(6) If an applicant for a project not originally subject to comparative review proposes to amend the application in such a way as to make it subject to a comparative review, the bureau shall notify the applicant of the need for comparative review. The applicant may then either withdraw the amendment or have the project considered under a new application on a subsequent designated application date.

History: 1986 AACCS; 1996 AACCS; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9227 Emergency review; request; denial.

Rule 227. (1) A request for an emergency certificate of need review under section 22235 of the code may be made electronically or in paper format. The request shall include justification for the project and a statement of the nature and extent of the claimed emergency.

(2) If the department determines that a request filed under subrule (1) of this rule is not covered by section 22235 of the code, it shall inform the applicant, in writing, within 10 working days of receipt of the request, and deny the request for emergency review.

(3) The department's decision to deny emergency review is not subject to administrative hearing or appeal.

History: 1986 AACCS; 1996 AACCS; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9228 Extended care services program (swing bed) review; maximum number of patient days variation.

Rule 228. (1) A request for extended care services program certificate of need review under section 22210 of the code may be made electronically or in paper format. The request shall include justification for the project and demonstration of compliance with the requirements in section 22210 of the code.

(2) Evidence that the hospital has had difficulty in placing patients in skilled nursing home beds during the 12 months immediately preceding the date of application include, but not limited to, evidence that the average occupancy rate for all existing and operating nursing homes within a 20 mile radius of the hospital has been at least 85% for the last 4 quarters based upon the department's staffing/bed utilization ratios report.

(3) The department may grant a 1 year variation from the maximum number of patient days established under section 22210(3)(e) of the code if the applicant demonstrates immediate need for the project by showing that the average occupancy rate for all existing and operating nursing homes within a 100-mile radius of the hospital has been at least 85% for the last 4 quarters based upon the department's Staffing/Bed Utilization Ratios Report.

History: 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9229 New or revised certificate of need review standards approved by certificate of need commission.

Rule 229. (1) If new or revised certificate of need review standards become effective between the time an application is filed and when the director issues a final decision on the application, then the bureau shall consider and process the application according to this rule.

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(2) If the bureau is reviewing an application, other than on a comparative review basis, and the bureau has not issued a proposed decision before the effective date of the new or revised certificate of need review standards then either of the following apply:

(a) The applicant, within 15 days of the effective date of the new or revised certificate of needed review standards, may request, and the department may grant, an extension, under R 325.9125, of the date by which a proposed decision must be issued by the bureau under these rules and the code. During the extension period, the applicant may submit to the department and the appropriate regional certificate of need review agency, additional information to demonstrate that the application is in compliance with the new or revised certificate of need review standards.

(b) If an applicant requests an extension under this rule the bureau shall issue a proposed decision on the completed application, using the new or revised certificate of need review standards, on or before 45 days for nonsubstantive applications or 120 days for substantive applications, after receipt of the additional information.

(c) If the applicant does not request an extension under this, the bureau shall issue a proposed decision on the completed application reviewed according to the new or revised certificate of need standards and the proposed decision shall be issued according to the date established under R 325.9207.

(3) If the bureau has reviewed an application, other than on a comparative basis, and the bureau has issued a proposed decision, then either of the following applies:

(a) The applicant may request, within 15 days of the effective date of the new or revised certificate of need review standards, and the department may grant a remand of the proposed decision to the bureau. Upon such remand, the date a final decision must be issued by the director of the department is stayed and the applicant may submit, to the department and the appropriate regional certificate of need review agency, additional information to demonstrate that the application complies with the new or revised certificate of need review standards under R 325.9125. Upon remand, the bureau shall issue a proposed decision on the completed application according to the new or revised certificate of need review standards, on or before 45 days for nonsubstantive applications or 120 days for substantive applications, after receipt of the additional information.

(b) If the applicant does not request a remand under this rule, the director of the department shall issue a final decision on the completed application reviewed according to the new or revised certificate of need standards and the final decision shall be issued in accordance with the date established under these rules and the code.

(4) If the bureau has reviewed an application, other than on a comparative basis; the bureau has issued a proposed decision; and the applicant has requested a hearing on a proposed decision under section 22232(1) of the code, then regardless of the stage of the hearing, either of the following apply:

(a) The applicant may request that the matter be remanded to the bureau for further review according to subrule (3) of this rule.

(b) If the applicant does not request a remand under this subrule, the applicant may, within 60 days following the effective date of the new or revised certificate of need review standards augment, for introduction in the hearing its testimony evidence and exhibits in support of its application with regard to the new or revised certificate of need review standards.

(c) If an applicant does not request a remand under this subrule, the department shall submit, to the hearing officer, within 60 days of the effective date of the new or revised certificate of need review standards, or 60 days of the date an applicant has augmented the record, whichever comes later, an analysis of the applicant's compliance with the new or revised certificate of need review standards.

(5) If an application is in a comparative review, regardless whether it is in the process of being reviewed by the bureau or in any stage of a hearing, by the director of the department, any applicant in the comparative group, within 15 days of the effective date of the new or revised certificate of need standards, may request, and the department may grant an extension to review and issue a proposed decision on the comparative group according to the new or revised certificate of need review standards. Upon extension or remand and extension, each applicant in the comparative group may submit, within 60 days following the effective date of the new or revised certificate of need review standards to the department and the appropriate regional certificate of need review agency, additional information to demonstrate that its application complies with the new or revised certificate of need review standards. Upon such an extension or remand and extension, the bureau shall issue a single proposed decision on the completed applications, with the addition of any information submitted under this subrule from the comparative group, according to the new or revised certificate of need review standards on or before 120 days of the last date on which additional information may be submitted under this subrule. If none of the applicants request an extension or a remand and extension, for the review and issuance of a single decision on the comparative group will be based on each completed application reviewed pursuant to the new or revised certificate of need standards and the decision will be issued in accordance with the date established under these rules and the code.

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(6) The bureau shall consider the recommendation of the appropriate regional certificate of need review agency if the recommendation is received more than 30 days before the bureau or department decision dates established under this rule.

History: 1996 AACS; 2014 MR 3, Eff. Feb. 4, 2014.

PART 3. APPROVAL AND ISSUANCE; DISAPPROVAL

R 325.9301 Bureau and department decision to be written; issuance of 1 decision for all applications in comparative review; conditions and stipulations as integral parts of certificate of need; request for hearing deemed request for hearing on entire decision; issuance of final decision.

Rule 301. (1) The bureau shall issue only 1 proposed decision for all applications, including qualifying and nonqualifying projects, when a comparative group is determined to be subject to comparative review.

(2) The director shall issue only 1 decision for all applications including qualifying and nonqualifying projects, when a comparative group is determined to be subject to comparative review.

(3) A request for hearing filed under section 22231 or 22232 of the code related to any part of a decision, including conditions and stipulations, will be deemed a request for hearing on the entire decision.

(4) The director shall issue a final decision under all applicable requirements and provisions of the code.

History: 1986 AACS; 1996 AACS; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9303 Effective date of certificate.

Rule 303. Unless otherwise specified in the final decision, a certificate of need is effective on the date director issues the final decision.

History: 1986 AACS; 1996 AACS; 2014 MR 3, Eff. Feb. 4, 2014.

PART 4. TERMS AND CONDITIONS

R 325.9401 Validity of certificate.

Rule 401. (1) A certificate of need is valid only as long as there is compliance with the provisions in the final or amended application, including project timetables except as expressly modified in the certificate of need and its amendments.

(2) As provided by section 20164(2) of the code, the certificate of need is not transferable and shall be valid only for the persons, buildings and properties stated in the certificate. The recipient of a certificate of need shall comply with all of the following provisions:

(a) The certificate of need.

(b) The amendments to the certificate of need.

(c) The application to the extent it has not been modified by the certificate of need and its amendments.

(3) Only the persons authorized by the certificate of need may offer the covered clinical services or beds listed in the certificate of need.

History: 1986 AACS; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9403 Term of certificate.

Rule 403. (1) Unless otherwise specified in a certificate of need review standard or final decision, a certificate of need expires 1 year from its effective date, unless the project is implemented as defined in R 325.9103(b).

(2) The bureau, upon written request of the recipient, may extend the implementation period established in subrule (1) of this rule or in a certificate of need review standard by not more than 6 months if the bureau determines all of the following:

(a) The terms of the certificate are not changed.

(b) Substantial progress has been made.

(c) The requirements of R 325.9103(b) will occur within the extended time period.

(3) Any extension granted under subrule (2) of this rule does not change the effective date of the certificate of need.

(4) At any time, the department may request, and the person holding the certificate of need shall immediately provide, any documentation, including project schedules, to determine whether the project is on schedule and within the estimated costs for the project.

(5) For projects subject to the provisions of R 325.9103(b)(i), (ii), or (vi), a certificate of need review standard may establish a term of the certificate other than as established in subrules (1) and (2) of this rule, in which case the certificate of need expires at the end of the time period specified in the standard.

History: 1986 AACS; 1996 AACS; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9413 Amendments to approved certificates of need.

Rule 413. (1) A recipient may request the department to amend an approved certificate of need if the project is not a completed project. After consulting with the appropriate regional certificate of need review agency, the department shall decide whether the amendment requires another review. The department's decision to require another review or deny a request is not subject to the administrative hearing process in 1969 PA 306, MCL 24.201. A certificate of need issued after a comparative review cannot be amended to change the scope of the project or to increase the cost of the project. A certificate of need issued after a comparative review cannot be amended to change the method of financing the project, or the terms of financing the project, except where a recipient demonstrates to the satisfaction of the department, an amendment to change the method or terms of financing offers a less costly alternative to the approved method or terms of financing the project. An amendment cannot change the site of an approved health facility or covered clinical service or increase the number of beds or covered clinical services approved in a certificate of need. Unless waived by the department, amendments to a certificate of need are subject to the same conditions and stipulations imposed on the original certificate and any new conditions and stipulations imposed on the amendment.

(2) A request to amend a certificate of need shall be accompanied by the required fee if the amendment request results in higher costs under the fee schedule in section 21601 of the code for the proposed project that would have required a higher fee when submitted originally. An amendment not accompanied by the required fee will not be processed by the department until the required fee is received.

(3) The department may allow an amendment requesting a change in the method and terms of financing, approved capital expenditures (e.g. medical equipment), or other costs only in those instances where the recipient is able to demonstrate that the need for amendment arises from circumstances beyond its control or the amendment offers a better alternative as determined by the department with the advice of the appropriate regional certificate of need review agency.

(4) An amendment shall not modify the person, the building, or purpose of the property.

(5) The department may request additional information regarding a proposed amendment under the time periods in R 325.9201(3).

(6) The review period for a request to amend an approved certificate of need shall not be longer than the original review period for the application. When reviewing a proposed amendment to an approved certificate of need, the bureau shall use the standards in effect at the time of the original approval of the certificate of need.

(7) The department may grant an extension to the date a decision will be issued for an amendment upon written request from a recipient. An extension may be granted for not less than 30 days, but not more than 90 days.

History: 1986 AACs; 1996 AACs; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9415 Amendment to approved certificates for an increase in project costs.

Rule 415. An amendment to an approved certificate of need for increased project costs will not be required if the total amount of excess does not exceed the sum of 15% of the approved project costs up to \$1,000,000.00 and 10% of the approved project costs in excess of \$1,000,000.00.

History: 1986 AACs; 1996 AACs; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9417 Certificate timetables.

Rule 417. (1) An application for a certificate of need shall specify the timetable the applicant will follow in making the health facility, beds, services or equipment available or for beginning and completing construction.

(2) The recipient shall begin construction within 24 months of the effective date of the certificate of need. A recipient may request to extend the time to begin any construction beyond the 24 month period, with an amendment request to the department. The department may approve to extend the period of time to begin construction if the department determines that circumstances justify an extension. Extending the 24-month period does not change the effective date of the certificate of need.

(3) The recipient shall install the medical equipment specified in the certificate of need within 24 months of the effective date of the certificate of need. A recipient may request to extend an installation beyond the 24-month period, with an amendment request to the department. The department may approve to extend the period of time for installation if the department determines that circumstances justify an extension. Extending the 24-month period does not change the effective date of the certificate of need.

(4) For medical equipment, the first procedure must be performed within 6 months of the installation date of the equipment specified in R 325.9103(b)(ii). The department may approve to extend the period of time for the first procedure to be performed if the department determines that circumstances justify an extension. This does not change the effective date of the certificate of need.

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History: 1986 AACS; 1996 AACS; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9419 Monitoring compliance with approved certificates of need under section 22247 of the code.

Rule 419. (1) If the department determines that a recipient has not complied with the terms, conditions, or stipulations of an approved certificate of need, the department shall notify the recipient. The department shall also specify the period of time during which the noncompliance occurred. (2) In determining the appropriate action to take according to section 22247(2) of the code, the department shall consider the extent and duration of the noncompliance. (3) The department shall make available, to the public, on request, a list of all certificates of need determined not to be in compliance with the terms, conditions, or stipulations approved in a certificate of need. If required by the department, the recipient shall notify all payers of services provided by the recipient that the approved services are not being provided in compliance with the terms, conditions, or stipulations of an approved certificate of need. (4) The department decision is final and binding.

History: 1996 AACS; 2014 MR 3, Eff. Feb. 4, 2014.

PART 5. ADMINISTRATIVE APPEALS

R 325.9501 Rescinded.

History: 1996 AACS; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9503 Rescinded.

History: 1996 AACS; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9505 Rescinded.

History: 1986 AACS; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9507 Rescinded.

History: 1986 AACS; 1996 AACS; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9509 Rescinded.

History: 1986 AACS; 1996 AACS; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9511 Rescinded.

History: 1986 AACS; 1996 AACS; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9513 Rescinded.

History: 1986 AACS; 1996 AACS; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9515 Rescinded.

History: 1986 AACS; 1996 AACS; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9517 Rescinded.

History: 1986 AACS; 1996 AACS; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9519 Rescinded.

History: 1986 AACS; 1996 AACS; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9521 Rescinded.

History: 1986 AACS; 1996 AACS; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9523 Rescinded.

History: 1986 AACS; 1996 AACS; 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9525 Rescinded.

History: 1986 AACS; 1996 AACS; 2014 MR 3, Eff. Feb. 4, 2014.

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R 325.9551 Hearing request; eligibility; effect.

Rule 551. (1) An applicant that receives either (a) a proposed decision of the bureau which recommends denial of a certificate of need or (b) a notice of reversal by the director, may request a hearing, as authorized by the code. The purpose of the hearing is to allow the applicant the opportunity to demonstrate that the applicant's completed application meets the requirements for approval under part 222 of the code. In a comparative review, approved applicants cannot request a hearing on a proposed decision regarding a different applicant.

History: 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9552 Reconsideration.

Rule 552. At any time during the appeals process the department may reconsider the original decision to determine compliance with applicable review standards and code.

History: 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9553. Issuance of final decision by the department director.

Rule 553. (1) If an applicant requests a hearing in accordance with Rule 551, after the hearing, and review of the record, the director shall issue a final decision or an order for further proceedings.

(2) The director shall serve copies of the final decision upon all parties.

(3) All appeals of applications that are part of a comparative review shall be decided in 1 final decision.

(4) An applicant may appeal the final decision of the director directly to the circuit court for the county where the applicant has its principal place of business in this state or the circuit court for Ingham county. Judicial review is governed by sections 101 to 103 of 1969 PA 306, MCL 24.301 to 24.306.

History: 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9571 Hearing procedure.

Rule 571. (1) An applicant requesting a hearing shall file the request for hearing with the department's Michigan Administrative Hearing System appeals section.

(2) A request for a hearing must be filed within 15 days after receipt of the bureau's proposed decision or the date of the reversal by the director of a proposed decision that is an approval.

(3) A request for a hearing shall be in writing and include all of the following:

(a) A statement of the grounds for a hearing.

(b) A clear and concise statement of the facts and law relied on.

(c) The relief sought.

(4) The applicant must serve a copy of the request for a hearing on the appropriate regional certificate of need review agency. In addition, if the request for a hearing is filed by an applicant in a comparative review, the applicant must serve a copy of the request for a hearing on all other applicants in the comparative group when the request for hearing is filed.

(5) If more than 1 request for a hearing is filed with respect to the same bureau decision, the hearings so commenced must be consolidated and shall be heard and decided as a single hearing. A party shall not be severed from a hearing on a comparative review unless severance is ordered by the administrative law judge in response to a procedural motion filed pursuant to R 325.9578.

(6) In all hearings by aggrieved applicants, the necessary parties are the department and any aggrieved applicant that filed its request for a hearing in a timely manner. The bureau is not required to file a response to a request for a hearing. In comparative reviews, approved applicants are necessary parties to any hearing and shall receive notice of all hearings.

History: 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9572 Hearings.

Rule 572. (1) The hearing shall commence within 90 days from the date that the department received the request for a hearing, unless waived in writing by the parties. Not less than 10 days before the date set in the notice, the Michigan Administrative Hearing System shall serve notice of the hearing upon the person who filed the request for a hearing, the assistant attorney general assigned to represent the department, and all other persons on whom the request for a hearing is required to be served. The first hearing day shall be used as a prehearing conference and may be used for hearing preliminary motions.

(2) If more than 1 request for a hearing is filed with respect to the same bureau decision, the hearings shall be consolidated and shall be heard and decided as a single hearing. A party shall not be severed from a hearing on a comparative review.

History: 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9573 Papers filed in proceeding; formal requirements.

Rule 573. (1) A request for a hearing shall be titled "In the matter of (name of appellant or appellants)." This caption shall appear at the upper left side of the first page of each filed pleading or document other than an exhibit. (2) The first page of a pleading or document, other than an exhibit, shall show the case number, if assigned, at its upper right side opposite the caption.

History: 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9574 Service of documents.

Rule 574. Unless otherwise specified, service of a document upon any party shall be made by personal delivery or by mailing, by registered, certified, or first-class mail, to the last known address of the party or the authorized representative of a party as indicated on the records of the department. Proof of service shall be filed with the department.

History: 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9575 Pleadings.

Rule 575. All pleadings, including a request for a hearing, shall contain the certificate of need application number as part of the caption and the case number, if assigned. All pleadings may also be filed electronically in a mutually agreed upon media.

History: 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9576 Adjournment.

Rule 576. A party may request an adjournment of a scheduled hearing by motion to the administrative law judge assigned to conduct the hearing. The administrative law judge shall not rule on the request until all other parties have had an opportunity to be heard on the request. However, if all parties agree to the adjournment, then the administrative law judge may be advised of the agreement by telephone and may rule on the request immediately.

History: 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9577 Administrative law judge; conduct of hearing.

Rule 577. (1) The administrative law judge shall govern the conduct of a hearing and the order of presentation of arguments and evidence.

(2) Upon his or her own motion or that of a party, the administrative law judge, for good cause, may order that issues be severed and briefed or argued separately.

(3) Sections 71 to 87 of 1969 PA 306, MCL 24.271 to MCL 24.287 apply to the hearings.

(4) Upon written request by a party, the administrative law judge may issue subpoenas requiring the attendance and testimony of witnesses and the production of evidence.

(5) Unless the bureau determined that the applicant demonstrated a need for the proposed project under MCL 333.22225(1), the scope of the hearing shall be limited to demonstrating compliance with MCL 333.22225(1). If the applicant has demonstrated compliance with MCL 333.22225(1), then the scope of the hearing may involve demonstrating compliance with section MCL 333.22225(2).

History: 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9578 Preliminary motions; prehearing conference.

Rule 578. (1) Not less than 5 days before the date set for the first hearing in the notice, all preliminary motions shall be filed, unless the administrative law judge, for good cause shown, permits the filing of such motions at a later date.

(2) On the date set for the hearing in the notice, the administrative law judge shall first hear all pending preliminary motions. Thereafter, all motions are to be made and heard at the discretion of the administrative law judge. Motions of a procedural nature shall be decided by the administrative law judge as they are made. Motions of a substantive nature shall be taken under advisement and decided as part of the administrative law judge's proposal for decision.

(3) On the date set for the hearing in the notice, after hearing all pending preliminary motions, if any, the administrative law judge shall hold a prehearing conference.

History: 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9579 Interrogatories; depositions.

Rule 579. (1) Upon stipulation of all of the parties to a case, written interrogatories or requests for admissions may be served on a party in the same manner as in a nonjury civil case in circuit court.

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(2) The taking of any deposition shall have approval of the administrative law judge and can only be taken for purposes of obtaining testimony to use at a hearing. Before taking a deposition, the administrative law judge shall find that it is impractical or impossible to have a witness testify at the hearing. When depositions are permitted, they shall be taken in the same manner as in a nonjury civil case in circuit court.

History: 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9580 Testimony.

Rule 580. Upon the request of a party and for good cause shown, the administrative law judge may allow the direct testimony of a witness being presented on behalf of the requesting party to be submitted in written form, together with any exhibits to be sponsored by the witness, before hearing. Such direct testimony shall be sworn and notarized and be in question and answer form. The direct testimony of each witness so submitted shall be made a separate exhibit, and the name and address of the witness, together with the caption of the case, shall appear on the cover sheet. The exhibit shall be served on all parties on a date set by the administrative law judge, but not less than 5 days before its introduction at the hearing. Each witness shall be present at the hearing to introduce his or her written testimony as an exhibit and for cross-examination at the date, time, and place directed by the administrative law judge. In any case, and upon request, a party has the right, notwithstanding any provision of this rule, to have any witness on the party's behalf present the party's direct testimony orally before the administrative law judge.

History: 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9581 Withdrawal of request for hearing; agreement.

Rule 581. (1) At any time before a final decision is issued by the director, a party may withdraw its request for a hearing. (2) The party or parties to a hearing may negotiate an agreement disposing of the whole case or a part of the case in compliance with Part 222 of the code, but that agreement is not effective unless it is approved by the department.

History: 2014 MR 3, Eff. Feb. 4, 2014.

R 325.9582 Proposed decision; distribution; filing of exceptions.

Rule 582. After the conclusion of a hearing, the Michigan Administrative Hearing System shall deliver, to the director, the official case file and the administrative law judge's proposal for decision. The administrative law judge shall serve the proposal for decision upon the parties by first-class or certified mail or by personal service. Each party has 20 days from the date of service of the proposal for decision to file exceptions or present written arguments to the director. Exceptions and written arguments shall be served on all parties, who will have 10 days to file their replies to the exceptions with the director and serve the replies on the parties.

History: 2014 MR 3, Eff. Feb. 4, 2014.

DEPARTMENT OF COMMUNITY HEALTH

HEALTH LEGISLATION AND POLICY DEVELOPMENT

LEAD HAZARD REMEDIATION

R 325.9901

Source: 2005 AACS.

R 325.9902

Source: 2005 AACS.

R 325.9903

Source: 2005 AACS.

R 325.9904

Source: 2005 AACS.

R 325.9905

Source: 2005 AACS.

R 325.9906

Source: 2005 AACS.

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- R 325.9907**
Source: 2005 AACS.
- R 325.9908**
Source: 2005 AACS.
- R 325.9909**
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- R 325.9910**
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- R 325.9911**
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- R 325.9912**
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- R 325.9913**
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- R 325.9914**
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- R 325.9915**
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- R 325.9916**
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- R 325.9917**
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- R 325.9918**
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- R 325.9919**
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- R 325.9920**
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- R 325.9921**
Source: 2005 AACS.
- R 325.9922**
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- R 325.9923**
Source: 2005 AACS.
- R 325.9924**
Source: 2005 AACS.
- R 325.9925**
Source: 2005 AACS.

HEALTH SERVICES ADMINISTRATION

SUPPLYING WATER TO THE PUBLIC

- R 325.10101**
Source: 1979 AC.
- R 325.10102**
Source: 2009 AACS.
- R 325.10103**
Source: 2009 AACS.
- R 325.10104**
Source: 2009 AACS.
- R 325.10105**
Source: 2009 AACS.
- R 325.10106**
Source: 2009 AACS.
- R 325.10107**
Source: 2009 AACS.
- R 325.10108**
Source: 2009 AACS.
- R 325.10109**
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- R 325.10110**
Source: 1998-2000 AACS.
- R 325.10111**
Source: 1998-2000 AACS.
- R 325.10112**
Source: 2009 AACS.
- R 325.10113**
Source: 2009 AACS.
- R 325.10114**
Source: 1979 AC
- R 325.10115**
Source: 1979 AC.
- R 325.10116**
Source: 2009 AACS.

PART 2. HEARINGS AND CONTESTED CASES

- R 325.10201**
Source: 1979 AC.
- R 325.10202**
Source: 1979 AC.
- R 325.10203**
Source: 1979 AC.

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R 325.10204
Source: 1979 AC.

R 325.10205
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R 325.10206
Source: 1979 AC.

R 325.10207
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R 325.10208
Source: 1979 AC.

PART 3. VARIANCES, EXEMPTIONS AND TREATMENT TECHNOLOGIES

R 325.10301
Source: 1979 AC.

R 325.10302
Source: 1979 AC.

R 325.10303
Source: 1991 AACS.

R 325.10304
Source: 1991 AACS.

R 325.10305
Source: 1979 AC.

R 325.10306
Source: 1991 AACS.

R 325.10307
Source: 1979 AC.

R 325.10308
Source: 1979 AC.

R 325.10308a
Source: 1984 AACS.

R 325.10308b
Source: 2009 AACS.

R 325.10309
Source: 1979 AC.

R 325.10310
Source: 1979 AC.

R 325.10311
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R 325.10312
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R 325.10313
Source: 2009 AACS.

PART 4. PUBLIC NOTIFICATION AND PUBLIC EDUCATION

R 325.10401
Source: 2009 AACS.

R 325.10401a
Source: 2009 AACS.

R 325.10402
Source: 2009 AACS.

R 325.10403
Source: 2009 AACS.

R 325.10404
Source: 2009 AACS.

R 325.10405
Source: 2009 AACS.

R 325.10406
Source: 2009 AACS.

R 325.10407
Source: 2009 AACS.

R 325.10408
Source: 2009 AACS.

R 325.10408a
Source: 2009 AACS.

R 325.10408b
Source: 2009 AACS.

R 325.10408c
Source: 2009 AACS.

R 325.10408d
Source: 2009 AACS.

R 325.10409
Source: 2009 AACS.

R 325.10410
Source: 2009 AACS.

R 325.10411
Source: 2009 AACS.

R 325.10412
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R 325.10413
Source: 2009 AACS.

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R 325.10414
Source: 2009 AACS.

R 325.10415
Source: 2009 AACS.

R 325.10416
Source: 2003 AACS.

R 325.10417
Source: 2003 AACS.

R 325.10418
Source: 2003 AACS.

R 325.10419
Source: 2003 AACS.

R 325.10420
Source: 2003 AACS.

PART 5. TYPES OF PUBLIC WATER SUPPLIES

R 325.10501
Source: 1979 AC.

R 325.10502
Source: 2009 AACS.

R 325.10503
Source: 2009 AACS.

R 325.10504
Source: 2009 AACS.

R 325.10505
Source: 2009 AACS.

R 325.10506
Source: 2009 AACS.

PART 6. STATE DRINKING WATER STANDARDS AND ANALYTICAL TECHNIQUES

R 325.10601
Source: 1998-2000 AACS.

R 325.10601a
Source: 2009 AACS.

R 325.10602
Source: 2009 AACS.

R 325.10603
Source: 2005 AACS.

R 325.10604
Source: 2005 AACS.

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- R 325.10604a**
Source: 2003 AACS.
- R 325.10604b**
Source: 2005 AACS.
- R 325.10604c**
Source: 2009 AACS.
- R 325.10604d**
Source: 2005 AACS.
- R 325.10604e**
Source: 1993 AACS.
- R 325.10604f**
Source: 2009 AACS.
- R 325.10605**
Source: 2009 AACS.
- R 325.10605a**
Source: 1998-2000 AACS.
- R 325.10605b**
Source: 1998-2000 AACS.
- R 325.10605c**
Source: 1998-2000 AACS.
- R 325.10605d**
Source: 1998-2000 AACS.
- R 325.10605e**
Source: 1998-2000 AACS.
- R 325.10606**
Source: 1998-2000 AACS.
- R 325.10607**
Source: 1998-2000 AACS.
- R 325.10608**
Source: 1998-2000 AACS.
- R 325.10609**
Source: 1998-2000 AACS.
- R 325.10610**
Source: 2009 AACS.
- R 325.10610a**
Source: 2009 AACS.
- R 325.10610b**
Source: 2009 AACS.
- R 325.10610c**

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Source: 2009 AACS.

R 325.10610d

Source: 2009 AACS.

R 325.10611

Source: 2005 AACS.

R 325.10611a

Source: 2009 AACS.

R 325.10611b

Source: 2009 AACS.

R 325.10611c

Source: 2005 AACS.

R 325.10611d

Source: 2009 AACS.

R 325.10611e

Source: 2009 AACS.

R 325.10611f

Source: 2009 AACS.

R 325.10611g

Source: 2009 AACS.

R 325.10611h

Source: 2009 AACS.

R 325.10611i

Source: 2009 AACS.

R 325.10611j

Source: 2009 AACS.

R 325.10611k

Source: 2009 AACS.

R 325.10611l

Source: 2009 AACS.

R 325.10611m

Source: 2009 AACS.

R 325.10611n

Source: 2009 AACS.

R 325.10612

Source: 2009 AACS.

R 325.10612a

Source: 2009 AACS.

R 325.10612b

Source: 2009 AACS.

PART 7. SURVEILLANCE, INSPECTION, AND MONITORING

- R 325.10701**
Source: 1979 AC.
- R 325.10702**
Source: 2009 AACS.
- R 325.10703**
Source: 1979 AC.
- R 325.10704**
Source: 2003 AACS.
- R 325.10705**
Source: 2002 AACS.
- R 325.10706**
Source: 2003 AACS.
- R 325.10707**
Source: 1991 AACS.
- R 325.10707a**
Source: 2009 AACS.
- R 325.10707b**
Source: 2003 AACS.
- R 325.10708**
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- R 325.10709**
Source: 1998-2000 AACS.
- R 325.10710**
Source: 2005 AACS.
- R 325.10710a**
Source: 2009 AACS.
- R 325.10710b**
Source: 2009 AACS.
- R 325.10710c**
Source: 2009 AACS.
- R 325.10710d**
Source: 2009 AACS.
- R 325.10711**
Source: 1997 AACS.
- R 325.10712**
Source: 1997 AACS.
- R 325.10713**
Source: 1997 AACS.

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R 325.10714
Source: 1997 AACS.

R 325.10715
Source: 1997 AACS.

R 325.10716
Source: 2005 AACS.

R 325.10717
Source: 2005 AACS.

R 325.10717a
Source: 1997 AACS.

R 325.10717b
Source: 2009 AACS.

R 325.10717c
Source: 2009 AACS.

R 325.10718
Source: 1997 AACS.

R 325.10719
Source: 2003 AACS.

R 325.10719a
Source: 2005 AACS.

R 325.10719b
Source: 2005 AACS.

R 325.10719c
Source: 2005 AACS.

R 325.10719d
Source: 2005 AACS.

R 325.10719e
Source: 2009 AACS.

R 325.10719f
Source: 2003 AACS.

R 325.10719g
Source: 2009 AACS.

R 325.10719h
Source: 2009 AACS.

R 325.10719i
Source: 2009 AACS.

R 325.10719j
Source: 2009 AACS.

R 325.10719k
Source: 2009 AACS.

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R 325.10719l
Source: 2009 AACS.

R 325.10719m
Source: 2009 AACS.

R 325.10719n
Source: 2009 AACS.

R 325.10720
Source: 2009 AACS.

R 325.10720a
Source: 2005 AACS.

R 325.10720b
Source: 2009 AACS.

R 325.10720c
Source: 2009 AACS.

R 325.10720d
Source: 2009 AACS.

R 325.10720e
Source: 2009 AACS.

R 325.10721
Source: 2003 AACS.

R 325.10722
Source: 2009 AACS.

R 325.10724
Source: 1997 AACS.

R 325.10725
Source: 2005 AACS.

R 325.10726
Source: 2005 AACS.

R 325.10728
Source: 2005 AACS.

R 325.10729
Source: 2005 AACS.

R 325.10730
Source: 2009 AACS.

R 325.10731
Source: 2009 AACS.

R 325.10732
Source: 1979 AC.

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- R 325.10733**
Source: 1979 AC.
- R 325.10734**
Source: 2002 AACS.
- R 325.10735**
Source: 2009 AACS.
- R 325.10736**
Source: 2002 AACS.
- R 325.10737**
Source: 1997 AACS.
- R 325.10738**
Source: 2002 AACS.
- R 325.10739**
Source: 2009 AACS.
- R 325.10739a**
Source: 2009 AACS.
- R 325.10739b**
Source: 2009 AACS.

PART 8. GROUNDWATER SOURCES

- R 325.10801**
Source: 2009 AACS.
- R 325.10802**
Source: 2009 AACS.
- R 325.10804**
Source: 2009 AACS.
- R 325.10805**
Source: 2009 AACS.
- R 325.10806**
Source: 2009 AACS.
- R 325.10807**
Source: 1979 AC.
- R 325.10808**
Source: 1979 AC.
- R 325.10809**
Source: 2009 AACS.
- R 325.10810**
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Source: 1979 AC.

R 325.10812
Source: 2009 AACS.

R 325.10813
Source: 2009 AACS.

R 325.10814
Source: 2009 AACS.

R 325.10815
Source: 2009 AACS.

R 325.10816
Source: 1979 AC.

R 325.10817
Source: 1979 AC.

R 325.10818
Source: 1979 AC.

R 325.10819
Source: 1979 AC.

R 325.10820
Source: 1979 AC.

R 325.10821
Source: 1979 AC.

R 325.10822
Source: 1991 AACS.

R 325.10823
Source: 2009 AACS.

R 325.10824
Source: 1979 AC.

R 325.10825
Source: 1979 AC.

R 325.10826
Source: 1979 AC.

R 325.10827
Source: 1979 AC.

R 325.10828
Source: 2009 AACS.

R 325.10829
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R 325.10830
Source: 2009 AACS.

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R 325.10831
Source: 2009 AACS.

R 325.10832
Source: 1979 AC.

R 325.10833
Source: 1997 AACS.

PART 9. SURFACE WATER SOURCES

R 325.10901
Source: 1979 AC.

R 325.10902
Source: 2009 AACS.

R 325.10904
Source: 2009 AACS.

R 325.10905
Source: 2009 AACS.

R 325.10906
Source: 1979 AC.

R 325.10907
Source: 1979 AC.

R 325.10908
Source: 1979 AC.

R 325.10909
Source: 1979 AC.

PART 10. TREATMENT SYSTEMS AND PUMPING FACILITIES

R 325.11001
Source: 2009 AACS.

R 325.11002
Source: 2009 AACS.

R 325.11004
Source: 2003 AACS.

R 325.11005
Source: 1979 AC.

R 325.11006
Source: 2009 AACS.

R 325.11007
Source: 2009 AACS.

R 325.11008
Source: 2003 AACS.

R 325.11009

Annual Administrative Code Supplement
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Source: 2003 AACS.

R 325.11010

Source: 2009 AACS.

R 325.11011

Source: 2009 AACS.

R 325.11012

Source: 1979 AC.

R 325.11013

Source: 1979 AC.

R 325.11014

Source: 1979 AC.

R 325.11015

Source: 2009 AACS.

R 325.11016

Source: 2009 AACS.

PART 11. DISTRIBUTION SYSTEMS AND STORAGE TANKS

R 325.11101

Source: 1979 AC.

R 325.11102

Source: 2009 AACS.

R 325.11104

Source: 2009 AACS.

R 325.11105

Source: 2009 AACS.

R 325.11106

Source: 1979 AC.

R 325.11107

Source: 1979 AC.

R 325.11108

Source: 1979 AC.

R 325.11109

Source: 1979 AC.

R 325.11110

Source: 2009 AACS.

R 325.11111

Source: 2009 AACS.

R 325.11112

Source: 1979 AC.

R 325.11113

Annual Administrative Code Supplement
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Source: 1979 AC.

R 325.11114

Source: 1979 AC.

R 325.11115

Source: 1979 AC.

R 325.11116

Source: 1979 AC.

R 325.11117

Source: 2009 AACS.

R 325.11118

Source: 2009 AACS.

PART 12. RELIABILITY

R 325.11201

Source: 1979 AC.

R 325.11202

Source: 2009 AACS.

R 325.11203

Source: 2009 AACS.

R 325.11204

Source: 2009 AACS.

R 325.11205

Source: 2009 AACS.

R 325.11206

Source: 2009 AACS.

R 325.11207

Source: 1979 AC.

PART 13. CONSTRUCTION PLANS AND SPECIFICATIONS AND PERMITS

R 325.11301

Source: 2009 AACS.

R 325.11302

Source: 2009 AACS.

R 325.11303

Source: 2009 AACS.

R 325.11304

Source: 2009 AACS.

R 325.11305

Source: 2009 AACS.

R 325.11306

Source: 2009 AACS.

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- R 325.11307**
Source: 1979 AC.
- R 325.11308**
Source: 2009 AACS.
- R 325.11309**
Source: 1979 AC.
- R 325.11310**
Source: 2009 AACS.
- R 325.11311**
Source: 2009 AACS.

PART 14. CROSS-CONNECTIONS

- R 325.11401**
Source: 1979 AC.
- R 325.11402**
Source: 2009 AACS.
- R 325.11403**
Source: 1979 AC.
- R 325.11404**
Source: 2009 AACS.
- R 325.11405**
Source: 2009 AACS.
- R 325.11406**
Source: 1998-2000 AACS.
- R 325.11407**
Source: 1979 AC.

PART 15. OPERATION REPORTS AND RECORDKEEPING

- R 325.11501**
Source: 2009 AACS.
- R 325.11502**
Source: 2009 AACS.
- R 325.11503**
Source: 2003 AACS.
- R 325.11504**
Source: 2009 AACS.
- R 325.11505**
Source: 2009 AACS.
- R 325.11505a**
Source: 2009 AACS.

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R 325.11506
Source: 2009 AACS.

R 325.11507
Source: 2009 AACS.

R 325.11508
Source: 2009 AACS.

R 325.11509
Source: 2009 AACS.

PART 16. GENERAL PLANS

R 325.11601
Source: 2009 AACS.

R 325.11602
Source: 2009 AACS.

R 325.11603
Source: 2009 AACS.

R 325.11604
Source: 2009 AACS.

R 325.11605
Source: 2009 AACS.

R 325.11606
Source: 2009 AACS.

PART 17. OWNERSHIP OF PUBLIC WATER SUPPLIES

R 325.11701
Source: 1979 AC.

R 325.11702
Source: 1979 AC.

R 325.11703
Source: 2009 AACS.

R 325.11704
Source: 1979 AC.

R 325.11705
Source: 1979 AC.

R 325.11706
Source: 1979 AC.

R 325.11707
Source: 2009 AACS.

R 325.11708
Source: 2009 AACS.

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R 325.11709
Source: 1979 AC.

R 325.11710
Source: 1979 AC.

R 325.11711
Source: 2009 AACS.

R 325.11712
Source: 1979 AC.

R 325.11713
Source: 2009 AACS.

PART 19. EXAMINATION AND CERTIFICATION OF OPERATORS

R 325.11901
Source: 1998-2000 AACS.

R 325.11902
Source: 1998-2000 AACS.

R 325.11903
Source: 1998-2000 AACS.

R 325.11904
Source: 2009 AACS.

R 325.11905
Source: 1998-2000 AACS.

R 325.11906
Source: 1998-2000 AACS.

R 325.11906a
Source: 2009 AACS.

R 325.11906b
Source: 1998-2000 AACS.

R 325.11907
Source: 1991 AACS.

R 325.11908
Source: 2009 AACS.

R 325.11909
Source: 1991 AACS.

R 325.11910
Source: 1998-2000 AACS.

R 325.11911
Source: 1998-2000 AACS.

R 325.11912
Source: 1998-2000 AACS.

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R 325.11913
Source: 2009 AACS.

R 325.11914
Source: 1998-2000 AACS.

R 325.11915
Source: 2009 AACS.

R 325.11915a
Source: 1998-2000 AACS.

R 325.11916
Source: 1997 AACS.

R 325.11917
Source: 2009 AACS.

R 325.11918
Source: 1979 AC.

PART 21. APPROVAL OF CHEMICALS AND OTHER MATERIALS

R 325.12101
Source: 1979 AC.

R 325.12102
Source: 2009 AACS.

R 325.12103
Source: 1979 AC.

R 325.12104
Source: 1979 AC.

R 325.12105
Source: 1979 AC.

R 325.12106
Source: 1979 AC.

R 325.12107
Source: 1979 AC.

R 325.12108
Source: 1979 AC.

R 325.12109
Source: 1979 AC.

R 325.12110
Source: 1979 AC.

PART 23. EMERGENCY RESPONSE PLANS

R 325.12301
Source: 2009 AACS.

R 325.12302
Source: 2009 AACS.

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R 325.12303
Source: 2009 AACS.

R 325.12304
Source: 2009 AACS.

PART 24. WATER HAULING EQUIPMENT STANDARDS

R 325.12401
Source: 1979 AC.

R 325.12402
Source: 1979 AC.

R 325.12403
Source: 1979 AC.

R 325.12404
Source: 1979 AC.

R 325.12405
Source: 1979 AC.

R 325.12406
Source: 1979 AC.

R 325.12407
Source: 1979 AC.

R 325.12408
Source: 1979 AC.

PART 25. LICENSING OF WATER HAULERS

R 325.12501
Source: 1979 AC.

R 325.12502
Source: 1979 AC.

R 325.12503
Source: 2009 AACS.

R 325.12504
Source: 1979 AC.

R 325.12505
Source: 2009 AACS.

R 325.12506
Source: 1979 AC.

R 325.12507
Source: 1979 AC.

R 325.12508
Source: 1979 AC.

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R 325.12509
Source: 1979 AC.

R 325.12510
Source: 1979 AC.

PART 26. BOTTLED WATER

R 325.12601
Source: 1979 AC.

R 325.12602
Source: 1979 AC.

R 325.12603
Source: 1979 AC.

R 325.12604
Source: 1979 AC.

R 325.12605
Source: 1979 AC.

R 325.12606
Source: 1979 AC.

PART 27. LABORATORY CERTIFICATION

R 325.12701
Source: 2009 AACS.

R 325.12702
Source: 2005 AACS.

R 325.12705
Source: 2005 AACS.

R 325.12706
Source: 2005 AACS.

R 325.12707
Source: 2009 AACS.

PART 28. WELLHEAD PROTECTION GRANT ASSISTANCE

R 325.12801
Source: 2009 AACS.

R 325.12802
Source: 2009 AACS.

R 325.12803
Source: 2009 AACS.

R 325.12804
Source: 2009 AACS.

R 325.12805
Source: 2009 AACS.

R 325.12806

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Source: 2009 AACS.

R 325.12807

Source: 2009 AACS.

R 325.12808

Source: 2009 AACS.

R 325.12809

Source: 2009 AACS.

R 325.12810

Source: 2009 AACS.

R 325.12812

Source: 2009 AACS.

R 325.12813

Source: 2009 AACS.

R 325.12814

Source: 2009 AACS.

R 325.12815

Source: 2009 AACS.

R 325.12816

Source: 2009 AACS.

R 325.12817

Source: 2009 AACS.

R 325.12818

Source: 2009 AACS.

R 325.12819

Source: 2009 AACS.

R 325.12820

Source: 2009 AACS.

DEPARTMENT OF COMMUNITY HEALTH
OFFICE OF LOCAL HEALTH SERVICES
LOCAL HEALTH PERSONNEL

R 325.13001

Source: 2011 AACS.

R 325.13002

Source: 2011 AACS.

R 325.13003

Source: 1980 AACS.

R 325.13004

Source: 1980 AACS.

R 325.13004a

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Source: 2011 AACS.

R 325.13005

Source: 1980 AACS.

R 325.13006

Source: 1980 AACS.

R 325.13007

Source: 1980 AACS.

R 325.13008

Source: 1980 AACS.

R 325.13009

Source: 1980 AACS.

COST-SHARED SERVICES

R 325.13051

Source: 1981 AACS.

R 325.13053

Source: 1981 AACS.

R 325.13055

Source: 1981 AACS.

R 325.13057

Source: 1981 AACS.

R 325.13059

Source: 1981 AACS.

R 325.13061

Source: 1981 AACS.

R 325.13063

Source: 1981 AACS.

R 325.13065

Source: 1981 AACS.

R 325.13067

Source: 1981 AACS.

R 325.13069

Source: 1981 AACS.

R 325.13071

Source: 1981 AACS.

DIVISION OF CHILD HEALTH
VISION SCREENING AND TESTING

R 325.13091

Source: 2004 AACS.

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R 325.13092
Source: 2004 AACS.

R 325.13093
Source: 1981 AACS.

R 325.13094
Source: 2004 AACS.

R 325.13095
Source: 1981 AACS.

R 325.13096
Source: 1981 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES
BUREAU OF HEALTH FACILITIES
HOSPICE

PART 1. GENERAL PROVISIONS

R 325.13101
Source: 2003 AACS.

R 325.13102
Source: 2003 AACS.

R 325.13104
Source: 2003 AACS.

R 325.13105
Source: 2003 AACS.

R 325.13106
Source: 2003 AACS.

R 325.13107
Source: 2003 AACS.

R 325.13108
Source: 2003 AACS.

R 325.13109
Source: 2003 AACS.

R 325.13110
Source: 2003 AACS.

R 325.13111
Source: 2003 AACS.

PART 2. LICENSURE

R 325.13201
Source: 2003 AACS.

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R 325.13202
Source: 2003 AACS.

R 325.13203
Source: 1984 AACS.

R 325.13204
Source: 1984 AACS.

R 325.13205
Source: 2003 AACS.

R 325.13206 Rescinded.
History: 1984 AACS; 2003 AACS; 2014 MR 20, Eff. Oct. 24, 2014.

R 325.13207
Source: 2003 AACS.

R 325.13208
Source: 2003 AACS.

R 325.13209
Source: 2003 AACS.

R 325.13210
Source: 1984 AACS.

R 325.13211
Source: 2003 AACS.

R 325.13212
Source: 2003 AACS.

R 325.13213
Source: 2003 AACS.

PART 3. SERVICES

R 325.13301
Source: 2003 AACS.

R 325.13302
Source: 2003 AACS.

R 325.13303
Source: 2003 AACS.

R 325.13304
Source: 2003 AACS.

R 325.13305
Source: 2003 AACS.

R 325.13306
Source: 2003 AACS.

R 325.13307

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Source: 2003 AACS.

PART 4. HEARING PROCEDURE

R 325.13401

Source: 2003 AACS.

R 325.13402

Source: 2003 AACS.

R 325.13403

Source: 2003 AACS.

R 325.13404

Source: 2003 AACS.

R 325.13405

Source: 2003 AACS.

R 325.13406

Source: 2003 AACS.

R 325.13407

Source: 2003 AACS.

R 325.13408

Source: 2003 AACS.

R 325.13409

Source: 2003 AACS.

R 325.13410

Source: 2003 AACS.

R 325.13411

Source: 2003 AACS.

R 325.13412

Source: 2003 AACS.

R 325.13413

Source: 2003 AACS.

R 325.13414

Source: 2003 AACS.

R 325.13415

Source: 2003 AACS.

R 325.13416

Source: 2003 AACS.

R 325.13417

Source: 2003 AACS.

R 325.13418

Source: 2003 AACS.

PART 5. HOSPICE RESIDENCES PROVIDING CARE ONLY AT THE HOME CARE LEVEL

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R 325.13501
Source: 2003 AACS.

R 325.13503
Source: 2003 AACS.

R 325.13505
Source: 2003 AACS.

R 325.13507
Source: 2003 AACS.

R 325.13509
Source: 2003 AACS.

R 325.13511
Source: 2003 AACS.

R 325.13513
Source: 2003 AACS.

R 325.13515
Source: 2003 AACS.

R 325.13517
Source: 2003 AACS.

R 325.13519
Source: 2003 AACS.

R 325.13521
Source: 2003 AACS.

R 325.13523
Source: 2003 AACS.

R 325.13525
Source: 2003 AACS.

R 325.13527
Source: 2003 AACS.

R 325.13529
Source: 2003 AACS.

R 325.13531
Source: 2003 AACS.

R 325.13533
Source: 2003 AACS.

R 325.13535
Source: 2003 AACS.

R 325.13537
Source: 2003 AACS.

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R 325.13539
Source: 2003 AACS.

R 325.13541
Source: 2003 AACS.

R 325.13543
Source: 2003 AACS.

DEPARTMENT OF COMMUNITY HEALTH
OFFICE OF SUBSTANCE ABUSE SERVICES
SUBSTANCE ABUSE SERVICE PROGRAM

PART 1. GENERAL PROVISIONS

R 325.14101
Source: 2006 AACS.

R 325.14102
Source: 2006 AACS.

R 325.14103
Source: 2006 AACS.

R 325.14104
Source: 1981 AACS.

R 325.14105
Source: 1981 AACS.

R 325.14106
Source: 1981 AACS.

R 325.14107
Source: 1981 AACS.

R 325.14108
Source: 1981 AACS.

R 325.14109
Source: 1981 AACS.

R 325.14110
Source: 1981 AACS.

R 325.14111
Source: 1981 AACS.

R 325.14112
Source: 1981 AACS.

R 325.14113
Source: 1981 AACS.

R 325.14114
Source: 1981 AACS.

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R 325.14115
Source: 1981 AACS.

R 325.14116
Source: 1988 AACS.

R 325.14117
Source: 1981 AACS.

R 325.14125
Source: 1981 AACS.

PART 2. LICENSURE OF SUBSTANCE ABUSE PROGRAMS

R 325.14201
Source: 1981 AACS.

R 325.14202
Source: 1981 AACS.

R 325.14203
Source: 1981 AACS.

R 325.14204
Source: 1981 AACS.

R 325.14205
Source: 1981 AACS.

R 325.14206
Source: 1981 AACS.

R 325.14207
Source: 1981 AACS.

R 325.14208
Source: 2006 AACS.

R 325.14209
Source: 1981 AACS.

R 325.14210
Source: 1981 AACS.

R 325.14211
Source: 1981 AACS.

R 325.14212
Source: 1981 AACS.

R 325.14213
Source: 2006 AACS.

R 325.14214
Source: 1981 AACS.

PART 3. RECIPIENT RIGHTS

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R 325.14301
Source: 1981 AACS.

R 325.14302
Source: 1981 AACS.

R 325.14303
Source: 1981 AACS.

R 325.14304
Source: 1981 AACS.

R 325.14305
Source: 1981 AACS.

R 325.14306
Source: 1981 AACS.

PART 4. METHADONE TREATMENT AND OTHER CHEMOTHERAPY

R 325.14401
Source: 1981 AACS.

R 325.14402
Source: 1981 AACS.

R 325.14403
Source: 1981 AACS.

R 325.14404
Source: 1981 AACS.

R 325.14405
Source: 1981 AACS.

R 325.14406
Source: 1981 AACS.

R 325.14407
Source: 1981 AACS.

R 325.14408
Source: 1981 AACS.

R 325.14409
Source: 1981 AACS.

R 325.14410
Source: 1981 AACS.

R 325.14411
Source: 1981 AACS.

R 325.14412
Source: 1981 AACS.

R 325.14413
Source: 1981 AACS.

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R 325.14414
Source: 1981 AACS.

R 325.14415
Source: 1981 AACS.

R 325.14416
Source: 1981 AACS.

R 325.14417
Source: 1981 AACS.

R 325.14418
Source: 1981 AACS.

R 325.14419
Source: 2006 AACS.

R 325.14420
Source: 1981 AACS.

R 325.14421
Source: 1981 AACS.

R 325.14422
Source: 1981 AACS.

R 325.14423
Source: 1981 AACS.

PART 5. PREVENTION

R 325.14501
Source: 1981 AACS.

R 325.14521
Source: 2006 AACS.

R 325.14522
Source: 2006 AACS.

R 325.14523
Source: 2006 AACS.

R 325.14524
Source: 2006 AACS.

R 325.14525
Source: 2006 AACS.

R 325.14526
Source: 2006 AACS.

R 325.14527
Source: 2006 AACS.

R 325.14528
Source: 2006 AACS.

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R 325.14529
Source: 2006 AACS.

R 325.14530
Source: 2006 AACS.

PART 6. CASEFINDING

R 325.14601
Source: 1981 AACS.

R 325.14602
Source: 1981 AACS.

R 325.14603
Source: 1981 AACS.

R 325.14621
Source: 2006 AACS.

R 325.14622
Source: 2006 AACS.

R 325.14623
Source: 2006 AACS.

PART 7. OUTPATIENT PROGRAMS

R 325.14701
Source: 1981 AACS.

R 325.14702
Source: 1981 AACS.

R 325.14703
Source: 1981 AACS.

R 325.14704
Source: 1981 AACS.

R 325.14705
Source: 1981 AACS.

R 325.14706
Source: 1981 AACS.

R 325.14707
Source: 1981 AACS.

R 325.14708
Source: 1981 AACS.

R 325.14709
Source: 1981 AACS.

R 325.14710
Source: 1981 AACS.

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R 325.14711
Source: 1981 AACS.

R 325.14712
Source: 1981 AACS.

PART 8. INPATIENT PROGRAMS

R 325.14801
Source: 1981 AACS.

R 325.14802
Source: 1981 AACS.

R 325.14803
Source: 1981 AACS.

R 325.14804
Source: 1981 AACS.

R 325.14805
Source: 1981 AACS.

R 325.14806
Source: 1981 AACS.

R 325.14807
Source: 1981 AACS.

PART 9. RESIDENTIAL PROGRAMS

R 325.14901
Source: 1981 AACS.

R 325.14902
Source: 1981 AACS.

R 325.14903
Source: 1981 AACS.

R 325.14904
Source: 1981 AACS.

R 325.14905
Source: 1981 AACS.

R 325.14906
Source: 1981 AACS.

R 325.14907
Source: 1981 AACS.

R 325.14908
Source: 1981 AACS.

R 325.14909
Source: 1981 AACS.

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R 325.14910
Source: 1981 AACS.

R 325.14911
Source: 1981 AACS.

R 325.14921
Source: 1981 AACS.

R 325.14922
Source: 1981 AACS.

R 325.14923
Source: 1981 AACS.

R 325.14924
Source: 1981 AACS.

R 325.14925
Source: 1981 AACS.

R 325.14926
Source: 1981 AACS.

R 325.14927
Source: 1981 AACS.

R 325.14928
Source: 1981 AACS.

DEPARTMENT OF ENVIRONMENTAL QUALITY
DIVISION OF OCCUPATIONAL HEALTH
CLASS IV DRY CLEANING ESTABLISHMENTS

PART 1. GENERAL PROVISIONS

R 325.17101
Source: 2004 AACS.

R 325.17102
Source: 2004 AACS.

R 325.17103
Source: 2004 AACS.

R 325.17104
Source: 2004 AACS.

R 325.17105
Source: 2004 AACS.

R 325.17106
Source: 2004 AACS.

R 325.17107

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Source: 2004 AACS.

R 325.17108

Source: 2004 AACS.

R 325.17109

Source: 2004 AACS.

PART 2. DRAWINGS

R 325.17201

Source: 2004 AACS.

R 325.17202

Source: 2004 AACS.

R 325.17203

Source: 2004 AACS.

R 325.17203a

Source: 2004 AACS.

R 325.17204

Source: 2004 AACS.

R 325.17205

Source: 2004 AACS.

R 325.17206

Source: 2004 AACS.

R 325.17207

Source: 2004 AACS.

R 325.17208

Source: 2004 AACS.

R 325.17209

Source: 2004 AACS.

R 325.17210

Source: 2004 AACS.

R 325.17211

Source: 2004 AACS.

PART 3. LICENSURE

R 325.17301

Source: 2004 AACS.

R 325.17302

Source: 2004 AACS.

R 325.17303

Source: 2004 AACS.

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R 325.17304
Source: 2004 AACS.

R 325.17305
Source: 2004 AACS.

R 325.17306
Source: 2004 AACS.

R 325.17307
Source: 2004 AACS.

R 325.17308
Source: 2004 AACS.

R 325.17309
Source: 2004 AACS.

PART 4. DRY CLEANING MACHINE REQUIREMENTS

R 325.17401
Source: 2004 AACS.

R 325.17402
Source: 2004 AACS.

R 325.17403
Source: 2004 AACS.

R 325.17404
Source: 2004 AACS.

R 325.17405
Source: 2004 AACS.

R 325.17406
Source: 2004 AACS.

R 325.17407
Source: 2004 AACS.

R 325.17408
Source: 2004 AACS.

R 325.17409
Source: 2004 AACS.

PART 5. BUILDING REQUIREMENTS

R 325.17501
Source: 2004 AACS.

R 325.17502
Source: 2004 AACS.

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R 325.17503
Source: 2004 AACS.

R 325.17504
Source: 2004 AACS.

R 325.17505
Source: 2004 AACS.

R 325.17506
Source: 2004 AACS.

R 325.17507
Source: 2004 AACS.

R 325.17508
Source: 2004 AACS.

R 325.17509
Source: 2004 AACS.

R 325.17510
Source: 2004 AACS.

PART 7. INSTALLATION, OPERATION, AND VENTILATION

R 325.17701
Source: 2004 AACS.

R 325.17702
Source: 2004 AACS.

R 325.17703
Source: 2004 AACS.

R 325.17704
Source: 2004 AACS.

R 325.17705
Source: 2004 AACS.

R 325.17706
Source: 2004 AACS.

R 325.17707
Source: 2004 AACS.

R 325.17708
Source: 2004 AACS.

R 325.17709
Source: 2004 AACS.

R 325.17710
Source: 2004 AACS.

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R 325.17711
Source: 2004 AACS.

R 325.17712
Source: 2004 AACS.

R 325.17713
Source: 2004 AACS.

R 325.17714
Source: 2004 AACS.

PART 9. INSPECTIONS OF DRY CLEANING ESTABLISHMENTS

R 325.17901
Source: 2004 AACS.

R 325.17902
Source: 2004 AACS.

R 325.17903
Source: 2004 AACS.

R 325.17904
Source: 2004 AACS.

R 325.17905
Source: 2004 AACS.

R 325.17906
Source: 2004 AACS.

PART 10. CONTESTED CASES

R 325.18001
Source: 2004 AACS.

R 325.18002
Source: 2004 AACS.

R 325.18003
Source: 2004 AACS.

R 325.18004
Source: 2004 AACS.

R 325.18005
Source: 2004 AACS.

R 325.18006
Source: 2004 AACS.

PART 11. TYPICAL DESIGN PRINTS AND DIAGRAMS

R 325.18101
Source: 2004 AACS.

Annual Administrative Code Supplement
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R 325.18102

Source: 2004 AACS.

R 325.18103

Source: 2004 AACS.

R 325.18104

Source: 2004 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES
OCCUPATIONAL HEALTH STANDARDS COMMISSION
PROCESS SAFETY MANAGEMENT OF HIGHLY HAZARDOUS CHEMICALS

R 325.18301

Source: 2013 AACS.

R 325.18302

Source: 2013 AACS.

R 325.18303

Source: 2013 AACS.

HEALTH FACILITIES SERVICES ADMINISTRATION
NURSING HOMES AND NURSING CARE FACILITIES

PART 1. GENERAL PROVISIONS

R 325.20101 Applicability.

Rule 101. These rules provide for the licensure of nursing homes, including county medical care facilities and child care homes and units, and for the certification of all of the following:

- (a) Intermediate (or basic nursing) care facilities (ICF).
- (b) Skilled nursing facilities (SNF).
- (c) Intermediate care facilities/ developmentally disabled (ICF/DD).
- (d) Nursing facilities for the care of the mentally ill.
- (e) Nursing facilities for the care of the developmentally disabled.
- (f) Nursing facilities for the care of tuberculosis patients pursuant to the code.

History: 1981 AACS; 2014 MR 20, Eff. Nov. 4, 2014.

R 325.20102 Definitions; A to H.

Rule 102. As used in these rules:

- (a) "Applicant" means a person applying to the department for a nursing home or a nursing care facility license or any other permit or certification pursuant to state or federal law or these rules.
- (b) "Basic nursing facility" means a nursing care facility, or distinct part thereof, which has been certified by the department as an intermediate care facility.
- (c) "Change in ownership," for purposes of section 20142(3) of the code, means a transfer of the property of a nursing care facility from one owner to another where the new owner will use the transferred assets as a nursing care facility operated by the new owner subsequent to the transfer.
- (d) "Child care home" means a nursing home which is designed, staffed, and equipped exclusively to accommodate patients under 15 years of age who do not require hospital care, but who are in need of nursing care because they cannot be cared for effectively in their own homes or in home substitutes, and which has been licensed by the department as meeting the requirements of part 14 of these rules.

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(e) "Child care unit" means a clearly identifiable distinct part within a nursing home which is designed, staffed, and equipped to accommodate a specific number of patients under 15 years of age and which has been licensed by the department as meeting the requirements of part 14 of these rules.

(f) "Child" means a person under 15 years of age.

(g) "Code" means 1978 PA 368.

(h) "County medical care facility" means a nursing care facility, other than a hospital long-term care unit, which provides organized nursing care and medical treatment to 7 or more unrelated individuals who are suffering or recovering from illness, injury, or infirmity and which is owned and operated by a county or counties.

(i) "Correction notice" means a notice to a nursing home specifying violations of the code or these rules, corrective action to be taken, and the period of time in which the corrective action is to be completed.

(j) "Department" means the department of licensing and regulatory affairs.

(k) "Distinct part" means a clearly identifiable area or section within a nursing care facility consisting of at least a nursing unit, wing, floor, or building containing contiguous rooms providing a specific type or level of care and service. The distinct part may share services, such as management services, building maintenance, and laundry, with other units.

(l) "Home" means a nursing home.

History: 1981 AACCS; 2014 MR 20, Eff. Nov. 4, 2014.

R 325.20103 Definitions; I to N.

Rule 103. As used in these rules:

(a) "Intermediate care facility" or "ICF" means a nursing care facility, or distinct part thereof, which has been certified by the department as meeting applicable requirements set forth in part 15 of these rules.

(b) "Intermediate care facility/developmentally disabled" or "ICF/DD" means a nursing care facility, or distinct part thereof, which has been certified by the department as meeting the applicable requirements of part 15 of these rules.

(c) "Licensed bed capacity" means the authorized and licensed bed complement of a nursing home or nursing care facility as shown on or included within its license.

(d) "Licensee" means a person possessing a currently valid nursing home license.

(e) "Nursing care facility" means a licensed nursing home or county medical care facility or a hospital long-term care unit in a licensed hospital.

(f) "Nursing care facility for the care of mentally ill patients" means a nursing care facility, or distinct part thereof, which has been certified by the department as meeting the requirements of part 16 of these rules.

(g) "Nursing care facility for the care of developmentally disabled patients" means a nursing care facility, or distinct part thereof, which has been certified by the department as meeting the requirements of part 17 of these rules.

(h) "Nursing home," for purposes of licensure under the code and these rules, includes a county medical care facility.

(i) "Nursing home task force" means task force 4 created by section 20127 of the code.

History: 1981 AACCS; 2014 MR 20, Eff. Nov. 4, 2014.

R 325.20104

Source: 1983 AACCS.

R 325.20106

Source: 1981 AACCS.

R 325.20107

Source: 1981 AACCS.

R 325.20108 Licensure and certification; eligibility requirements.

Rule 108. (1) To be eligible for licensure as a nursing home, an applicant shall meet the applicable requirements of the code and parts 2 to 14 of these rules.

(2) To be eligible for certification as any of the following, a nursing care facility shall meet the requirements of the code and the applicable parts of parts 15 to 18 of these rules:

(a) An intermediate (or basic nursing) care facility.

(b) A skilled nursing facility.

(c) An intermediate care facility/developmentally disabled.

(d) A nursing facility for the care of mentally ill patients.

(e) A nursing facility for the care of developmentally disabled patients.

(f) A nursing facility for the care of tuberculosis patients.

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History: 1981 AACS; 2014 MR 20, Eff. Nov. 4, 2014.

R 325.20109

Source: 1981 AACS.

R 325.20110

Source: 1981 AACS.

R 325.20111

Source: 1981 AACS.

R 325.20112

Source: 1981 AACS.

R 325.20113

Source: 1983 AACS.

R 325.20114

Source: 1981 AACS.

R 325.20115 Patient trust funds.

Rule 115. (1) A nursing home shall develop a policy regarding the holding of monies in trust for patients. A representative payee, unless authorized in writing by the patient or patient guardian, shall not function as the person designated to handle the personal property of the patient for purposes of this rule. The policy established by the nursing home may provide that the home will not handle monies of any patient which exceed the sum of \$5,000.00. A home may charge a reasonable fee, not to exceed the actual cost of providing the service, the fee charged to other patients, or the amount of interest which accrues all trust monies deposited for such patients for whom the service is provided. In the case of patients who are physically or mentally incapable of handling their own money and who do not have a legal guardian or other person designated in writing to handle the personal property of the patients, the home may charge a fee as specified in this rule.

(2) At the time of admission, a nursing home shall provide each patient and the patient's legal guardian or designated representative with a written statement which states all of the following:

(a) That there is no obligation for the patient to deposit his or her funds with the facility.

(b) The patient's rights regarding personal funds, including, at a minimum, all of the following:

(i) The right to receive, retain, and manage his or her personal funds or to have this done by a legal guardian, if any.

(ii) The right to apply to the social security administration to have a representative payee designated for purposes of federal or state benefits to which he or she may be entitled.

(iii) The right to designate, in writing, another person to act for the purpose of managing his or her personal funds.

(iv) The right to authorize, in writing, the nursing home to hold, safeguard, and account for the patient's personal funds in accordance with state law and the nursing home policy.

(c) The nursing home's policy for handling patient funds shall include the provision that it will provide the service of holding monies in trust for persons who are incapable of handling their own funds and who have no guardian or designated representative to provide the service.

(d) In summary form, the home's procedures for handling, accounting for, and giving access to, monies held in trust for patients.

(3) A nursing home shall establish written procedures for implementing its policies for handling patient funds in trust. The written procedures shall cover, at a minimum, all of the following items:

(a) How and where trust fund records will be kept.

(b) Patient or patient representative access to records, including the times when access is normally permitted.

(c) Periodic statements of account.

(d) Interest on account monies.

(e) Access to funds held within and outside the facility.

(f) How to get information regarding trust fund services.

These written procedures shall be made available for inspection by patients and patient representatives, upon request, during normal business hours.

(4) For each patient whose funds it holds, safeguards, and accounts for, the facility shall meet all of the following requirements:

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(a) The nursing home shall maintain current, written, individual records of all financial transactions involving patients' personal funds which the facility has been given for holding, safeguarding, and accounting. The facility shall keep these records in accordance with the American institute of certified public accountants' generally accepted accounting standards, and the records shall include, at a minimum, all of the following:

- (i) The patient's name.
- (ii) Identification of the patient's representative, if any.
- (iii) Admission date.
- (iv) Date and amount of each deposit and withdrawal.
- (v) The name of the person who accepted withdrawn funds.
- (vi) The balance after each transaction.
- (vii) Receipts indicating the purpose stated by the person withdrawing the funds for which the withdrawn funds were to be spent, except that a patient may withdraw his or her own funds without stating a purpose for the withdrawal.
- (viii) The patient's earned interest, if any.

(b) The home shall provide each patient reasonable access to his or her own financial records, including not less than 2 hours each business day during normal business hours.

(c) The facility shall provide a written statement, at least quarterly, to each patient or patient representative. The quarterly statement shall reflect any patient funds which the facility has deposited in an interest-bearing account or a non-interest-bearing account, as well as any patient funds held by the facility in a petty cash account. The statement shall include, at a minimum, all of the following:

- (i) The balance at the beginning of the statement period.
- (ii) Total deposits and withdrawals.
- (iii) Interest earned, if any.
- (iv) Identification number and location of any account in which the patient's personal funds have been deposited.
- (v) The ending balance.
- (vi) The sources, disposition, and date of each transaction involving the patient's funds during the statement period.

(d) The home shall keep any funds received from a patient for holding, safeguarding, and accounting separate from the facility's funds and from the funds of any person other than patients. Trust funds held by the home for patients may be pooled in an interest-bearing account, as provided in these rules, if individual records are kept and the other requirements of these rules are followed to assure that the funds of each patient are accounted for separately.

(e) A nursing home may keep up to \$200.00 of a patient's money in an non-interest-bearing account or a petty cash fund. The home shall, within 15 days, deposit in an interest-bearing account any funds in excess of \$200.00 from an individual patient. The account may be individual to the patient or pooled with other patients. The account shall be in a form that clearly indicates that the facility does not have an ownership interest in the funds. The account shall be insured under federal or state law. At the election of the nursing home, the interest earned on any pooled interest-bearing account shall be distributed in either of the following ways:

- (i) Prorated to each patient on an actual interest-earned basis.
- (ii) Prorated to each patient on the basis of his or her end-of-quarter balance.

(f) At a minimum, in the case of patient monies held in a petty cash fund by the facility, a patient shall have access to his or her funds during normal business hours. The facility shall, upon request or upon the patient's transfer or discharge, return to the patient, the legal guardian, or the designated representative all or any part of the patient's personal funds which the facility has received for holding, safeguarding, and accounting and which are maintained in a petty cash fund. For a patient's personal fund that the facility has received and deposited in an account outside the facility, the facility, upon request or upon the transfer or discharge of the patient, shall, within 3 business days, return all or any part of those funds to the patient, legal guardian, or designated representative.

(5) When a nursing home is serving as a representative payee under the social security act or otherwise receives monthly benefits to which the patient is entitled, it shall fulfill its duties as a representative payee in accordance with federal rules. Except for the patient care portion of such monthly benefits, the home shall deposit all such funds in excess of \$200.00, as provided in subrule (4)(e) of this rule, in the patient's trust account. Payments of amounts due from the patient to the nursing home or others shall be made from the patient's trust funds only upon the authorization of the patient or the legal representative of the patient. The home shall not interfere with the right of a patient or patient's representative to control all monies or benefits paid to the patient other than that portion of benefits designated for patient care.

(6) Upon the sale or other transfer of ownership of the nursing home, the home shall provide the new owner with a written accounting, prepared in accordance with the American institute of certified public accountants' generally accepted auditing procedures, of all patient funds being transferred and shall obtain a written receipt for those funds from the new owner. The facility shall also give each patient or his or her representative a written accounting of a personal fund held by the facility before any transfer of ownership occurs.

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(7) A nursing home shall provide the executor or administrator of a patient's estate with a written accounting of the patient's personal belongings and funds within 10 business days of a patient's death. If a deceased patient's estate has no executor or administrator, the facility shall provide the accounting to the patient's next of kin, the patient's representative, and the clerk of the probate court of the county in which the patient died.

(8) A nursing home shall purchase a surety bond to guarantee the security of patients' funds held in trust by the facility, and the surety bond shall be in the name of the individual facility as licensed. The surety bond shall meet the requirements of section 21721(1) of the code, but shall not be less than \$2,000.00 for any licensed home.

(9) If a nursing home determines that a patient is incapable of managing his or her own personal funds and that the patient has no legal guardian or patient representative designated to handle the patient's personal property, the facility shall notify the Michigan department of human services, in writing, of its determination.

History: 1981 AACCS; 2014 MR 20, Eff. Nov. 4, 2014.

R 325.20116

Source: 1981 AACCS.

R 325.20117

Source: 1983 AACCS.

R 325.20118

Source: 1981 AACCS.

PART 2. LICENSURE

R 325.20201

Source: 1981 AACCS.

R 325.20202

Source: 1981 AACCS.

R 325.20203

Source: 1981 AACCS.

R 325.20204

Source: 1981 AACCS.

R 325.20205

Source: 1981 AACCS.

R 325.20206

Source: 1983 AACCS.

R 325.20207

Source: 1981 AACCS.

R 325.20208

Source: 1981 AACCS.

R 325.20209

Source: 1981 AACCS.

R 325.20210

Source: 1981 AACCS.

R 325.20211

Source: 1981 AACCS.

R 325.20212

Source: 1981 AACCS.

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R 325.20213
Source: 1981 AACS.

R 325.20214
Source: 1981 AACS.

R 325.20215 Public inspection of license records.

Rule 215. (1) Unless otherwise provided by law, records pertaining to licensure and certification are available for public inspection and copying during business hours on the days when the bureau of health care services, Michigan department of licensing and regulatory affairs, is open for business.

(2) The department shall delete from licensing and certification records made available for inspection any matters or items of information exempt from disclosure under law. Fees related to requests for inspection or copies of licensing and certification records shall be assessed in accordance with applicable law and department procedures.

(3) Arrangements for the inspection or copying of licensing and certification records shall be made with the bureau of health care services in the department.

History: 1981 AACS; 2014 MR 20, Eff. Nov. 4, 2014.

PART 3. ACCESS TO NURSING HOMES AND PATIENTS

R 325.20301
Source: 1981 AACS.

R 325.20302
Source: 1983 AACS.

R 325.20303
Source: 1983 AACS.

R 325.20304
Source: 1983 AACS.

PART 4. ADMINISTRATIVE MANAGEMENT OF HOMES

R 325.20401
Source: 1981 AACS.

R 325.20402
Source: 1981 AACS.

R 325.20403
Source: 1981 AACS.

R 325.20404
Source: 1983 AACS.

R 325.20405
Source: 1981 AACS.

R 325.20406
Source: 1983 AACS.

R 325.20407
Source: 1981 AACS.

PART 5. PATIENT CARE

R 325.20501
Source: 1981 AACS.

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R 325.20502
Source: 1983 AACS.

R 325.20503
Source: 1981 AACS.

R 325.20504
Source: 1981 AACS.

R 325.20505
Source: 1981 AACS.

R 325.20506
Source: 1981 AACS.

R 325.20507
Source: 1981 AACS.

R 325.20508
Source: 1981 AACS.

R 325.20509
Source: 1981 AACS.

PART 6. PHYSICIAN SERVICES

R 325.20601
Source: 1981 AACS.

R 325.20602
Source: 1981 AACS.

R 325.20603
Source: 1983 AACS.

R 325.20604
Source: 1981 AACS.

R 325.20605
Source: 1983 AACS.

R 325.20606
Source: 1981 AACS.

PART 7. NURSING SERVICES

R 325.20701
Source: 1983 AACS.

R 325.20702
Source: 1983 AACS.

R 325.20703
Source: 1986 AACS.

R 325.20704
Source: 1986 AACS.

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R 325.20705
Source: 1981 AACS.

R 325.20706
Source: 1981 AACS.

R 325.20707
Source: 1983 AACS.

R 325.20708
Source: 1981 AACS.

R 325.20709
Source: 1984 AACS.

R 325.20710
Source: 1981 AACS.

R 325.20711
Source: 1983 AACS.

R 325.20712
Source: 1983 AACS.

R 325.20713
Source: 1981 AACS.

R 325.20714
Source: 1983 AACS.

PART 8. DIETARY SERVICES

R 325.20801
Source: 1983 AACS.

R 325.20802
Source: 1981 AACS.

R 325.20803
Source: 1981 AACS.

R 325.20804
Source: 1983 AACS.

R 325.20805
Source: 1981 AACS.

R 325.20806
Source: 1983 AACS.

PART 9. PHARMACEUTICAL SERVICES

R 325.20901
Source: 1983 AACS.

R 325.20902
Source: 1981 AACS.

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R 325.20903
Source: 1981 AACS.

R 325.20904
Source: 1981 AACS.

R 325.20905
Source: 1981 AACS.

R 325.20906
Source: 1981 AACS.

PART 10. OTHER SERVICES

R 325.21001
Source: 1981 AACS.

R 325.21002
Source: 1981 AACS.

R 325.21003
Source: 1986 AACS.

PART 11. RECORDS

R 325.21101
Source: 1983 AACS.

R 325.21102
Source: 1983 AACS.

R 325.21103
Source: 1981 AACS.

R 325.21104
Source: 1981 AACS.

R 325.21105
Source: 1983 AACS.

PART 12. MEDICAL AUDIT, UTILIZATION REVIEW, AND QUALITY CONTROL

R 325.21201
Source: 1981 AACS.

R 325.21203
Source: 1981 AACS.

R 325.21204
Source: 1981 AACS.

PART 13. BUILDINGS AND GROUNDS

R 325.21301
Source: 1981 AACS.

R 325.21302
Source: 1981 AACS.

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R 325.21303 Narrative program; architectural plans and specifications; construction permit.

Rule 1303. (1) A nursing home, through its governing body, administrator, designated representative, or architect under contract to the home, shall provide a narrative program for each construction project before submitting architectural plans and specifications to the department for review and approval or disapproval. The narrative program shall include, at a minimum, a description of all of the following:

- (a) Each function to be performed in the home.
 - (b) Functional space requirements.
 - (c) Number of staff or other occupants anticipated for the various functional units.
 - (d) Type of equipment to be required and utilized.
 - (e) Interrelationship of functional spaces.
 - (f) Services and equipment to be brought into the home from outside the home and not requiring duplication in the home.
- A copy of a narrative program prepared for submission in conjunction with a certificate of need application or for some other purpose may be accepted for purposes of compliance with this rule to the extent it provides the required data and information as determined by the department.
- (2) Construction projects involving alterations of, and additions to, existing nursing homes remaining in operation during the construction shall be planned, programmed, and phased so that on-site construction permits the continued operation of the home without significant disruption or effect on patient care.
 - (3) Complete architectural plans and specifications for construction projects shall be submitted to the department for review and approval or disapproval to assure compliance with the code and these rules. Construction projects shall not be initiated until the plans and specifications have been approved by the department and a permit has been issued for the initiation of such construction.
 - (4) Changes in architectural plans and specifications proposed in the course of construction shall be brought to the attention of the department for review and approval or disapproval before altering the course of construction.
 - (5) Architectural and engineering plans and specifications shall be prepared and sealed by architects and professional engineers licensed to practice in Michigan.
 - (6) Projects involving normal building maintenance, repair, upkeep, and equipment replacement not requiring a certificate of need shall not be submitted for review.
 - (7) A permit for construction shall not be issued until such time as an acceptable valid certificate of need has been issued if required for the construction project and if the project conforms with the code and these rules as determined by the department.
 - (8) A construction project requiring a permit shall not be occupied until all of the following occur:
 - (a) An architect or professional engineer has evaluated the project on-site and has forwarded findings and appropriate documentation to the department to indicate that the project is substantially complete and constructed in accordance with approved plans and specifications.
 - (b) The department has determined and so notified the project sponsor of its determination that the project component is acceptable for occupancy.
 - (c) The bureau of fire services, department of licensing and regulatory affairs, has certified the project or project component for use and occupancy.

History: 1981 AACS; 1983 AACS; 2014 MR 20, Eff. Nov. 4, 2014.

R 325.21304

Source: 1981 AACS.

R 325.21305

Source: 1983 AACS.

R 325.21306

Source: 1983 AACS.

R 325.21307

Source: 1983 AACS.

R 325.21308

Source: 1981 AACS.

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R 325.21309

Source: 1981 AACS.

R 325.21310

Source: 1981 AACS.

R 325.21311

Source: 1983 AACS.

R 325.21312

Source: 1981 AACS.

R 325.21313

Source: 1981 AACS.

R 325.21314

Source: 1981 AACS.

R 325.21315

Source: 1981 AACS.

R 325.21316

Source: 1983 AACS.

R 325.21317 Water supply systems.

Rule 1317. (1) A home located in an area served by a public water system shall connect to and use that system.

(2) When a public water system is not available, the location and construction of a well or wells and all other portions of the water system shall comply with applicable statutes, rules, and regulations.

(3) A home using a private water system shall take at least 1 water sample for bacteriologic testing each 3 months and shall submit the sample to the department of environmental quality laboratory, or to a laboratory approved by the department, for examination. The administrator shall report all unsatisfactory examination results to the department within 72 hours of receipt of the report.

(4) A home with 30 beds or more served by a private water system shall provide a secondary well or other reserve source of water.

(5) A physical cross-connection shall not exist between water systems that are safe for human consumption and those that are, or may at any time become, unsafe for human consumption.

(6) The minimum water pressure available to each plumbing fixture shall exceed 20 pounds per square inch.

(7) The plumbing system shall be designed and maintained so that the possibility of backflow or back siphonage is eliminated.

(8) The plumbing system shall supply an adequate amount of hot water at all times to meet the needs of each patient and the functioning of the various service areas.

(9) The temperature of hot water at plumbing fixtures used by patients shall be regulated to provide tempered water not less than 105 degrees or more than 120 degrees Fahrenheit.

History: 1981 AACS; 1983 AACS; 2014 MR 20, Eff. Nov. 4, 2014.

R 325.21318

Source: 1981 AACS.

R 325.21319

Source: 1981 AACS.

R 325.21320

Source: 1981 AACS.

R 325.21321

Source: 1981 AACS.

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R 325.21322
Source: 1981 AACS.

R 325.21323
Source: 1983 AACS.

R 325.21324
Source: 1981 AACS.

R 325.21325
Source: 1981 AACS.

R 325.21326
Source: 1983 AACS.

R 325.21327
Source: 1983 AACS.

R 325.21328
Source: 1981 AACS.

PART 14. CHILD CARE HOMES AND CHILD CARE UNITS

R 325.21401
Source: 1981 AACS.

R 325.21402
Source: 1981 AACS.

R 325.21403
Source: 1981 AACS.

R 325.21404
Source: 1981 AACS.

R 325.21405
Source: 1981 AACS.

R 325.21406
Source: 1981 AACS.

R 325.21407
Source: 1981 AACS.

R 325.21408
Source: 1981 AACS.

R 325.21409
Source: 1981 AACS.

R 325.21410
Source: 1981 AACS.

R 325.21411
Source: 1981 AACS.

PART 15. CERTIFICATION

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R 325.21501 Certification; effect.

Rule 1501. A nursing home or nursing care facility, or distinct part thereof, shall not be eligible to participate in a federal or state health program requiring certification as an intermediate (basic nursing) care facility (ICF), intermediate care facility/developmentally disabled (ICF/DD), skilled nursing facility (SNF), nursing facility for care of developmentally disabled patients, nursing facility for care of mentally ill patients, or nursing facility for care of tuberculosis patients unless certified as such by the department in accordance with this code, these rules, and applicable federal and state law and regulations or unless certified by the U.S. secretary of health and human services.

History: 1981 AACCS; 2014 MR 20, Eff. Nov. 4, 2014.

R 325.21502

Source: 1981 AACCS.

R 325.21503

Source: 1981 AACCS.

R 325.21504 Processing the application.

Rule 1504. (1) The department shall determine whether an application for initial or renewed certification is complete and shall notify the applicant in writing if additional information is required to complete the application or determine compliance with the code, these rules, and applicable federal law and regulations. The department shall consider each completed application and make a determination in the matter.

(2) By applying for or accepting certification, a facility authorizes the department and its representatives to conduct the surveys, inspections, and investigations necessary to determine compliance with applicable certification standards.

(3) On the basis of the information supplied to it by the applicant and any other information available to it, including the facility survey and evaluation, the department may take any of the following actions with respect to the application for certification:

(a) Issue or renew the certification, except as provided in subdivision (c) of this subrule.

(b) Deny or limit the certification, except as provided in subdivision (c) of this subrule.

(c) In the case of a skilled nursing facility which has applied for certification for purposes of participating in both the medicare and medicaid programs, recommend to the U.S. secretary of health and human services that certification be issued, renewed, limited, or denied.

(4) Except as otherwise provided by federal law and regulation, action by the department pursuant to subrule (3)(b) of this rule shall be preceded by a notice of intent to deny, suspend, limit, or revoke the certification and opportunity for a hearing in accordance with part 19 of these rules. The department's final decisions with respect to the granting, suspension, limitation, or revocation of a certification shall be sent simultaneously to the facility and to the department of health and human services and to the department of human services as required.

History: 1981 AACCS; 2014 MR 20, Eff. Nov. 4, 2014.

R 325.21505

Source: 1981 AACCS.

R 325.21506

Source: 1981 AACCS.

R 325.21507

Source: 1981 AACCS.

R 325.21508 Requirements for certification as an intermediate (basic nursing) care facility (ICF).

Rule 1508. A licensed nursing care facility shall, at the facility's request, be certified by the department as an intermediate care facility when it is determined by the department, on the basis of facility survey, inspection, investigation, and evaluation that the facility complies with applicable state and federal statutes, rules, and other standards for intermediate care facilities. Such federal regulations are generally available from the Health Care Financing Administration, U.S. Department of Health and Human Services, Washington, D.C. 20024, and the Bureau of Health Care Services, Michigan Department of Licensing and Regulatory Affairs, Lansing, MI 48909.

History: 1981 AACCS; 2014 MR 20, Eff. Nov. 4, 2014.

R 325.21509 Requirements for certification as an intermediate care facility/developmentally disabled (ICF/DD).

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Rule 1509. A licensed nursing care facility shall, at the facility's request, be certified by the director of the department as an intermediate care facility/developmentally disabled when it is determined by the director of the department, on the basis of facility survey, inspection, investigation, and evaluation, that the facility complies with applicable state and federal statutes, rules, and other standards for intermediate care facilities/developmentally disabled. Such federal regulations are generally available from the Health Care Financing Administration, U.S. Department of Health and Human Services, Washington, D.C. 20024, and the Bureau of Health Care Services, Michigan Department of Licensing and Regulatory Affairs, PO Box 30670, Lansing, MI 48909.

History: 1981 AACCS; 2014 MR 20, Eff. Nov. 4, 2014.

R 325.21510 Requirements for certification as a skilled nursing facility (SNF).

Rule 1510. (1) A licensed nursing care facility shall, at the facility's request, be certified by the department or, when required, by the U.S. secretary of the department of health and human services as a skilled nursing facility when it is determined by the director of the department or the secretary of the department of health and human services, on the basis of facility survey, inspection, investigation, and evaluation, that the facility complies with applicable state and federal statutes, rules, and other standards for skilled nursing facilities. Such federal regulations are generally available from the Health Care Financing Administration, U.S. Department of Health and Human Services, Washington, D.C. 20024, and the Bureau of Health Care Services, Michigan Department of Licensing and Regulatory Affairs, PO Box 30670, Lansing, MI 48909.

(2) A licensed nursing care facility certified as a skilled nursing facility shall comply with the following provisions:

(a) There shall be at least 1 licensed nurse on duty for each 64 patients, or fraction thereof, on the day shift, at least 1 licensed nurse on duty for each 96 patients, or fraction thereof, on the afternoon shift, and at least 1 licensed nurse on duty for each 120 patients, or fraction thereof, on the night shift.

(b) Additional licensed nurses shall be employed and on duty when such additional licensed nursing personnel are required to meet minimum nursing care needs because of any of the following:

(i) The physical layout or size of the facility or nursing unit.

(ii) The complexity of patient care needs.

(iii) The qualifications of the nursing staff in terms of training and experience.

(iv) The number of therapeutic treatments to be provided.

(v) The number of medications to be administered.

History: 1981 AACCS; 2014 MR 20, Eff. Nov. 4, 2014.

R 325.21511 Requirements for certification as a nursing facility for the care of developmentally disabled patients.

Rule 1511. An applicant for certification as a nursing facility for the care of developmentally disabled patients shall be a licensed nursing care facility and shall meet the requirements of part 16 of these rules.

History: 1981 AACCS; 2014 MR 20, Eff. Nov. 4, 2014.

R 325.21512

Source: 1981 AACCS.

R 325.21513

Source: 1981 AACCS.

R 325.21514

Source: 1981 AACCS.

R 325.21515

Source: 1981 AACCS.

PART 16. NURSING FACILITIES FOR CARE OF MENTALLY ILL PATIENTS

R 325.21601 Applicability.

Rule 1601. A nursing home or nursing facility requesting special certification to the department of human services for the care of mentally ill patients under the medicaid program, in addition to all other applicable requirements for licensure and skilled nursing facility certification under these rules, shall comply with this part.

History: 1981 AACCS; 2014 MR 20, Eff. Nov. 4, 2014.

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R 325.21602 Patient capacity and admission.

Rule 1602. A special mental illness nursing home or nursing facility shall comply with both of the following provisions:

- (a) Be an entire facility or a distinct part of a facility of not more than 150 nor less than 16 patient beds and be able to care for a mentally ill patient of any age in need of nursing care.
- (b) Have a written agreement in effect with the department of community health and admit only mentally ill individuals as defined and authorized by the department of mental health under that agreement.

History: 1981 AACCS; 2014 MR 20, Eff. Nov. 4, 2014.

R 325.21603

Source: 1981 AACCS.

R 325.21604

Source: 1981 AACCS.

R 325.21605

Source: 1981 AACCS.

PART 17. NURSING FACILITIES FOR CARE OF MENTALLY RETARDED PATIENTS

R 325.21701 Applicability.

Rule 1701. A nursing home or nursing care facility requesting special certification to the department of human services for the care of developmentally disabled patients under the medicaid program, in addition to all other applicable requirements for licensure and skilled nursing facility certification under these rules, shall comply with this part.

History: 1981 AACCS; 2014 MR 20, Eff. Nov. 4, 2014.

R 325.21702 Patient capacity and admissions.

Rule 1702. A special developmental disability nursing home or nursing facility shall comply with both of the following provisions:

- (a) Be an entire facility or a distinct part of a facility of not more than 150 nor less than 16 patient beds and be able to care for a developmentally disabled patient of any age in need of nursing care.
- (b) Have a written agreement in effect with the department of community health and admit only developmentally disabled individuals as defined and authorized by the department of community health under that agreement.

History: 1981 AACCS; 2014 MR 20, Eff. Nov. 4, 2014.

R 325.21703 Specialized physician services.

Rule 1703. A special developmental disability nursing home or nursing facility shall have on its staff a physician who is a specialist in the diagnosis, treatment, and care of the developmentally disabled. The physician specialist, in accordance with written policy of the facility, shall comply with all of the following provisions:

- (a) Have special training and experience in the diagnosis, treatment, and care of the developmentally disabled .
- (b) Serve as a consultant to the administrator of the facility in planning and implementing a continuing program designed to meet the special needs of patients in the facility.
- (c) Serve as a consultant to other physicians attending patients in the facility.
- (d) Care for developmentally disabled patients, as may be appropriate, at the request of the patient or his or her guardian, the patient's attending physician, and the facility.
- (e) Assist the facility in development of, and approve written patient care policies for, the diagnosis, treatment, and care of patients in the facility.
- (f) Assist the facility in the writing of individual patient care plans and approve such plans.
- (g) Assure that patients are seen and evaluated by the attending physician not less than every 30 days and more often as may be required to care adequately for patients.

History: 1981 AACCS; 2014 MR 20, Eff. Nov. 4, 2014.

R 325.21704 Specialized nursing services.

Rule 1704. Specialized nursing services in a developmental disability nursing home or nursing facility shall comply with all of the following provisions:

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(a) Be directed by a registered nurse who has at least 1 year of work experience in the care of developmentally disabled patients or who, in the opinion of the physician specialist on the staff of the facility, is qualified to supervise the nursing care and habilitative and developmental training services for developmentally disabled patients.

(b) Provide that nursing care for patients on all shifts in the facility shall be in the charge of a registered nurse or licensed practical nurse experienced in the care of developmentally disabled patients.

(c) Provide that the nursing staff shall receive orientation in the provision of habilitative and developmental training services necessary to the care of developmentally disabled patients. Nursing personnel shall receive specialized inservice training on a regular and continuing basis.

(d) Provide, in addition to personnel required for compliance with nurse staffing requirements for licensure and skilled nursing facility certification, additional licensed and unlicensed personnel required to meet the needs of individual patients, but not less than 4.35 hours of nursing care per patient per 24 hours of residence. In addition, the following provisions shall be complied with:

(i) The ratio of patients present to nursing care personnel from the hours of 6 a.m. to 8 p.m. shall not exceed 4 patients to 1 nursing care personnel.

(ii) For the hours of 8 p.m. to 6 a.m., the ratio of patients to nursing care personnel shall not exceed 12 patients to 1 nursing care personnel.

(iii) In addition to the provisions of paragraphs (i) and (ii) of this subdivision, there shall be sufficient nursing care personnel available on duty to assure coverage for patients at all times during each shift.

History: 1981 AACCS; 2014 MR 20, Eff. Nov. 4, 2014.

R 325.21705 Other specialized services.

Rule 1705. A developmental disability nursing home or nursing facility shall comply with all of the following provisions:

(a) Provide an organized program of diversional activities and training services required to meet the needs of individual developmentally disabled patients. Such programs, in accordance with the needs of individual patients, shall be consistent with the patient's physical condition, level of functioning, and mental capacity.

(b) Provide necessary arrangements to obtain other specialized diagnostic services and forms of therapy as may be required by the individual patients.

(c) Keep the state developmental disability facility, which is designated by the department of community health, in the home's or facility's area advised on a monthly basis, by mail, of the availability of beds for the care of patients and the name of the physician specialist on its staff.

History: 1981 AACCS; 2014 MR 20, Eff. Nov. 4, 2014.

PART 18. NURSING FACILITIES FOR CARE OF TUBERCULOSIS PATIENTS

R 325.21801

Source: 1981 AACCS.

R 325.21802

Source: 1981 AACCS.

R 325.21803

Source: 1981 AACCS.

R 325.21804

Source: 1981 AACCS.

R 325.21805

Source: 1981 AACCS.

R 325.21806

Source: 1981 AACCS.

R 325.21807

Source: 1981 AACCS.

PART 19. HEARING PROCEDURE

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R 325.21901
Source: 1981 AACS.

R 325.21902
Source: 1981 AACS.

R 325.21903
Source: 1981 AACS.

R 325.21904
Source: 1981 AACS.

R 325.21905
Source: 1981 AACS.

R 325.21906
Source: 1981 AACS.

R 325.21907
Source: 1981 AACS.

R 325.21908
Source: 1981 AACS.

R 325.21909
Source: 1981 AACS.

R 325.21910
Source: 1981 AACS.

R 325.21911
Source: 1981 AACS.

R 325.21912
Source: 1981 AACS.

R 325.21913
Source: 1981 AACS.

R 325.21914
Source: 1981 AACS.

R 325.21915
Source: 1981 AACS.

R 325.21916
Source: 1981 AACS.

R 325.21917
Source: 1981 AACS.

R 325.21918
Source: 1981 AACS.

R 325.21919
Source: 1981 AACS.

R 325.21920
Source: 1981 AACS.

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R 325.21921
Source: 1981 AACS.

R 325.21922
Source: 1981 AACS.

PART 20. EDUCATION AND TRAINING OF UNLICENSED NURSING PERSONNEL

R 325.22001
Source: 1983 AACS.

R 325.22002
Source: 1983 AACS.

R 325.22003
Source: 1983 AACS.

R 325.22003a
Source: 1984 AACS.

R 325.22004
Source: 1983 AACS.

DEPARTMENT OF COMMUNITY HEALTH

DIRECTOR'S OFFICE

EMERGENCY MEDICAL SERVICES - LIFE SUPPORT AGENCIES & MEDICAL CONTROL

PART 1. GENERAL PROVISIONS

R 325.22101
Source: 2004 AACS.

R 325.22102
Source: 2004 AACS.

R 325.22103
Source: 2004 AACS.

R 325.22104
Source: 2004 AACS.

PART 2. LIFE SUPPORT AGENCIES-GENERAL

R 325.22111
Source: 2004 AACS.

R 325.22112 Patient destination; transporting agencies.

Rule 112. (1) An ambulance operation, both ground and rotary, shall transport an emergency patient only to an organized emergency department located in and operated by 1 of the following:

- (a) A hospital licensed under part 215 of the code. ~~or to~~
- (b) A freestanding surgical outpatient facility licensed under part 208 of the code that operates a service for treating emergency patients 24 hours a day, 7 days a week, and complies with medical control authority protocols.-
- (c) An off-campus emergency department of a hospital licensed under part 215 of the code, if the off-campus emergency department is available for treating emergency patients 24 hours a day, 7 days a week, complies with medical control authority protocols, and has obtained provider-based status under 42 CFR 413.65.

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History: 2004 AACS; 2015 MR 23, Eff. Dec. 9, 2014.

R 325.22113

Source: 2004 AACS.

R 325.22114

Source: 2004 AACS.

R 325.22115

Source: 2004 AACS.

R 325.22116

Source: 2004 AACS.

R 325.22117

Source: 2004 AACS.

R 325.22118

Source: 2004 AACS.

R 325.22119

Source: 2004 AACS.

R 325.22120

Source: 2004 AACS.

R 325.22121

Source: 2004 AACS.

R 325.22122

Source: 2004 AACS.

R 325.22123

Source: 2004 AACS.

R 325.22124

Source: 2004 AACS.

R 325.22125

Source: 2004 AACS.

R 325.22126

Source: 2004 AACS.

R 325.22127

Source: 2004 AACS.

PART 3. AMBULANCE OPERATIONS

R 325.22131

Source: 2004 AACS.

R325.22132

Source: 2004 AACS.

R 325.22133

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Source: 2004 AACS.

R 325.22134

Source: 2004 AACS.

R 325.22135

Source: 2004 AACS.

R 325.22136

Source: 2004 AACS.

R 325.22137

Source: 2004 AACS.

R 325.22138

Source: 2004 AACS.

PART 4. NONTRANSPORT PREHOSPITAL LIFE SUPPORT OPERATIONS

R 325.22141

Source: 2004 AACS.

R 325.22142

Source: 2004 AACS.

R 325.22143

Source: 2004 AACS.

R 325.22144

Source: 2004 AACS.

R 325.22145

Source: 2004 AACS.

R 325.22146

Source: 2004 AACS.

PART 5. AIRCRAFT TRANSPORT OPERATIONS

R 325.22151

Source: 2004 AACS.

R325.22152

Source: 2004 AACS.

R 325.22153

Source: 2004 AACS.

R 325.22154

Source: 2004 AACS.

R 325.22155

Source: 2004 AACS.

R 325.22156

Source: 2004 AACS.

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PART 6. MEDICAL FIRST RESPONSE SERVICES

R 325.22161
Source: 2004 AACS.

R 325.22162
Source: 2004 AACS.

R 325.22163
Source: 2004 AACS.

R 325.22164
Source: 2004 AACS.

R 325.22165
Source: 2004 AACS.

R 325.22166
Source: 2004 AACS.

PART 7. AMBULANCE OPERATION UPGRADE LICENSE

R 325.22171
Source: 2004 AACS.

R 325.22172
Source: 2004 AACS.

R 325.22173
Source: 2004 AACS.

R 325.22174
Source: 2004 AACS.

R 325.22175
Source: 2004 AACS.

R 325.22176
Source: 2004 AACS.

R 325.22177
Source: 2004 AACS.

PART 8. LIFE SUPPORT VEHICLES

R 325.22181
Source: 2004 AACS.

R 325.22182
Source: 2004 AACS.

R 325.22183
Source: 2004 AACS.

R 325.22184

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Source: 2004 AACS.

R325.22185

Source: 2004 AACS.

R 325.22186

Source: 2004 AACS.

R 325.22187

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R 325.22188

Source: 2004 AACS.

R 325.22189

Source: 2004 AACS.

R 325.22190

Source: 2004 AACS.

R 325.22191

Source: 2004 AACS.

PART 9. COMMUNICATIONS REQUIREMENTS

R 325.22192

Source: 2004 AACS.

R 325.22193

Source: 2004 AACS.

R 325.22194

Source: 2004 AACS.

R 325.22195

Source: 2004 AACS.

PART 10. MEDICAL CONTROL AUTHORITY

R 325.22201

Source: 2004 AACS.

R 325.22202

Source: 2004 AACS.

R 325.22203

Source: 2004 AACS.

R 325.22204

Source: 2004 AACS.

R 325.22205

Source: 2004 AACS.

R 325.22206

Source: 2004 AACS.

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R 325.22207
Source: 2004 AACS.

R 325.22208
Source: 2004 AACS.

R 325.22209
Source: 2004 AACS.

R 325.22210
Source: 2004 AACS.

R 325.22211
Source: 2004 AACS.

R 325.22212
Source: 2004 AACS.

R 325.22213
Source: 2004 AACS.

R 325.22214
Source: 2004 AACS.

R 325.22215
Source: 2004 AACS.

R 325.22216
Source: 2004 AACS.

R 325.22217
Source: 2004 AACS.

DEPARTMENT OF COMMUNITY HEALTH

DIRECTOR'S OFFICE

EMERGENCY MEDICAL SERVICES PERSONNEL LICENSING

R 325.22301
Source: 2004 AACS.

R 325.22302
Source: 2004 AACS.

PART 2. EMERGENCY MEDICAL SERVICES PERSONNEL LICENSING

R 325.22311
Source: 2004 AACS.

R 325.22312
Source: 2004 AACS.

R 325.22313
Source: 2004 AACS.

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R 325.22314
Source: 2004 AACCS.

R 325.22315
Source: 2004 AACCS.

R 325.22316
Source: 2004 AACCS.

PART 3. CONTINUING EDUCATION REQUIREMENTS

R 325.22321
Source: 2004 AACCS.

R 325.22322
Source: 2004 AACCS.

R 325.22323
Source: 2004 AACCS.

R 325.22324
Source: 2004 AACCS.

R 325.22325
Source: 2004 AACCS.

R 325.22326
Source: 2004 AACCS.

R 325.22327
Source: 2004 AACCS.

PART 4. INSTRUCTOR-COORDINATORS

R 325.22331
Source: 2004 AACCS.

R 325.22332
Source: 2004 AACCS.

R 325.22333
Source: 2004 AACCS.

R 325.22334
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R 325.22335
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R 325.22336
Source: 2004 AACCS.

R 325.22337
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R 325.22338
Source: 2004 AACCS.

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PART 5. EDUCATION PROGRAM REQUIREMENTS

R 325.22339
Source: 2004 AACS.

R 325.22340
Source: 2004 AACS.

R 325.22341
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R 325.22342
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R 325.22343
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R 325.22344
Source: 2004 AACS.

R 325.22345
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PART 6. HEARING PROCEDURES

R 325.22346
Source: 2004 AACS.

R 325.22347
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R 325.22348
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R 325.22349
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R 325.22355
Source: 2004 AACS.

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Source: 2004 AACS.

R 325.22357

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R 325.22360

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R 325.22361

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R 325.22362

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R 325.22363

Source: 2004 AACS.

R 325.23101

Source: 2004 AACS.

R 325.23102

Source: 2004 AACS.

R 325.23103

Source: 2004 AACS.

R 325.23104

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R 325.23105

Source: 2004 AACS.

R 325.23106

Source: 2004 AACS.

R 325.23107

Source: 2004 AACS.

PART 2. EMERGENCY MEDICAL SERVICES SYSTEM

R 325.23201

Source: 2004 AACS.

R 325.23202

Source: 2004 AACS.

R 325.23203

Source: 2004 AACS.

PART 3. AMBULANCE PERSONNEL, AMBULANCE ATTENDANTS

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R 325.23301
Source: 2004 AACCS.

R 325.23302
Source: 2004 AACCS.

R 325.23303
Source: 2004 AACCS.

R 325.23304
Source: 2004 AACCS.

**PART 4. ADVANCED EMERGENCY MEDICAL TECHNICIANS, EMERGENCY MEDICAL TECHNICIAN
SPECIALISTS, EMERGENCY MEDICAL TECHNICIANS**

R 325.23401
Source: 2004 AACCS.

R 325.23402
Source: 2004 AACCS.

R 325.23403
Source: 2004 AACCS.

R 325.23404
Source: 2004 AACCS.

R 325.23405
Source: 2004 AACCS.

R 325.23406
Source: 2004 AACCS.

R 325.23407
Source: 2004 AACCS.

PART 5. INSTRUCTOR-COORDINATORS

R 325.23501
Source: 2004 AACCS.

R 325.23502
Source: 2004 AACCS.

R 325.23503
Source: 2004 AACCS.

R 325.23504
Source: 2004 AACCS.

R 325.23505
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R 325.23506
Source: 2004 AACCS.

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R 325.23507
Source: 2004 AACS.

PART 6. TRAINING PROGRAM REQUIREMENTS

R 325.23601
Source: 2004 AACS.

R 325.23602
Source: 2004 AACS.

R 325.23603
Source: 2004 AACS.

PART 7. MEDICAL CONTROL

R 325.23701
Source: 2004 AACS.

R 325.23702
Source: 2004 AACS.

R 325.23703
Source: 2004 AACS.

R 325.23704
Source: 2004 AACS.

R 325.23705
Source: 2004 AACS.

R 325.23706
Source: 2004 AACS.

R 325.23707
Source: 2004 AACS.

PART 8. ADVANCED AND LIMITED ADVANCED MOBILE EMERGENCY CARE SERVICES

R 325.23801
Source: 2004 AACS.

R 325.23802
Source: 2004 AACS.

R 325.23803
Source: 2004 AACS.

R 325.23804
Source: 2004 AACS.

R 325.23805
Source: 2004 AACS.

R 325.23806
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R 325.23807
Source: 2004 AACS.

R 325.23808
Source: 2004 AACS.

PART 9. AMBULANCE OPERATIONS

R 325.23901
Source: 2004 AACS.

R 325.23902
Source: 2004 AACS.

R 325.23903
Source: 2004 AACS.

R 325.23904
Source: 2004 AACS.

R 325.23905
Source: 2004 AACS.

R 325.23906
Source: 2004 AACS.

PART 10. VEHICLE STANDARDS

R 325.24001
Source: 2004 AACS.

R 325.24002
Source: 2004 AACS.

R 325.24003
Source: 2004 AACS.

R 325.24005
Source: 2004 AACS.

R 325.24006
Source: 2004 AACS.

R 325.24007
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R 325.24008
Source: 2004 AACS.

R 325.24009
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R 325.24010
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R 325.24011
Source: 2004 AACS.

R 325.24012
Source: 2004 AACS.

R 325.24013
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R 325.24014
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R 325.24015
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R 325.24016
Source: 2004 AACS.

R 325.24017
Source: 2004 AACS.

R 325.24018
Source: 2004 AACS.

R 325.24020
Source: 2004 AACS.

PART 11. HEARING PROCEDURES

R 325.24101
Source: 2004 AACS.

R 325.24102
Source: 2004 AACS.

R 325.24103
Source: 2004 AACS.

R 325.24104
Source: 2004 AACS.

R 325.24105
Source: 2004 AACS.

R 325.24106
Source: 2004 AACS.

R 325.24107
Source: 2004 AACS.

R 325.24108
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R 325.24109
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R 325.24110
Source: 2004 AACS.

R 325.24111
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R 325.24112
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R 325.24113
Source: 2004 AACS.

R 325.24114
Source: 2004 AACS.

R 325.24115
Source: 2004 AACS.

R 325.24116
Source: 2004 AACS.

R 325.24117
Source: 2004 AACS.

R 325.24118
Source: 2004 AACS.

DEPARTMENT OF AGRICULTURE

BUREAU OF ENVIRONMENTAL AND OCCUPATIONAL HEALTH

FOOD SERVICE SANITATION

PART 1. GENERAL PROVISIONS

R 325.25101
Source: 2012 AACS.

R 325.25102
Source: 2012 AACS.

R 325.25103
Source: 2012 AACS.

R 325.25104
Source: 2012 AACS.

R 325.25105
Source: 2012 AACS.

R 325.25106
Source: 2012 AACS.

**PART 4. DEPARTMENT AND LOCAL HEALTH DEPARTMENT PROGRAM REQUIREMENTS,
PROCEDURES, AND EVALUATIONS**

R 325.25401
Source: 2012 AACS.

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R 325.25402
Source: 2012 AACS.

R 325.25403
Source: 2012 AACS.

R 325.25404
Source: 2012 AACS.

R 325.25501
Source: 2012 AACS.

R 325.25502
Source: 2012 AACS.

R 325.25503
Source: 2012 AACS.

R 325.25504
Source: 2012 AACS.

R 325.25505
Source: 2012 AACS.

PART 6. TEMPORARY AND MOBILE FOOD SERVICE ESTABLISHMENTS

R 325.25601
Source: 2012 AACS.

R 325.25602
Source: 2012 AACS.

R 325.25603
Source: 2012 AACS.

R 325.25604
Source: 2012 AACS.

R 325.25605
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R 325.25606
Source: 2012 AACS.

R 325.25607
Source: 2012 AACS.

PART 7. PLAN SUBMITTAL AND REVIEW

R 325.25701
Source: 2012 AACS.

R 325.25702
Source: 2012 AACS.

R 325.25703
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R 325.25704
Source: 2012 AACS.

R 325.25705
Source: 2012 AACS.

R 325.25706
Source: 2012 AACS.

R 325.25707
Source: 2012 AACS.

R 325.25708
Source: 2012 AACS.

PART 8. LICENSING AND ENFORCEMENT

R 325.25801
Source: 2012 AACS.

R 325.25802
Source: 2012 AACS.

R 325.25803
Source: 2012 AACS.

R 325.25804
Source: 2012 AACS.

R 325.25805
Source: 2012 AACS.

R 325.25806
Source: 2012 AACS.

R 325.25807
Source: 2012 AACS.

PART 9. SURVEILLANCE AND INSPECTIONS

R 325.25901
Source: 2012 AACS.

R 325.25902
Source: 2012 AACS.

R 325.25903
Source: 2012 AACS.

R 325.25904
Source: 2012 AACS.

R 325.25905
Source: 2012 AACS.

R 325.25906
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R 325.25907
Source: 2012 AACS.

R 325.25908
Source: 2012 AACS.

R 325.25909
Source: 2012 AACS.

R 325.25910
Source: 2012 AACS.

PART 10. VENTILATION

R 325.26001
Source: 2012 AACS.

R 325.26002
Source: 2012 AACS.

R 325.26003
Source: 2012 AACS.

R 325.26004
Source: 2012 AACS.

R 325.26005
Source: 2012 AACS.

R 325.26006
Source: 2012 AACS.

R 325.26007
Source: 2012 AACS.

R 325.26008
Source: 2012 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

OCCUPATIONAL HEALTH STANDARDS

OCCUPATIONAL HEALTH STANDARDS--CARCINOGENS

R 325.35001
Source: 2013 AACS.

R 325.35002
Source: 2013 AACS.

R 325.35002a
Source: 2013 AACS.

R 325.35003
Source: 2013 AACS.

R 325.35004

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Source: 2013 AACS.

R 325.35005

Source: 2013 AACS.

R 325.35006

Source: 2002 AACS.

R 325.35006a

Source: 2013 AACS.

R 325.35007

Source: 2013 AACS.

R 325.35008

Source: 2013 AACS.

R 325.35009

Source: 2013 AACS.

R 325.35010

Source: 2013 AACS.

R 325.35011

Source: 2013 AACS.

MEDICAL SERVICES AND FIRST AID—GENERAL INDUSTRY

R 325.47201 Medical services and first aid.

Rule 7201. (1) An employer shall ensure the ready availability of medical personnel for advice and consultation on matters of plant health.

(2) An employer shall ensure that, in the absence of an infirmary, clinic, or hospital in near proximity to the workplace which is used for the treatment of all injured employees, a person or persons shall be adequately trained to render first aid. Adequate first aid supplies shall be readily available.

(3) An employer shall ensure that suitable facilities for quick drenching or flushing of the eyes and body are provided within the work area for immediate emergency use when the eyes or body of any person may be exposed to injurious or corrosive materials.

History: 2001 AACS; 2014 MR 15, Eff. August 19, 2014.

ILLUMINATION

R 325.47801

Source: 2013 AACS.

EXTINGUISHING SYSTEMS

R 325.48001

Source: 2005 AACS.

METHYLENEDIANILINE (MDA)

- R 325.50051**
Source: 1993 AACS.
- R 325.50052**
Source: 1998-2000 AACS.
- R 325.50053**
Source: 1993 AACS.
- R 325.50054**
Source: 1998-2000 AACS.
- R 325.50055**
Source: 1993 AACS.
- R 325.50056**
Source: 1993 AACS.
- R 325.50057**
Source: 1993 AACS.
- R 325.50058**
Source: 1993 AACS.
- R 325.50059**
Source: 1993 AACS.
- R 325.50060**
Source: 1998-2000 AACS.
- R 325.50061**
Source: 1993 AACS.
- R 325.50062**
Source: 1993 AACS.
- R 325.50063**
Source: 1993 AACS.
- R 325.50064**
Source: 1993 AACS.
- R 325.50065**
Source: 1993 AACS.
- R 325.50066**
Source: 1993 AACS.
- R 325.50067**
Source: 1993 AACS.
- R 325.50068**
Source: 1993 AACS.
- R 325.50069**

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Source: 1993 AACS.

R 325.50070

Source: 1993 AACS.

R 325.50071

Source: 1993 AACS.

R 325.50072

Source: 1993 AACS.

R 325.50073

Source: 1993 AACS.

R 325.50074

Source: 1998-2000 AACS.

R 325.50075

Source: 1998-2000 AACS.

R 325.50076

Source: 1998-2000 AACS.

1,3-BUTADIENE

R 325.50091. Scope and application.

Rule 1. (1) These rules apply to all occupational exposures to 1,3-Butadiene (BD), chemical abstracts service registry no. 106-99-0, in all industries subject to Michigan Occupational Safety and Health Act (MIOSHA), 1974 PA 154, MCL 408.1001 to 408.1094, except as provided in 29 C.F.R. §1910.1051(a)(2), “1,3-Butadiene,” as amended on February 8, 2013, as adopted in these rules.

(2) These rules replace all references to 1,3-Butadiene contained in Tables G-1-A in Occupational Health Standard Part 301 “Air Contaminants,” as referenced in R 325.50093.

History: 1997 AACS; 2014 MR 1, Eff. Jan. 21, 2014.

R 325.50092. Adoption by reference of federal regulations.

Rule 2. (1) The federal occupational safety and health administration’s regulations on 1,3-Butadiene promulgated by the United States department of labor and codified at 29 C.F.R. §1910.1051, “1,3-Butadiene,” as amended on February 8, 2013, are adopted in these rules.

(2) All of the following provisions apply as used in these rules:

(a) A reference to 29 C.F.R. §1910.133, “Eye and face protection,” in 29 C.F.R. 1910.1051(i), means Occupational Health Standard Part 433 “Personal Protective Equipment,” and Construction Safety Standard Part 6 “Personal Protective Equipment,” as referenced in R 325.50093.

(b) A reference to 29 C.F.R. §1910.134, “Respiratory protection,” in 29 C.F.R. 1910.1051(h) and (k), means Occupational Health Standard Part 451 “Respiratory Protection,” as referenced in R 325.50093.

(c) A reference to 29 C.F.R. §1910.1200 and §1926.59, “Hazard communication, in 29 C.F.R. 1910.1051 (l), means Construction Safety Standard Part 42 “Hazard Communication,” General Industry Safety Standard Part 92 “Hazard Communication,” and Occupational Health Standard Part 430 “Hazard Communication,” as referenced in R 325.50093.

(3) These federal regulations adopted in this rule have the same force and effect as a rule promulgated pursuant to the provisions of the Michigan Occupational Safety and Health Act (MIOSHA) 1974 PA 154, MCL 408.1001 to 408.1094.

History: 1997 AACS; 2014 MR 1, Eff. Jan. 21, 2014.

R 325.50093. Obtaining adopted and referenced standards.

Rule 3. (1) The OSHA regulations adopted in R 325.50091 and R 325.50092 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.

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(2) The standards adopted in R 325.50091 and R 325.50092 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.

(3) Copies of the standards adopted in R 325.50091 and R 325.50092 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, plus \$20.00 for shipping and handling.

(4) The following Michigan occupational safety and health standards are referenced in R 325.50091 and R 325.50092. Up to 5 copies of these standards may be obtained at no charge from the Michigan Department of licensing and regulatory affairs, MIOSHA standards section, 7150 Harris Drive, P.O. Box 30643, Lansing, MI, 48909-8143 or via the internet at website: 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 6 “Personal Protective Equipment,” R 408.40601 to R 408.40841.

(b) Construction Safety Standard Part 42 “Hazard Communication,” R 408.44201 to R 408.44203.

(c) General Industry Safety Standard Part 92 “Hazard Communication,” R 408.19201 to R 408.19203.

(d) Occupational Health Standard Part 301 “Air Contaminants,” R 325.51101 to R 325.51108.

(e) Occupational Health Standard Part 430 “Hazard Communication,” R 325.77001 to R 325.77003.

(f) Occupational Health Standard Part 433 “Personal Protective Equipment,” R 325.60001 to R 325.60013.

(g) Occupational Health Standard Part 451 “Respiratory Protection,” R 325.60051 to R 325.60052.

History: 2014 MR 1, Eff. Jan. 21, 2014.

COKE OVEN EMISSIONS

R 325.50100

Source: 2013 AACS.

R 325.50101

Source: 2013 AACS.

R 325.50102

Source: 2013 AACS.

R 325.50102a

Source: 2013 AACS.

R 325.50103

Source: 1979 AC.

R 325.50104

Source: 1979 AC.

R 325.50105

Source: 2013 AACS.

R 325.50106

Source: 2013 AACS.

R 325.50106a

Source: 2013 AACS.

R 325.50107

Source: 2013 AACS.

R 325.50108

Source: 2013 AACS.

R 325.50109

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Source: 2013 AACS.

R 325.50110

Source: 2013 AACS.

R 325.50111

Source: 2013 AACS.

R 325.50112

Source: 1979 AC.

R 325.50113

Source: 1979 AC.

R 325.50114

Source: 2013 AACS.

R 325.50115

Source: 2013 AACS.

R 325.50116

Source: 2013 AACS.

R 325.50117

Source: 2013 AACS.

R 325.50118

Source: 2013 AACS.

R 325.50119

Source: 2013 AACS.

R 325.50120

Source: 1979 AC.

R 325.50121

Source: 2013 AACS.

R 325.50122

Source: 1979 AC.

R 325.50123

Source: 2013 AACS.

R 325.50124

Source: 2013 AACS.

R 325.50125

Source: 2013 AACS.

R 325.50126

Source: 1979 AC.

R 325.50127

Source: 1979 AC.

R 325.50128

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Source: 2013 AACS.

R 325.50129

Source: 2013 AACS.

HAZARD COMMUNICATION

R 325.50129a

Source: 2013 AACS.

R 325.50130

Source: 2013 AACS.

R 325.50131

Source: 2013 AACS.

R 325.50132

Source: 2013 AACS.

R 325.50133

Source: 2013 AACS.

R 325.50134

Source: 2013 AACS.

R 325.50135

Source: 2013 AACS.

R 325.50136

Source: 2013 AACS.

R 325.50151

Source: 1998-2000 AACS.

OCCUPATIONAL HEALTH STANDARDS

PART 315. CHROMIUM (VI) IN GENERAL INDUSTRY

R 325.50141

Source: 2006 AACS.

R 325.50142

Source: 2010 AACS.

R 325.50143

Source: 2010 AACS.

PART 501. AGRICULTURAL OPERATIONS

R 325.50171

Source: 2002 AACS.

OCCUPATIONAL HEALTH STANDARDS

PART 2. TUNNELS, SHAFTS, CAISSONS, AND COFFERDAMS

R 325.50201

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Source: 1997 AACS.

R 325.50202

Source: 1997 AACS.

R 325.50203

Source: 1997 AACS.

R 325.50204

Source: 1997 AACS.

R 325.50205

Source: 1997 AACS.

R 325.50206

Source: 1997 AACS.

R 325.50207

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R 325.50208

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R 325.50209

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R 325.50210

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R 325.50211

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R 325.50212

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R 325.50220

Source: 1997 AACS.

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R 325.50221
Source: 1997 AACS.

R 325.50222
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R 325.50223
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R 325.50224
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R 325.50228
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R 325.50229
Source: 1997 AACS.

R 325.50230
Source: 1997 AACS.

R 325.50231
Source: 1997 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

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OCCUPATIONAL HEALTH STANDARDS--ABRASIVE BLASTING

R 325.50251
Source: 2001 AACS.

R 325.50252
Source: 2001 AACS.

R 325.50253
Source: 2001 AACS.

R 325.50254
Source: 2001 AACS.

R 325.50255
Source: 2001 AACS.

R 325.50256
Source: 2001 AACS.

R 325.50257
Source: 2001 AACS.

R 325.50258
Source: 2001 AACS.

DIVING OPERATIONS

R 325.50301
Source: 2013 AACS.

R 325.50302
Source: 2013 AACS.

R 325.50303
Source: 2013 AACS.

R 325.50304
Source: 2013 AACS.

R 325.50305
Source: 2013 AACS.

R 325.50306
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R 325.50307
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R 325.50308
Source: 2013 AACS.

R 325.50309
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R 325.50310
Source: 2013 AACS.

R 325.50311
Source: 2013 AACS.

R 325.50312
Source: 2013 AACS.

R 325.50313
Source: 2013 AACS.

R 325.50314
Source: 2013 AACS.

R 325.50315
Source: 2013 AACS.

R 325.50316
Source: 2013 AACS.

R 325.50317

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Source: 2013 AACS.

R 325.50318

Source: 2013 AACS.

R 325.50319

Source: 2013 AACS.

R 325.50320

Source: 2013 AACS.

R 325.50321

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R 325.50322

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R 325.50323

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R 325.50331

Source: 2013 AACS.

R 325.50332

Source: 2013 AACS.

R 325.50333

Source: 2013 AACS.

R 325.50334

Source: 2013 AACS.

R 325.50335

Source: 2013 AACS.

R 325.50336

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Source: 2013 AACS.

R 325.50337

Source: 2013 AACS.

R 325.50338

Source: 2013 AACS.

R 325.50339

Source: 2013 AACS.

R 325.50340

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R 325.50341

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R 325.50342

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R 325.50343

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R 325.50344

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R 325.50345

Source: 2013 AACS.

R 325.50346

Source: 2013 AACS.

R 325.50347

Source: 2013 AACS.

R 325.50348

Source: 2013 AACS.

ILLUMINATION

R 325.50902

Source: 2001 AACS.

R 325.51004

Source: 2001 AACS.

AIR CONTAMINANTS

R 325.51101

Source: 2013 AACS.

R 325.51101a

Source: 2013 AACS.

R 325.51103

Source: 2001 AACS.

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R 325.51104
Source: 2001 AACS.

R 325.51105
Source: 2013 AACS.

R 325.51106
Source: 2001 AACS.

R 325.51107
Source: 1990 AACS.

R 325.51108
Source: 2013 AACS.

PART 511. TEMPORARY LABOR CAMPS

R 325.51131
Source: 2008 AACS.

R 325.51132
Source: 2008 AACS.

R 325.51133
Source: 2008 AACS.

R 325.51134
Source: 2008 AACS.

R 325.51135
Source: 2008 AACS.

R 325.51136
Source: 2008 AACS.

R 325.51137
Source: 2008 AACS.

R 325.51138
Source: 2008 AACS.

R 325.51139
Source: 2013 AACS.

R 325.51140
Source: 2008 AACS.

R 325.51141
Source: 2008 AACS.

R 325.51142
Source: 2008 AACS.

R 325.51143
Source: 2013 AACS.

Rule 4301
Source: 2008 AACS.

ETHYLENE OXIDE

- R 325.51151**
Source: 1993 AACS.
- R 325.51152**
Source: 1998-2000 AACS.
- R 325.51153**
Source: 1993 AACS.
- R 325.51154**
Source: 1993 AACS.
- R 325.51155**
Source: 1993 AACS.
- R 325.51156**
Source: 1993 AACS.
- R 325.51157**
Source: 1988 AACS.
- R 325.51158**
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- R 325.51159**
Source: 1993 AACS.
- R 325.51160**
Source: 1988 AACS.
- R 325.51161**
Source: 1993 AACS.
- R 325.51162**
Source: 1998-2000 AACS.
- R 325.51163**
Source: 1998-2000 AACS.
- R 325.51164**
Source: 1988 AACS.
- R 325.51165**
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- R 325.51166**
Source: 1988 AACS.
- R 325.51167**
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- R 325.51168**
Source: 1988 AACS.

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- R 325.51169**
Source: 1988 AACS.
- R 325.51170**
Source: 1993 AACS.
- R 325.51171**
Source: 1988 AACS.
- R 325.51172**
Source: 1993 AACS.
- R 325.51173**
Source: 1993 AACS.
- R 325.51174**
Source: 1993 AACS.
- R 325.51175**
Source: 1988 AACS.
- R 325.51176**
Source: 1988 AACS.
- R 325.51177**
Source: 1998-2000 AACS.

ASBESTOS STANDARDS FOR CONSTRUCTION

- R 325.51301**
Source: 2013 AACS.
- R 325.51302**
Source: 2013 AACS.

ASBESTOS STANDARDS FOR GENERAL INDUSTRY

- R 325.51311**
Source: 2013 AACS.
- R 325.51312**
Source: 2013 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

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OCCUPATIONAL HEALTH STANDARDS--VINYL CHLORIDE

- R 325.51401**
Source: 2013 AACS.
- R 325.51401a**

Annual Administrative Code Supplement
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Source: 2013 AACS.

R 325.51402

Source: 2013 AACS.

R 325.51403

Source: 1998-2000 AACS.

R 325.51404

Source: 2013 AACS.

R 325.51405

Source: 2013 AACS.

R 325.51406

Source: 2013 AACS.

R 325.51407

Source: 2013 AACS.

R 325.51408

Source: 1998-2000 AACS.

R 325.51409

Source: 2013 AACS.

R 325.51410

Source: 1998-2000 AACS.

R 325.51411

Source: 2013 AACS.

HAZARD COMMUNICATION

R 325.51411a

Source: 2013 AACS.

R 325.51412

Source: 2013 AACS.

R 325.51413

Source: 2013 AACS.

R 325.51414

Source: 2013 AACS.

FORMALDEHYDE

R 325.51451 Scope and application.

Rule 1. (1) The rules in this part apply to exposures to any of the following:

- (a) Formaldehyde from any source.
- (b) Formaldehyde gas.
- (c) Formaldehyde solutions.
- (d) Materials that release formaldehyde.

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(2) The rules in this part apply to all employment situations, including general industry and construction industry employment.

History: 1990 AACCS; 2015 MR 23, Eff. Dec. 16, 2014.

R 325.51451a Referenced standards.

Rule 1a. (1) 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 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.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 6 "Personal Protective Equipment," R 408.40601 to R 408.40641.
- (b) General Industry Safety Standard Part 33 "Personal Protective Equipment," R 408.13301 to R 408.13398.
- (c) Occupational Health Standard Part 433 "Personal Protective Equipment," R 325.60001 to R 325.60013.
- (d) Occupational Health Standard Part 430 "Hazard Communication," R 325.77001 to R 325.77003.
- (e) Occupational Health Standard Part 451 "Respiratory Protection," R 325.60051 to R 325.60052.
- (f) Occupational Health Standard Part 470 "Employee Medical Records and Trade Secrets," R 325.3451 to R 325.3476.
- (g) Occupational Health Standard Part 474 "Sanitation," R 325.47401 to R 325.47425.

(2) Appendices A, B, C, and D to these rules are informational only and are not intended to create any additional obligations or requirements not otherwise imposed by these rules or to detract from any established obligations or requirements.

History: 2015 MR 23, Eff. Dec. 16, 2014.

R 325.51452 Definitions.

Rule 2. (1) "Action level" means a concentration of 0.5 parts formaldehyde per million parts of air (0.5 ppm) calculated as an 8-hour, time-weighted average (TWA) concentration.

(2) "Authorized person" means any person who is required by work duties to be present in regulated areas or who is authorized to be present in regulated areas by the employer, by these rules, or by the Michigan Occupational Safety and Health Act (MIOSHA), 1974 PA 154, MCL 408.1001 to 408.1094.

(3) "Director" means the director of the Michigan department of licensing and regulatory affairs or his or her designee.

(4) "Emergency" means any occurrence, such as an equipment failure, the rupture of containers, or the failure to control equipment, that results in an uncontrolled release of a significant amount of formaldehyde.

(5) "Employee exposure" means the exposure to airborne formaldehyde that would occur without the use of a respirator.

(6) "Formaldehyde" means the chemical substance HCHO, chemical abstracts service registry no. 50-00-0.

History: 1990 AACCS; 1999 AACCS; 2015 MR 23, Eff. Dec. 16, 2014.

R 325.51453

Source: 1993 AACCS.

R 325.51454 Exposure monitoring generally.

Rule 4. (1) An employer shall monitor to determine employee exposure to formaldehyde.

(2) An employer shall not be required to monitor exposures if it can be documented, using objective data, that the presence of formaldehyde or formaldehyde-releasing products in the workplace could not possibly expose an employee at or above the action level or STEL under foreseeable conditions of use.

(3) Employee exposure to formaldehyde shall be determined by representative monitoring for each job classification, in each work area, for each shift, and during the full shift or for a short-term exposure, as appropriate. Other work shift monitoring shall not be conducted if objective data can document equivalent exposures for different work shifts.

(4) Monitoring shall be accurate, at the 95% confidence level, to within plus or minus 25% for airborne concentrations of formaldehyde at the TWA and the STEL and to within plus or minus 35% for airborne concentrations of formaldehyde at the action level.

History: 1990 AACCS; 1993 AACCS; 2015 MR 23, Eff. Dec. 16, 2014.

R 325.51455

Source: 1993 AACCS.

R 325.51456

Source: 1990 AACCS.

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R 325.51457 Exposure monitoring; notification and observation.

Rule 7. (1) The employer shall, within 15 working days after the receipt of the results of any monitoring performed under this rule, notify each affected employee of these results either individually in writing or by posting the results in an appropriate location that is accessible to employees. If employee exposure is above the PEL, the employer shall provide affected employees with a description of the corrective actions being taken by the employer to decrease exposure.

(2) An employer shall provide affected employees or their designated representatives an opportunity to observe any monitoring of employee exposure to formaldehyde required by these rules.

(3) When observation of the monitoring of employee exposure to formaldehyde requires entry into an area where the use of protective clothing or equipment is required, an employer shall provide the clothing and equipment to the observer, require the observer to use such clothing and equipment, and assure that the observer complies with all other applicable safety and health procedures.

History: 1990 AACS; 2015 MR 23, Eff. Dec. 16, 2014.

REGULATED AREAS

R 325.51458 Signs for regulated areas.

Rule 8. (1) An employer shall establish regulated areas where the concentration of airborne formaldehyde is more than either the TWA or the STEL and post all entrances and accessways with signs bearing the following information:

DANGER FORMALDEHYDE MAY CAUSE CANCER CAUSES SKIN, EYE, AND RESPIRATORY IRRITATION AUTHORIZED PERSONNEL ONLY

(2) Prior to June 1, 2016, an employer may use the following legend instead of that specified in subrule (1) of this rule:

DANGER FORMALDEHYDE IRRITANT AND POTENTIAL CANCER HAZARD AUTHORIZED PERSONNEL ONLY

(3) An employer shall limit access to regulated areas to authorized persons who have been trained to recognize the hazards of formaldehyde

(4) An employer at a multiemployer worksite who establishes a regulated area shall communicate the access restrictions and location of the area to other employers with work operations at that worksite.

History: 1990 AACS; 2015 MR 23, Eff. Dec. 16, 2014.

METHODS OF COMPLIANCE

R 325.51459 Engineering and work practice controls.

Rule 9. (1) An employer shall institute engineering and work practice controls to reduce and maintain employee exposures to formaldehyde at or below the TWA and the STEL.

(2) If an employer has established that feasible engineering and work practice controls cannot reduce employee exposure to or below either of the PELs, the employer shall apply these controls to reduce employee exposures to PELs to the extent feasible and shall supplement them with respirator protection pursuant to the provisions of R 325.51460 to R 325.51461a.

History: 1990 AACS; 2015 MR 23, Eff. Dec. 16, 2014.

RESPIRATORY PROTECTION

R 325.51460 Respiratory protection generally.

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Rule 10. For employees who use respirators required by these rules, the employer shall provide each employee an appropriate respirator that complies with the requirements of these rules. An employer shall ensure that an employee uses a respirator during all of the following:

- (a) Periods necessary to install or implement feasible engineering and work practice controls.
- (b) Work operations, such as maintenance and repair activities or vessel cleaning, for which the employer establishes that engineering and work practice controls are not feasible.
- (c) Work operations for which feasible engineering and work practice controls are not yet sufficient to reduce exposure to or below the PELs.
- (d) Emergencies.

History: 1990 AACCS; 1993 AACCS; 1999 AACCS; 2015 MR 23, Eff. Dec. 16, 2014.

R 325.51461 Respirator program.

Rule 11. (1) An employer shall implement a respiratory protection program pursuant to Occupational Health Standard Part 451 "Respiratory Protection," as referenced in R 325.51451a, that covers each employee required by these rules to use a respirator.

(2) If an employee uses air-purifying respirators with chemical cartridges or canisters that do not contain end-of-service-life indicators approved by the National Institute for Occupational Safety and Health (NIOSH), the employer shall replace these cartridges or canisters as specified in Occupational Health Standard Part 451 "Respiratory Protection," as referenced in R 325.51451a, or at the end of the workshift, whichever condition occurs first.

(3) The cartridge shall be replaced after 3 hours of use or at the end of the work shift, whichever occurs first, unless the cartridge contains a NIOSH-approved end-of-service-life indicator (ESLI) to show when breakthrough occurs.

(4) Unless the canister contains a NIOSH-approved ELSI to show when breakthrough occurs, replace canisters used in atmospheres up to 7.5 ppm (10 x PEL) every 4 hours and industrial-size canisters used in atmospheres up to 75 ppm (100 x PEL) every 2 hours, or at the end of the work shift, whichever occurs first.

History: 1990 AACCS; 1993 AACCS; 1999 AACCS; 2015 MR 23, Eff. Dec. 16, 2014.

R 325.51461a Respirator selection.

Rule 11a. (1) The employer shall do all of the following:

(a) Select, and provide to employees, the appropriate respirators specified in Occupational Health Standard Part 451 "Respiratory Protection," as referenced in R 325.51451a.

(b) Equip each air-purifying, full facepiece respirator with a canister or cartridge approved for protection against formaldehyde.

(c) For escape, provide employees with 1 of the following respirator options:

(i) A self-contained breathing apparatus operated in the demand or pressure-demand mode.

(ii) A full facepiece respirator having a chin-style.

(iii) A front-or back-mounted industrial-size, canister or cartridge approved for protection against formaldehyde.

(2) An employer may substitute an air-purifying, half mask respirator for an air-purifying, full facepiece respirator when the half mask respirator is equipped with a cartridge approved for protection against formaldehyde and provide the affected employee with effective gas-proof goggles.

(3) An employer shall provide employees who have difficulty using negative pressure respirators with powered air-purifying respirators permitted for use under subrule (1)(a) of this rule, and that affords adequate protection against formaldehyde exposures.

History: 2015 MR 23, Eff. Dec. 16, 2014.

PROTECTIVE EQUIPMENT AND CLOTHING

R 325.51462 Protective equipment and clothing.

Rule 12. (1) An employer shall comply with the provisions of General Industry Safety Standard Part 33 "Personal Protective Equipment," Occupational Health Standard Part 433 "Personal Protective Equipment," and Construction Safety Standard Part 6 "Personal Protective Equipment," as referenced in R 325.51451a. If protective equipment or clothing is provided under these rules, then an employer shall provide the protective devices at no cost to the employee and assure that the employee wears the devices.

(2) An employer shall select protective clothing and equipment based upon the form of formaldehyde to be encountered, the conditions of use, and the hazard to be prevented.

(3) An employer shall ensure all of the following:

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- (a) All contact of the eyes and skin with liquids containing 1% or more formaldehyde is prevented by the use of chemical protective clothing made of material impervious to formaldehyde and the use of other personal protective equipment, such as goggles and face shields, as appropriate to the operation.
- (b) Contact with irritating or sensitizing materials is prevented to the extent necessary to eliminate the hazard.
- (c) Where a face shield is worn, chemical safety goggles are required if there is a danger of formaldehyde reaching the area of the eye.
- (d) Full body protection is worn for entry into areas where concentrations exceed 100 ppm and for emergency reentry into areas of unknown concentration.

History: 1990 AACS; 1999 AACS; 2015 MR 23, Eff. Dec. 16, 2014.

R 325.51463 Maintenance of protective equipment and clothing.

Rule 13. (1) An employer shall assure that protective equipment and clothing that has become contaminated with formaldehyde is cleaned or laundered before its reuse.

(2) When ventilating formaldehyde-contaminated clothing and equipment, an employer shall establish a storage area so that employee exposure is minimized.

History: 1990 AACS; 2015 MR 23, Eff. Dec. 16, 2014.

R 325.51463a Signs.

Rule 13a. (1) Storage areas for contaminated clothing and equipment shall have signs bearing the following legend:

DANGER
FORMALDEHYDE-CONTAMINATED [CLOTHING] EQUIPMENT
MAY CAUSE CANCER
CAUSES SKIN, EYE AND RESPIRATORY IRRITATION
DO NOT BREATHE VAPOR
DO NOT GET ON SKIN

(2) The employer shall ensure containers for contaminated clothing and equipment are labeled consistent with the Occupational Health Standard Part 430 "Hazard Communication," as referenced in R 325.51451a, and shall, as a minimum, include the following:

DANGER
FORMALDEHYDE-CONTAMINATED [CLOTHING] EQUIPMENT
MAY CAUSE CANCER
CAUSES SKIN, EYE, AND RESPIRATORY IRRITATION
DO NOT BREATHE VAPOR
DO NOT GET ON SKIN

(3) Prior to June 1, 2016, an employer may use the following legend instead of that specified in subrule (1) of this rule:

DANGER
FORMALDEHYDE-CONTAMINATED
CLOTHING/EQUIPMENT
AVOID INHALATION AND SKIN CONTACT

(4) Prior to June 1, 2015, an employer may include the following information on containers of protective clothing and equipment in lieu of the labeling requirements in subrule (2) of this rule:

DANGER
FORMALDEHYDE-CONTAMINATED
[CLOTHING] EQUIPMENT
AVOID INHALATION AND SKIN CONTACT

(5) An employer shall assure that only persons who are trained to recognize the hazards of formaldehyde remove the contaminated items from the storage areas or container for the purposes of cleaning, laundering, or disposal.

(6) An employer shall assure that an employee does not take his or her formaldehyde contaminated clothing or equipment home.

(7) An employer shall repair or replace all required protective clothing and equipment for each affected employee as necessary to assure its effectiveness.

(8) An employer shall inform any person who launders, cleans, or repairs contaminated clothing or equipment of formaldehyde's potentially harmful effects and of procedures to safely handle the clothing and equipment.

History: 2015 MR 23, Eff. Dec. 16, 2014.

HYGIENE PROTECTION

R 325.51464 Hygiene facilities.

Rule 14. (1) An employer shall provide change rooms, as described in Occupational Health Standard Part 474 "Sanitation," as referenced in R 325.51451a, for employees who are required to change from work clothing into protective clothing to prevent skin contact with formaldehyde.

(2) If the possibility of employee skin contact with solutions containing 1% or more formaldehyde exists, for example because of equipment failure or improper work practices, an employer shall provide conveniently located quick drench showers and assure that affected employees use these facilities immediately.

(3) If there is any possibility that an employee's eyes may be splashed with solutions containing 0.1% or more formaldehyde, an employer shall provide acceptable facilities for flushing eyes within the immediate work area for emergency use.

History: 1990 AACS; 2015 MR 23, Eff. Dec. 16, 2014.

HOUSEKEEPING

R 325.51465 Housekeeping.

Rule 15. For operations involving formaldehyde liquids or gas, an employer shall conduct a program to detect leaks and spills, including regular visual inspections. The program shall include all of the following that are applicable:

(a) Preventative maintenance of equipment, including surveys for leaks, shall be undertaken at regular intervals.

(b) In work areas where spillage may occur, an employer shall provide for containing the spill, decontaminating the work area, and disposing of the waste.

(c) An employer shall assure that all leaks are repaired and spills are cleaned promptly by employees wearing suitable protective equipment and trained in the proper methods for cleanup and decontamination.

(d) Formaldehyde-contaminated waste and debris resulting from leaks or spills shall be placed for disposal in sealed containers bearing a label warning of formaldehyde's presence and of the hazards associated with formaldehyde. The employer shall ensure that the labels are in accordance with R 325.51472a to R 325.51472d.

History: 1990 AACS; 2015 MR 23, Eff. Dec. 16, 2014.

R 325.51466

Source: 1990 AACS.

R 325.51467 Medical surveillance, generally.

Rule 17. (1) An employer shall institute medical surveillance programs for all employees who are exposed to formaldehyde at concentrations at or exceeding the action level or exceeding the STEL.

(2) An employer shall make medical surveillance available for employees who develop signs and symptoms of overexposure to formaldehyde and for all employees who are exposed to formaldehyde in emergencies. When determining whether an employee may be experiencing signs and symptoms of possible overexposure to formaldehyde,

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an employer may rely on the evidence that signs and symptoms associated with formaldehyde exposure will occur only in exceptional circumstances when airborne exposure is less than 0.1 ppm and when formaldehyde is present in materials in concentrations less than 0.1%.

(3) All medical procedures, including the administration of medical disease questionnaires, shall be performed by or under the supervision of a licensed physician and shall be provided without cost to the employee, without loss of pay, and at a reasonable time and place.

(4) An employer shall make the following medical surveillance documents available to employees before assignment to a job where formaldehyde exposure is at or above the action level or above the STEL and annually thereafter. The employer shall also make the following medical surveillance documents available promptly upon determining that an employee is experiencing signs and symptoms indicative of possible overexposure to formaldehyde:

(a) An employer-administered medical disease questionnaire, such as in appendix D to these rules, which is designed to elicit information in the following areas:

(i) Work history.

(ii) Smoking history.

(iii) Any evidence of eye, nose, or throat irritation.

(iv) Chronic airway problems or hyperactive airway disease.

(v) Allergic skin conditions or dermatitis.

(vi) Upper or lower respiratory problems.

(b) A written determination by the physician, based on evaluation of the medical disease questionnaire, of whether a medical examination is necessary for employees who are not required to wear respirators to reduce the exposure to formaldehyde.

History: 1990 AACS; 1993 AACS; 2015 MR 23, Eff. Dec. 16, 2014.

R 325.51468 Medical examinations.

Rule 18. (1) Medical examinations shall be given to any employee who the physician feels, based on information in the medical disease questionnaire, may be at increased risk from exposure to formaldehyde and shall be given at the time of initial assignment and at least annually thereafter to all employees who are required to wear a respirator to reduce exposure to formaldehyde. The medical examination shall include all of the following:

(a) A physical examination, with an emphasis on evidence of irritation or sensitization of the skin and respiratory system, shortness of breath, or irritation of the eyes.

(b) Laboratory examinations for respirator wearers consisting of baseline and annual pulmonary function tests. At a minimum, these tests shall consist of forced vital capacity (FVC), forced expiratory volume in 1 second (FEV(1)), and forced expiratory flow (FEF).

(c) Any other test which the examining physician deems necessary to complete the written opinion.

(d) Counseling of employees who have medical conditions that would be directly or indirectly aggravated by exposure to formaldehyde on the increased risk of impairment of their health.

(2) An employer shall make medical examinations available as soon as possible to all employees who have been exposed to formaldehyde in an emergency.

(3) The examination shall include a medical and work history with an emphasis on any evidence of any of the following:

(a) Upper or lower respiratory problems.

(b) Allergic conditions.

(c) Skin reaction or hypersensitivity.

(d) Eye, nose, or throat irritation.

(4) Other examinations shall consist of those elements considered appropriate by the examining physician.

(5) An employer shall provide all of the following information to the examining physician:

(a) A copy of these rules and appendices A, C, and D.

(b) A description of the affected employee's job duties as they relate to the employee's exposure to formaldehyde.

(c) The representative exposure level for the employee's job assignment.

(d) Information concerning any personal protective equipment and respiratory protection used or to be used by the employee.

(e) Information from previous medical examinations of the affected employee within the control of the employer.

(f) For a nonroutine examination because of an emergency, an employer shall provide, as soon as possible, a description of how the emergency occurred and the exposure the victim may have received.

History: 1990 AACS; 2015 MR 23, Eff. Dec. 16, 2014.

R 325.51469 Physician's written opinion.

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Rule 19. (1) For each examination pursuant to these rules, an employer shall obtain a written opinion from the examining physician. This written opinion shall contain the results of the medical examination, except that it shall not reveal specific findings or diagnoses unrelated to occupational exposure to formaldehyde. The written opinion shall include all of the following:

(a) The physician's opinion as to whether the employee has any medical condition that would place the employee at an increased risk of material impairment of health from exposure to formaldehyde.

(b) Any recommended limitations on the employee's exposure or changes in the use of personal protective equipment, including respirators.

(c) A statement that the employee has been informed by the physician of any medical conditions which would be aggravated by exposure to formaldehyde, whether these conditions may have resulted from past formaldehyde exposure or from exposure in an emergency, and whether there is a need for further examination or treatment.

(2) An employer shall provide for retention of the results of the medical examination and tests conducted by the physician.

(3) An employer shall provide a copy of the physician's written opinion to the affected employee within 15 days of its receipt.

History: 1990 AACS; 2015 MR 23, Eff. Dec. 16, 2014.

R 325.51470 Employee medical removal procedures.

Rule 20. (1) This rule applies if an employee reports any of the following symptoms attributed to workplace formaldehyde exposure:

(a) Significant irritation of the mucosa of the eyes or of the upper airways.

(b) Respiratory sensitization.

(c) Dermal irritation.

(d) Dermal sensitization.

Note: This rule does not apply in the case of dermal irritation or sensitization if the product that is suspected of causing the dermal condition contains less than 0.05% formaldehyde.

(2) A physician shall evaluate an employee's report of signs or symptoms of possible overexposure to formaldehyde. An employer shall select the physician under R 325.51467. If the physician determines that a medical examination is not necessary, then there shall be a 2-week evaluation and remediation period to permit the employer to ascertain whether the signs or symptoms subside untreated or with the use of creams, gloves, first aid treatment, or personal protective equipment. An employer may also implement industrial hygiene measures that limit an employee's exposure to formaldehyde during the 2-week period. An employer shall immediately refer an employee to a physician before the end of the 2-week period if the signs or symptoms worsen. An employer shall not alter earnings, seniority, and benefits during the 2-week period because of an employee's medical report.

(3) If an employee's signs or symptoms of possible overexposure to formaldehyde have not subsided or been remedied by the end of the 2-week period, or earlier if the signs or symptoms warrant, then a physician who is selected by the employer shall examine the employee. The physician shall presume, absent contrary evidence, that observed dermal irritation or dermal sensitization is not attributable to formaldehyde when products to which the affected employee is exposed contain less than 0.1% formaldehyde.

(4) An employer shall ensure that a medical examination is conducted in compliance with R 325.51468. Additional guidelines for conducting medical exams are contained in appendix C to these rules.

(5) If the physician finds that significant irritation of the mucosa of the eyes or the upper airways, respiratory sensitization, dermal irritation, or dermal sensitization results from workplace formaldehyde exposure and recommends restrictions or removal of the employee from formaldehyde exposure, then the employer shall promptly comply with the restrictions or recommendation of removal. If there is a recommendation of removal, then the employer shall remove the affected employee from the current formaldehyde exposure and, if possible, transfer the employee to work that does not result in exposure to formaldehyde or that results in significantly less exposure to formaldehyde.

(6) If an employee is removed under subrule (5) of this rule, then an employer shall transfer the employee to comparable work for which the employee is qualified or can be trained in not more than a 6-month period and work where the formaldehyde exposures are as low as possible, but not higher than the action level. The employer shall maintain the employee's current earnings, seniority, and other benefits. If comparable work is not available, then the employer shall maintain the employee's current earnings, seniority, and other benefits until comparable work becomes available, until the employee is determined to be unable to return to workplace formaldehyde exposure, until the employee is determined to be able to return to the original job status, or for 6 months, whichever occurs first.

(7) An employer shall arrange for a follow-up medical examination to take place within 6 months after an employee is removed from formaldehyde exposure under this rule. The examination shall determine if the employee can return to the

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original job status or if the removal is to be permanent. A physician shall make a decision within 6 months of the date that an employee was removed as to whether the employee can be returned to the original job status or if the removal is to be permanent.

(8) An employer's obligation to provide earnings, seniority, and other benefits to an employee who is removed from formaldehyde exposure may be reduced to the extent that the employee receives compensation for earnings lost during the period of removal either from a publicly or employer-funded compensation program or from employment with another employer that is made possible by the employee's removal.

(9) In making determinations of the formaldehyde content of materials under this rule, an employer may rely on objective data.

History: 1990 AACs; 1993 AACs; 1999 AACs; 2015 MR 23, Eff. Dec. 16, 2014.

R 325.51471

Source: 1993 AACs.

R 325.51472 Rescinded.

History: 1990 AACs; 1993 AACs; 2015 MR 23, Eff. Dec. 16, 2014.

R 325.51472a Hazard communication generally.

Rule 22a. (1) Chemical manufacturers, importers, distributors and employers shall comply with all requirements of the Occupational Health Standard Part 430 "Hazard Communication," as referenced in R 325.51451a, for formaldehyde.

(2) In classifying the hazards of formaldehyde, at least all of the following hazards shall be addressed:

- (a) Cancer.
- (b) Skin and respiratory sensitization.
- (c) Eye, skin and respiratory tract irritation.
- (d) Acute toxicity effects.
- (e) Flammability.

(3) An employer shall include formaldehyde in the hazard communication program established to comply with the Occupational Health Standard Part 430 "Hazard Communication." An employer shall ensure that each employee has access to labels on containers of formaldehyde and to safety data sheets, and is trained in accordance with the requirements of R 325.51473 and Occupational Health Standard Part 430 "Hazard Communication," as referenced in R 325.51451a.

(4) Subrules (1), (2), and (3) of this rule apply to chemicals associated with formaldehyde gas, all mixtures or solutions composed of greater than 0.1 percent formaldehyde, and materials capable of releasing formaldehyde into the air at concentrations reaching or exceeding 0.1 ppm.

(5) In making the determinations of anticipated levels of formaldehyde release, the employer may rely on objective data indicating the extent of potential formaldehyde release under reasonably foreseeable conditions of use.

(6) In addition to the requirements in subrules (1) to (4) of this rule, for materials listed in subrule (4) of this rule capable of releasing formaldehyde at levels above 0.5 ppm, labels shall appropriately address all hazards as defined in Occupational Health Standard Part 430 "Hazard Communication," as referenced in R 325.51451a, and Appendices A and B, including cancer and respiratory sensitization, and shall contain the hazard statement "May Cause Cancer."

(7) At a minimum, for all materials listed in subrules (1) and (4) of this rule capable of releasing formaldehyde at levels of 0.1 ppm to 0.5 ppm, labels shall include all of the following:

- (a) Identify that the product contains formaldehyde.
- (b) List the name and address of the responsible party.
- (c) State that physical and health hazard information is readily available from the employer and from safety data sheets.

(8) Prior to June 1, 2015, an employer may include the phrase "Potential Cancer Hazard" instead of "May Cause Cancer" as specified in subrule (6) of this rule.

History: 2015 MR 23, Eff. Dec. 16, 2014.

R 325.51472b Hazard warning labels.

Rule 22b. (1) The employer shall assure that hazard warning labels complying with the requirements of Occupational Health Standard Part 430 "Hazard Communication," are affixed to all containers of materials listed in R 325.51472a(1), except to the extent that Occupational Health Standard Part 430 "Hazard Communication," as referenced in R 325.51451a, is inconsistent with this rule.

(2) For materials listed in R 325.51472a(1) capable of releasing formaldehyde at levels above 0.5 ppm, labels shall appropriately address all hazards as defined in Occupational Health Standard Part 430 "Hazard Communication," as

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referenced in R 325.51451a, and Appendices A and B, including respiratory sensitization, and shall contain the words "Potential Cancer Hazard."

(3) In making the determinations of anticipated levels of formaldehyde release, the employer may rely on objective data indicating the extent of potential formaldehyde release under reasonably foreseeable conditions of use.

(4) The employer may use warning labels required by other statutes, regulations, or ordinances which impart the same information as the warning statements required by these rules.

History: 2015 MR 23, Eff. Dec. 16, 2014.

R 325.51472c Safety data sheets.

Rule 22c. (1) An employer who uses formaldehyde-containing materials listed in R 325.51472a(1) shall comply with the requirements of Occupational Health Standard Part 430 "Hazard Communication," as referenced in R 325.51451a, with regard to the development and updating of safety data sheets.

(2) Manufacturers, importers, and distributors of formaldehyde-containing materials listed in R 325.51472a(1) shall assure that safety data sheets and updated information are provided to all employers purchasing such materials at the time of the initial shipment and at the time of the first shipment after a safety data sheet is updated.

History: 2015 MR 23, Eff. Dec. 16, 2014.

R 325.51472d Written hazard communication program.

Rule 22d. (1) The employer shall develop, implement, and maintain at the workplace, a written hazard communication program for formaldehyde exposures in the workplace, which at a minimum describes how the requirements specified in this rule for labels and other forms of warning and safety data sheets, and R 325.51473 for employee information and training, will be met.

(2) Employers in multi-employer workplaces shall comply with the requirements of Occupational Health Standard Part 430 "Hazard Communication," as referenced in R 325.51451a.

History: 2015 MR 23, Eff. Dec. 16, 2014.

EMPLOYEE INFORMATION AND TRAINING

R 325.51473 Employee information and training.

Rule 23. (1) An employer shall ensure that all employees who are assigned to workplaces where there is exposure to formaldehyde at or above 0.1 ppm participate in a training program.

(2) An employer shall provide employees with information and training on formaldehyde at the time of their initial assignment and when a new exposure to formaldehyde is introduced into their work areas. An employers shall provide such information and training at least annually.

(3) The training program shall be conducted in a manner that an employee is able to understand and shall include all of the following:

(a) A discussion of the contents of these rules and the contents of the safety data sheet.

(b) An explanation of the purpose for, and a description of, the medical surveillance program required by these rules, including both of the following:

(i) A description of the potential health hazards associated with exposure to formaldehyde and a description of the signs and symptoms of exposure to formaldehyde.

(ii) Instructions to immediately report to the employer the development of any adverse signs or symptoms that the employee suspects is attributable to formaldehyde exposure.

(c) A description of operations in the work area where formaldehyde is present and an explanation of the safe work practices appropriate for limiting exposure to formaldehyde in each job.

(d) An explanation of the purpose for, and proper use and limitations of, personal protective clothing and equipment.

(e) Instructions for the handling of spills, emergencies, and clean-up procedures.

(f) An explanation of the importance of engineering and work practice controls for employee protection and any necessary instruction in the use of these controls.

(g) A review of emergency procedures, including the specific duties or assignments of each employee in an emergency.

(4) An employer shall inform all affected employees of the location of written training materials and shall make these materials readily available, without cost, to the affected employees.

(5) The employer shall provide to the director, upon request, all training materials relating to the employee training program.

History: 1990 AACS; 1993 AACS; 2015 MR 23, Eff. Dec. 16, 2014.

RECORDKEEPING

R 325.51474 Recordkeeping.

Rule 24. An employer shall establish and maintain an accurate record of all measurements taken to monitor employee exposure to formaldehyde. This record shall include all of the following information:

- (a) The date of measurement.
- (b) The operation being monitored.
- (c) The methods of sampling and analysis and evidence of their accuracy and precision.
- (d) The number, durations, time, and results of samples taken.
- (e) The types of protective devices worn.
- (f) The names, job classifications, social security numbers, and exposure estimates of the employees whose exposures are represented by the actual monitoring results.

History: 1990 AACCS; 1993 AACCS; 2015 MR 23, Eff. Dec. 16, 2014.

R 325.51474a Exposure determinations.

Rule 24a. If an employer has determined that monitoring is not required pursuant to these rules, the employer shall maintain a record of the objective data relied upon to support the determination that employees are not exposed to formaldehyde at or above the action level.

History: 2015 MR 23, Eff. Dec. 16, 2014.

R 325.51474b Medical surveillance.

Rule 24b. An employer shall establish and maintain an accurate record for each employee who is subject to medical surveillance pursuant to these rules. This record shall include all of the following information:

- (a) The name and social security number of the employee.
- (b) The physician's written opinion.
- (c) A list of any employee health complaints that may be related to exposure to formaldehyde.
- (d) A copy of the medical examination results, including medical disease questionnaires and results of any medical tests required by these rules or mandated by the examining physician.

History: 2015 MR 23, Eff. Dec. 16, 2014.

R 325.51474c Respirator fit testing.

Rule 24c. An employer shall establish and maintain accurate records for employees who are subject to negative-pressure respirator fit testing required by these rules. These records shall include all of the following information:

- (a) A copy of the protocol selected for respirator fit testing.
- (b) A copy of the results of any fit testing performed.
- (c) The size and manufacturer of the types of respirators available for selection.
- (d) The date of the most recent fit testing, the name and social security number of each tested employee, and the respirator type and facepiece selected.

History: 2015 MR 23, Eff. Dec. 16, 2014.

R 325.51474d Record retention.

Rule 24d. An employer shall retain records required by these rules for not less than the following periods:

- (a) Exposure records and determinations shall be kept for not less than 30 years.
- (b) Medical records shall be kept for the duration of employment, plus 30 years.
- (c) Respirator fit testing records shall be kept until replaced by a more recent record.

History: 2015 MR 23, Eff. Dec. 16, 2014.

R 325.51474e Availability of records.

Rule 24e. All of the following provisions apply with regard to the availability of records:

- (a) Upon request, an employer shall make all records maintained as a requirement of these rules available for examination and copying to the director.
- (b) An employer shall make employee exposure records, including estimates made from representative monitoring, available upon request for examination and copying to the subject employee or former employee and to employee representatives in accordance with Occupational Health Standard Part 470 "Employee Medical Records and Trade Secrets," as referenced in R 325.51451a.

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(c) Employee medical records required by these rules shall be provided upon request for examination and copying to the subject employee or former employee or to anyone who has the specific written consent of the subject employee or former employee in accordance with Occupational Health Standard Part 470 "Employee Medical Records and Trade Secrets," as referenced in R 325.51451a.

History: 2015 MR 23, Eff. Dec. 16, 2014.

R 325.51475 Rescinded.

History: 1990 AACS; 1993 AACS; 2015 MR 23, Eff. Dec. 16, 2014.

R 325.51476 Rescinded.

History: 1990 AACS; 1993 AACS; 2015 MR 23, Eff. Dec. 16, 2014.

R 325.51477 Rescinded.

History: 1990 AACS; 1999 AACS; 2015 MR 23, Eff. Dec. 16, 2014.

ACRYLONITRILE (AN)

R 325.51501

Source: 1980 AACS.

R 325.51502

Source: 1998-2000 AACS.

R 325.51503

Source: 1980 AACS.

R 325.51504

Source: 1980 AACS.

R 325.51505

Source: 1980 AACS.

R 325.51506

Source: 1980 AACS.

R 325.51507

Source: 1980 AACS.

R 325.51508

Source: 1980 AACS.

R 325.51509

Source: 1998-2000 AACS.

R 325.51510

Source: 1980 AACS.

R 325.51511

Source: 1993 AACS.

R 325.51512

Source: 1980 AACS.

R 325.51513

Source: 1980 AACS.

R 325.51514

Source: 1980 AACS.

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- R 325.51515**
Source: 1980 AACS.
- R 325.51516**
Source: 1980 AACS.
- R 325.51517**
Source: 1998-2000 AACS.
- R 325.51518**
Source: 1980 AACS.
- R 325.51519**
Source: 1998-2000 AACS.
- R 325.51520**
Source: 1980 AACS.
- R 325.51521**
Source: 1980 AACS.
- R 325.51522**
Source: 1980 AACS.
- R 325.51523**
Source: 1980 AACS.
- R 325.51524**
Source: 1993 AACS.
- R 325.51525**
Source: 1993 AACS.
- R 325.51526**
Source: 1980 AACS.
- R 325.51527**
Source: 1998-2000 AACS.

INORGANIC ARSENIC (AS)

- R 325.51601**
Source: 1993 AACS.

R 325.51601a MIOSHA standards by reference.

Rule 601a. (1) The following Michigan occupational safety and health administration (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 Standards Section, 7150 Harris Drive, P.O. Box 30643, Lansing, MI, 48909-8143 or via the internet at website: 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) General Industry Safety Standard Part 33 "Personal Protective Equipment," R 408.13301 to R 408.13398.
- (b) Occupational Health Part 430 "Hazard Communication," R 325.77001 to R 325.77003.
- (c) Occupational Health Part 451 "Respiratory Protection," R 325.60051 to R 325.60052.
- (d) Occupational Health Part 470 "Employee Medical Records and Trade Secrets," R 325.3451 to R 325.3476.
- (e) Occupational Health Part 474 "Sanitation," R 325.47401 to R 325.47425.

(2) The information contained in the appendices to these rules are not intended by itself, to create any additional obligations not otherwise imposed by this standard nor detract from any existing obligation.

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History: 2014 MR 7, Eff. April 11, 2014.

R 325.51602 Definitions.

Rule 602. As used in these rules:

- (a) "Act" means 1974 PA 154, MCL §408.1001 to 408.1094.
- (b) "Action level" means a concentration of inorganic arsenic of 5 micrograms per cubic meter of air (5 ug/m³) averaged over any 8-hour period.
- (c) "Authorized person" means a person who is specifically required by the employer to enter a regulated area or a person who enters such an area as a designated representative of employees for the purpose of observing the monitoring and measuring procedures under R 325.51627.
- (d) "Department" means the department of licensing and regulatory affairs.
- (e) "Director" means the director of the department or his or her designee.
- (f) "Inorganic arsenic" means elemental arsenic, copper acetoarsenite, and all inorganic compounds containing arsenic, except arsine, measured as arsenic (As).

History: 1980 AACCS; 2000 AACCS; 2014 MR 7, Eff. April 11, 2014.

R 325.51603

Source: 1980 AACCS.

R 325.51604 Rescinded.

History: 1980 AACCS; 2014 MR 7, Eff. April 11, 2014.

R 325.51605 Employee exposure; determination of airborne exposure levels; collection of samples; monitoring and measurement accuracy; written notice to employee of exposure level.

Rule 605. (1) For the purpose of these rules, employee exposure is that exposure which would occur if an employee were not using a respirator.

(2) A determination of airborne exposure levels shall be made from air samples that are representative of an employee's exposure to inorganic arsenic over an 8-hour period.

(3) The employer shall collect full shift personal samples for not less than 7 continuous hours which shall include at least 1 sample for each shift for each job classification and work area.

(4) An employer shall use a method of monitoring and measurement which has an accuracy of not less than plus or minus 25% for concentrations of inorganic arsenic of more than or equal to 10 micrograms per cubic meter (10 ug/m³) with a confidence level of 95%.

(5) An employer shall use a method of monitoring and measurement which has an accuracy of not less than plus or minus 35% for concentrations of inorganic arsenic of more than 5 micrograms per cubic meter (5 ug/m³) but less than 10 micrograms per cubic meter (10 ug/m³) with a confidence level of 95%.

(6) The employer shall, within 15 working days after the receipt of the results of any monitoring performed under these rules, notify each affected employee of these results either individually in writing or by posting the results in an appropriate location that is accessible to affected employees.

(7) If the results indicate that the representative employee exposure exceeds the permissible exposure limit, the employer shall include in the written notice a statement that the permissible exposure limit was exceeded and a description of the corrective action taken to reduce exposure to or below the permissible exposure limit.

History: 1980 AACCS; 2014 MR 7, Eff. April 11, 2014.

R 325.51606 Employee exposure; monitoring exposure below action level, above permissible limit, and above action level but below permissible limit; duration of monitoring; additional monitoring.

Rule 606. (1) An employer who has a workplace or work operation that is subject to these rules shall monitor each workplace or work operation to accurately determine the airborne concentration of inorganic arsenic to which an employee may be exposed.

(2) If the initial monitoring reveals an employee exposure to be below the action level, the measurements need not be repeated, except as otherwise provided in subrule (6) of this rule.

(3) If the initial monitoring or subsequent monitoring reveals employee exposure to be above the permissible exposure limit, an employer shall repeat monitoring at least once every 3 months.

(4) If the initial monitoring or subsequent monitoring reveals employee exposure to be above the action level and below the permissible exposure limit, an employer shall repeat monitoring at least once every 6 months.

(5) An employer shall continue monitoring at the required frequency until not less than 2 consecutive measurements,

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taken not less than 7 days apart, are below the action level. When the measurements are obtained, the employer may discontinue monitoring for that employee until such time as any of the events in subrule (6) of this rule occur.

(6) If a production process, control, or personnel change is made that might result in new or additional exposure to inorganic arsenic, or if an employer has any other reason to suspect a change that might result in new or additional employee exposure to inorganic arsenic, additional monitoring that is in compliance with R 325.51605 and this rule shall be conducted.

History: 1980 AACS; 1993 AACS; 2014 MR 7, Eff. April 11, 2014.

R 325.51607

Source: 1980 AACS.

R 325.51608

Source: 1980 AACS.

R 325.51609 Employee exposure; written programs to reduce exposure by means of engineering and work practice controls; content; availability; revision and update.

Rule 609. (1) An employer shall establish and implement a written program to reduce exposures to or below the permissible exposure limit by means of engineering and work practice controls.

(2) A written program shall include, at a minimum, all of the following:

(a) A description of each operation in which inorganic arsenic is emitted; for example, machinery used, material processed, controls in place, crew size, operating procedures, and maintenance practices.

(b) Engineering plans and studies used to determine the methods selected for controlling exposure to inorganic arsenic.

(c) A report of the technology considered in meeting the permissible exposure limit.

(d) Monitoring data.

(e) A detailed schedule for the implementation of the engineering controls and work practices which cannot be implemented immediately and for the adaption and implementation of any additional engineering and work practices which are necessary to meet the permissible exposure limit.

(f) If an employer currently does not achieve the permissible exposure limit with engineering controls and work practices, the employer shall include an analysis of the effectiveness of the various controls in the written program and implement a plan to minimize the discomfort and maximize the effectiveness of respirator use.

(g) Other relevant information.

(3) The written program shall be submitted, upon request, to the director and shall be available to the director, affected employees, or authorized employee representatives at the worksite for examination and copying.

(4) The program required by this rule shall be revised and updated at least annually to reflect the current status of the program.

History: 1980 AACS; 2014 MR 7, Eff. April 11, 2014.

R 325.51610 Respirators; use.

Rule 610. (1) For employees who use respirators required by these rules, the employer shall provide each employee an appropriate respirator that complies with the requirements of this rule.

(2) Respirators shall be used during all of the following:

(a) Periods necessary to install or implement feasible engineering or work practice controls.

(b) Work operations, such as maintenance and repair activities, for which the employer establishes that engineering and work practice controls are not feasible.

(c) Work operations for which engineering and work practice controls are not yet sufficient to reduce employee exposures to or below the permissible exposure limit.

(d) Emergencies.

History: 1980 AACS; 1998-2000 AACS; 2014 MR 7, Eff. April 11, 2014.

R 325.51611 Respirator program.

Rule 611. (1) The employer shall implement a respiratory protection program in accordance with Occupational Health Standard Part 451 "Respiratory Protection," as referenced in R 325.51601a, which covers each employee required by these rules to use a respirator.

(2) If an employee exhibits breathing difficulty during fit testing or respirator use, then the employee shall be examined by a physician trained in pulmonary medicine to determine whether the employee can use a respirator while performing the required duty.

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History: 1980 AACS; 1993 AACS; 2000 AACS; 2014 MR 7, Eff. April 11, 2014.

R 325.51611a Respirator selection.

Rule 611a. (1) An employer shall do all of the following:

- (a) Select, and provide to employees, the appropriate respirators in accordance with Occupational Health Standard Part 451 "Respiratory Protection," as referenced in R 325.51601a.
 - (b) Ensure that employees do not use half mask respirators for protection against arsenic trichloride because it is absorbed rapidly through the skin.
 - (c) Provide HEPA filters for powered and non-powered air-purifying respirators.
 - (d) Select for employee use both of the following:
 - (i) Air-purifying respirators that have a combination HEPA filter with an appropriate gas-sorbent cartridge or canister when the employee's exposure exceeds the permissible exposure level for inorganic arsenic and the relevant limit for other gases.
 - (ii) Front-or back-mounted gas masks equipped with HEPA filters and acid gas canisters or any full facepiece supplied-air respirators when the inorganic arsenic concentration is at or below 500 mg/m³; and half mask air-purifying respirators equipped with HEPA filters and acid gas cartridges when the inorganic arsenic concentration is at or below 100 µg/m³.
- (2) Employees required to use respirators may choose, and the employer shall provide, a powered air-purifying respirator if it will provide proper protection. In addition, the employer shall provide a combination dust and acid-gas respirator to employees who are exposed to gases over the relevant exposure limits.

History: 2014 MR 7, Eff. April 11, 2014.

R 325.51612

Source: 1998-2000 AACS.

R 325.51613

Source: 1998-2000 AACS.

R 325.51614 Protective work clothing and equipment; provision and use; cleaning and replacement; notice to cleaning or laundering persons of the potentially harmful effects of exposure to inorganic arsenic.

Rule 614. (1) If the possibility of skin or eye irritation from inorganic arsenic exists, and for all employees working in a regulated area, an employer shall provide, at no cost to the employee, and shall assure that employees use, appropriate and clean protective work clothing and equipment, such as the following:

- (a) Coveralls or similar full-body work clothing.
 - (b) Gloves and shoes or coverlets.
 - (c) Face shields or vented goggles if necessary to prevent eye irritation. Such shields or goggles shall comply with General Industry Safety Standard Part 33 "Personal Protective Equipment," as referenced in R 325.50601a.
 - (d) Impervious clothing for employees who are subject to exposure to arsenic trichloride.
- (2) An employer shall provide the protective clothing that is required in subrule (1) of this rule in a freshly laundered and dry condition at least once each week. If an employee works in an area where the exposure to inorganic arsenic is over 100 micrograms per cubic meter (100 µg/m³) or in an area where more frequent washing is needed to prevent skin irritation, then the protective clothing shall be laundered daily.
- (3) An employer shall clean, launder, or dispose of protective clothing that is required by subrule (1) of this rule.
- (4) An employer shall repair or replace the protective clothing and equipment as necessary to maintain the effectiveness of the protective clothing and equipment.
- (5) At the completion of a work shift, an employer shall assure that all protective clothing is removed only in change rooms prescribed in R 325.51616 (1).
- (6) An employer shall assure that contaminated protective clothing which is to be cleaned, laundered, or disposed of is placed in a closed container in the change room in a manner that prevents the dispersion of inorganic arsenic outside the container.
- (7) An employer shall inform, in writing, any person who cleans or launders clothing that is required by this rule of the potentially harmful effect, including the carcinogenic effects, of exposure to inorganic arsenic.

History: 1980 AACS; 1993 AACS; 2000 AACS; 2014 MR 7, Eff. April 11, 2014.

R 325.51614a Labels on contaminated protective clothing and equipment.

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Rule 614a. (1) The employer shall ensure that the containers of contaminated protective clothing and equipment in the workplace or which are to be removed from the workplace are labeled and that the labels include the following information:

DANGER: CONTAMINATED WITH INORGANIC ARSENIC.
MAY CAUSE CANCER.
DO NOT REMOVE DUST BY BLOWING OR SHAKING.
DISPOSE OF INORGANIC ARSENIC CONTAMINATED WASH WATER IN ACCORDANCE WITH APPLICABLE LOCAL, STATE OR FEDERAL REGULATIONS.

(2) Prior to June 1, 2015, employers may include the following information on containers of protective clothing and equipment in lieu of the labeling requirements in subrule (1) of this rule:

CAUTION: Clothing contaminated with inorganic arsenic; do not remove dust by blowing or shaking. Dispose of inorganic arsenic contaminated wash water in accordance with applicable local State or Federal regulations.

(3) The employer shall prohibit the removal of inorganic arsenic from protective clothing or equipment by blowing or shaking.

History: 2014 MR 7, Eff. April 11, 2014.

R 325.51615

Source: 1980 AACS.

R 325.51616 Hygiene facilities and practices; change rooms; showers; lavatories; lunchrooms.

Rule 616. (1) For employees who work in a regulated area or who are subject to the possibility of skin or eye irritation from inorganic arsenic, an employer shall provide clean change rooms equipped with storage facilities for street clothes and separate storage facilities for protective clothing equipment pursuant to Occupational Health Standard Part 474 "Sanitation," as referenced in R 325.50601a.

(2) An employer shall provide shower facilities pursuant to Occupational Health Standard Part 474 "Sanitation," as referenced in R 325.50601a, and shall assure that an employee who works in a regulated area or who is subject to the possibility of skin or eye irritation from inorganic arsenic showers at the end of the work shift.

(3) For employees who work in a regulated area, an employer shall provide lunchroom facilities which have temperature-controlled, positive pressure, filtered air supplies and which are readily accessible to employees who work in a regulated area.

(4) An employer shall provide lavatory facilities which comply with Occupational Health Standard Part 474 "Sanitation," as referenced in R 325.50601a, and shall assure that an employee who works in the regulated area or who is subject to the possibility of skin or eye irritation from exposure to inorganic arsenic washes his or her hands and face before eating.

(5) For an employee who works in an area where exposure to inorganic arsenic, without regard to the use of respirators, exceeds 100 micrograms per cubic meter (100 ug/m³), an employer shall provide facilities to vacuum his or her protective clothing and to clean or change shoes worn in such areas before entering change rooms, lunchrooms, or shower rooms and shall assure their use.

(6) If engineering controls and work practices currently reduce exposures below the permissible exposure limit for affected employees, then change room, shower, lavatory, and lunchroom facilities need not be completed until December 31, 1980.

History: 1980 AACS; 2014 MR 7, Eff. April 11, 2014.

R 325.51617

Source: 1980 AACS.

R 325.51618 Medical surveillance program; initial examinations.

Rule 618. (1) Within 60 days after the effective date of these rules, an employer shall provide an opportunity for an initial medical examination, if not already provided, to an employee who is covered by the medical provisions of these rules.

(2) An employer shall provide an opportunity for an initial medical examination at the time of the first assignment to an

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area where the employee is likely to be exposed to more than the action level of inorganic arsenic for not less than 30 days per year.

(3) The initial medical examination shall include all of the following elements:

(a) A work history and a medical history that shall include a smoking history and the presence and degree of respiratory symptoms, such as breathlessness, cough, sputum production, and wheezing.

(b) A standard posterior-anterior chest x-ray.

(c) A nasal and skin examination.

(d) Other examinations that the physician believes are appropriate because of the employee's exposure to inorganic arsenic or because of required respirator use.

History: 1980 AACS; 1993 AACS; 2000 AACS; 2014 MR 7, Eff. April 11, 2014.

R 325.51619 Medical surveillance program; periodic examination.

Rule 619. (1) An employer shall provide the examinations specified in these rules at least annually.

(2) If a covered employee has not taken the examination specified in R 325.51618 (3) within 6 months before the termination of employment, then the employer shall provide the examination to the employee upon termination of employment.

(3) If for any reason an employee develops signs or symptoms commonly associated with exposure to inorganic arsenic, then the employer shall provide an appropriate examination and emergency medical treatment.

History: 1980 AACS; 1993 AACS; 2000 AACS; 2014 MR 7, Eff. April 11, 2014.

R 325.51620

Source: 1980 AACS.

R 325.51621

Source: 1980 AACS.

R 325.51622 Employee information and training program; applicability; provision of information to employees; availability of rules and other materials to employees and director.

Rule 622. (1) An employer shall institute a training program for all employees who are subject to exposure to inorganic arsenic above the action level, without regard to respirator use, or for whom there is the possibility of skin or eye irritation from inorganic arsenic in accordance with the requirements of these rules. An employer shall assure that these employees participate in the training program.

(2) The training program shall be provided at the time of initial assignment for employees specified in subrule (1) of this rule and at least annually thereafter.

(3) An employer shall assure that each employee is informed of all of the following:

(a) The information contained in appendix A to these rules.

(b) The quantity, location, and manner of use or storage of arsenic materials, sources of exposure, and the specific nature of operations that could result in exposure to inorganic arsenic, as well as any necessary protective steps.

(c) The purpose, proper use, and limitation of respirators.

(d) The purpose and a description of the medical surveillance program as required by R 325.51617 to R 325.51621 .

(e) The engineering controls and work practices that are associated with the employee's job assignment.

(f) These rules, which the employer shall review.

(4) An employer shall make a copy of these rules and their appendices readily available to all affected employees.

(5) Upon request, an employer shall provide, to the director, all materials that relate to the employee information and training program.

History: 1980 AACS; 1993 AACS; 2014 MR 7, Eff. April 11, 2014.

R 325.51623 Rescinded.

History: 1980 AACS; 2014 MR 7, Eff. April 11, 2014.

HAZARD COMMUNICATIONS

R 325.51623a Communication of hazards.

Rule 623a. (1) Chemical manufacturers, importers, distributors and employers shall comply with Occupational Health Part 430, "Hazard Communication," as referenced in R 325.51601a, for inorganic arsenic.

(2) In classifying the hazards of inorganic arsenic, the employer shall address at least all of the following hazards:

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- (a) Cancer.
- (b) Liver effects.
- (c) Skin effects.
- (d) Respiratory irritation.
- (e) Nervous system effects.
- (f) Acute toxicity effects.

(3) Employers shall include inorganic arsenic in the hazard communication program established to comply with the Occupational Health Part 430, "Hazard Communication." Employers shall ensure that each employee has access to labels on containers of inorganic arsenic and to safety data sheets, and is trained in accordance with the requirements of R 325.51622 and Occupational Health Part 430, "Hazard Communication," as referenced in R 325.51601a,

(4) The employer shall ensure that no statement appears on or near any sign or label required by this rule which contradicts or detracts from the meaning of the required sign or label.

History: 2014 MR 7, Eff. April 11, 2014.

R 325.51623b Communication of hazards, signs.

Rule 623b. (1) The employer shall post signs demarcating regulated areas bearing the following legend:

DANGER INORGANIC ARSENIC MAY CAUSE CANCER DO NOT EAT, DRINK OR SMOKE WEAR RESPIRATORY PROTECTION IN THIS AREA AUTHORIZED PERSONNEL ONLY

(2) Prior to June 1, 2016, employers may use the following legend in lieu of that specified in subrule (1) of this rule.

DANGER INORGANIC ARSENIC CANCER HAZARD AUTHORIZED PERSONNEL ONLY NO SMOKING OR EATING RESPIRATOR REQUIRED

(3) The employer shall ensure that signs required by these rules are illuminated and cleaned as necessary so that the legend is readily visible.

(4) Prior to June 1, 2015, in lieu of the labeling requirements in R 325.51623a, employers may apply precautionary labels to all shipping and storage containers of inorganic arsenic, and to all products containing inorganic arsenic, bearing the following legend:

DANGER CONTAINS INORGANIC ARSENIC CANCER HAZARD HARMFUL IF INHALED OR SWALLOWED USE ONLY WITH ADEQUATE VENTILATION OR RESPIRATORY PROTECTION

(5) Labels are not required when the inorganic arsenic in the product is bound in such a manner so as to make unlikely the possibility of airborne exposure to inorganic arsenic. Possible examples of products not requiring labels are semiconductors, light emitting diodes, and glass.

History: 2014 MR 7, Eff. April 11, 2014.

R 325.51624 Monitoring and medical surveillance records; maintenance.

Rule 624. (1) An employer shall establish and maintain an accurate record of all monitoring required by R 325.51605 and R 325.51606, including all of the following:

- (a) The date, duration, location, and results of each sample taken, including, where applicable, a description of the sampling procedure used to determine representative employee exposure.
- (b) A description of the sampling and analytical methods used and evidence of their accuracy.
- (c) The type of respiratory protective devices worn, if any.
- (d) Names, social security numbers, and job classifications of the employees monitored and of all other employees

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whose exposure the measurement is intended to represent.

(e) The environmental variables that could affect the measurement of the employee's exposure.

(2) An employer shall maintain the monitoring records for not less than 40 years or for the duration of employment plus 20 years, whichever period is longer.

(3) An employer shall establish and maintain an accurate record for each employee who is subject to medical surveillance as required by R 325.51617 to R 325.51621, including all of the following:

(a) The name, social security number, and description of duties of the employee.

(b) A copy of the physician's written opinion.

(c) Results of any exposure monitoring done for that employee and the representative exposure levels supplied to the physician.

(d) Any employee medical complaints related to exposure to inorganic arsenic.

(4) An employer shall keep, or assure that the examining physician keeps, the following medical records:

(a) A copy of the medical examination results, including medical and work histories required by R 325.51617 to R 325.51621.

(b) A description of the laboratory procedures and a copy of any standards or guidelines used to interpret the test results or references to that information.

(c) The initial X-ray.

(d) The X-rays for the most recent 5 years.

(e) Any X-ray film with a demonstrated abnormality and all subsequent X-ray films.

(5) An employer shall maintain, or assure that the physician maintains, the medical records for not less than 40 years or for the duration of employment plus 20 years, whichever period is longer.

History: 1980 AACS; 2014 MR 7, Eff. April 11, 2014.

R 325.51625 Availability of records.

Rule 625. (1) Upon request, an employer shall make all records that are required to be maintained pursuant to R 325.51624 available to the director for examination and copying.

(2) Upon request, an employer shall make all records that are required pursuant to the provisions of R 325.51624 available to affected employees, former employees, and their designated representatives in accordance with the provisions of Occupational Health Standard Part 470, "Employee Medical Records and Trade Secrets," as referenced in R 325.50601a.

History: 1980 AACS; 1993 AACS; 2014 MR 7, Eff. April 11, 2014.

R 325.51626 Retention and transfer of records.

Rule 626. (1) If an employer ceases to do business, the successor employer shall receive and retain all records that are required to be maintained by these rules.

(2) The employer shall also comply with any additional requirements involving the transfer of records set in Occupational Health Standard Part 470, "Employee Medical Records and Trade Secrets," as referenced in R 325.50601a.

History: 1980 AACS; 2014 MR 7, Eff. April 11, 2014.

R 325.51627

Source: 1980 AACS.

R 325.51628 Rescinded.

History: 1980 AACS; 1993 AACS; 2000 AACS; 2014 MR 7, Eff. April 11, 2014.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

OCCUPATIONAL HEALTH STANDARDS COMMISSION

METHYLENE CHLORIDE

R 325.51651

Source: 2013 AACS.

R 325.51652

Source: 2013 AACS.

R 325.51653
Source: 2013 AACS.

CADMIUM

R 325.51851
Source: 2013 AACS.

R 325.51851a
Source: 2013 AACS.

R 325.51852
Source: 2013 AACS.

R 325.51853
Source: 1993 AACS.

R 325.51854
Source: 2013 AACS.

R 325.51855
Source: 1998-2000 AACS.

R 325.51856
Source: 2013 AACS.

R 325.51857
Source: 1993 AACS.

R 325.51858
Source: 1998-2000 AACS.

R 325.51859
Source: 2013 AACS.

R 325.51860
Source: 2013 AACS.

R 325.51861
Source: 1993 AACS.

R 325.51862
Source: 2013 AACS.

R 325.51863
Source: 2013 AACS.

R 325.51864
Source: 1993 AACS.

R 325.51865
Source: 2013 AACS.

R 325.51866
Source: 2013 AACS.

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R 325.51867
Source: 2013 AACS.

R 325.51868
Source: 2013 AACS.

R 325.51869
Source: 2013 AACS.

R 325.51870
Source: 1998-2000 AACS.

R 325.51871
Source: 1993 AACS.

R 325.51872
Source: 1998-2000 AACS.

R 325.51873
Source: 2013 AACS.

R 325.51874
Source: 2013 AACS.

R 325.51875
Source: 1998-2000 AACS.

R 325.51876
Source: 1993 AACS.

R 325.51877
Source: 1993 AACS.

R 325.51878
Source: 1993 AACS.

R 325.51878a
Source: 2013 AACS.

R 325.51879
Source: 2013 AACS.

R 325.51880
Source: 2013 AACS.

R 325.51881
Source: 2013 AACS.

R 325.51882
Source: 1993 AACS.

R 325.51883.
Source: 2013 AACS.

R 325.51884
Source: 1993 AACS.

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R 325.51885
Source: 2013 AACS.

R 325.51886
Source: 2013 AACS.

LEAD

R 325.51901
Source: 1998-2000 AACS.

R 325.51902
Source: 1998-2000 AACS.

R 325.51903
Source: 1998-2000 AACS.

R 325.51904
Source: 1998-2000 AACS.

R 325.51905
Source: 1998-2000 AACS.

R 325.51906
Source: 1998-2000 AACS.

R 325.51907
Source: 1981 AACS.

R 325.51908
Source: 1998-2000 AACS.

R 325.51909
Source: 1981 AACS.

R 325.51910
Source: 1981 AACS.

R 325.51911
Source: 1981 AACS.

R 325.51912
Source: 1981 AACS.

R 325.51913
Source: 1981 AACS.

R 325.51914
Source: 1998-2000 AACS.

R 325.51915
Source: 1984 AACS.

R 325.51916
Source: 1998-2000 AACS.

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- R 325.51916a**
Source: 1984 AACS.
- R 325.51916b**
Source: 1984 AACS.
- R 325.51917**
Source: 1998-2000 AACS.
- R 325.51918**
Source: 1998-2000 AACS.
- R 325.51919**
Source: 1998-2000 AACS.
- R 325.51920**
Source: 1998-2000 AACS.
- R 325.51921**
Source: 1998-2000 AACS.
- R 325.51922**
Source: 1981 AACS.
- R 325.51923**
Source: 1981 AACS.
- R 325.51924**
Source: 1988 AACS.
- R 325.51925**
Source: 1981 AACS.
- R 325.51926**
Source: 1981 AACS.
- R 325.51927**
Source: 1981 AACS.
- R 325.51928**
Source: 1981 AACS.
- R 325.51929**
Source: 1998-2000 AACS.
- R 325.51930**
Source: 1998-2000 AACS.
- R 325.51931**
Source: 1988 AACS.
- R 325.51931a**
Source: 1998-2000 AACS.
- R 325.51932**
Source: 1998-2000 AACS.
- R 325.51933**
Source: 1988 AACS.

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R 325.51934
Source: 1998-2000 AACS.

R 325.51935
Source: 1981 AACS.

R 325.51936
Source: 1981 AACS.

R 325.51937
Source: 1981 AACS.

R 325.51938
Source: 1981 AACS.

R 325.51938a
Source: 1988 AACS.

R 325.51939
Source: 1981 AACS.

R 325.51940
Source: 1981 AACS.

R 325.51941
Source: 1984 AACS.

R 325.51942
Source: 1981 AACS.

R 325.51943
Source: 1998-2000 AACS.

R 325.51944
Source: 1981 AACS.

R 325.51945
Source: 1981 AACS.

R 325.51946
Source: 1981 AACS.

R 325.51947
Source: 1981 AACS.

R 325.51948
Source: 1981 AACS.

R 325.51949
Source: 1998-2000 AACS.

R 325.51950
Source: 1981 AACS.

R 325.51950a
Source: 1984 AACS.

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- R 325.51950b**
Source: 1984 AACS.
- R 325.51951**
Source: 1981 AACS.
- R 325.51952**
Source: 1981 AACS.
- R 325.51953**
Source: 1981 AACS.
- R 325.51954**
Source: 1981 AACS.
- R 325.51955**
Source: 1981 AACS.
- R 325.51956**
Source: 1981 AACS.
- R 325.51957**
Source: 1981 AACS.
- R 325.51958**
Source: 1998-2000 AACS.

LEAD EXPOSURE IN CONSTRUCTION

R 325.51991 Scope and application.

Rule 1. These rules apply to all construction work as defined by the Michigan Occupational Safety and Health Act (MIOSHA), 1974 PA 154, MCL 408.1001 to 408.1094. Construction work includes all of the following:

- (a) Demolition or salvage of structures where lead or materials containing lead are present.
- (b) Removal or encapsulation of materials containing lead.
- (c) New construction, alteration, repair, painting, decorating, or renovation of structures, substrates, or portions thereof that contain lead or materials containing lead.
- (d) Installation of products containing lead.
- (e) Lead contamination or emergency cleanup.
- (f) Transportation, disposal, storage, or containment of lead or materials containing lead on the site or location at which construction activities are performed.
- (g) Maintenance operations associated with the construction activities described in this rule.

History: 1993 AACS; 2014 MR 3, Eff. Feb. 13, 2014.

R 325.51992 Adoption by reference of federal regulations.

Rule 2. (1) The federal occupational safety and health administration's regulations on lead exposure in construction promulgated by the United States department of labor and codified at 29 C.F.R. §1926.62, "Lead Exposure in Construction," as amended on March 26, 2012, are adopted in these rules.

(2) The federal regulations adopted in subrule (1) of this rule have the same force and effect as a rule promulgated pursuant to the provisions of the Michigan Occupational Safety and Health Act (MIOSHA), 1974 PA 154, MCL 408.1001 to 408.1094.

(3) All of the following provisions apply as used in these rules:

- (a) A reference to 29 C.F.R. §1926.59, "Hazard communication," in 29 C.F.R. 1926.62(d) means Occupational Health Standard Part 430 "Hazard Communication, and Construction Safety Standard Part 42 "Hazard Communication," as referenced in R 325.51993.

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(b) A reference to 29 C.F.R. §1910.133, “Eye and face protection,” in 29 C.F.R. 1926.62(g) means Occupational Health Standard Part 433 “Personal Protective Equipment,” General Industry Safety Standard Part 33 “Personal Protective Equipment,” and Construction Safety Standard Part 6 “Personal Protective Equipment,” as referenced in R 325.51993.

(c) A reference to 29 C.F.R. §1910.20, “Access to employee exposure and medical records,” in 29 C.F.R. 1926.62(l) means Occupational Health Standard Part 470 “Employee Medical Records and Trade Secrets,” as referenced in R 325.51993.

History: 1993 AACS; 1998-2000 AACS; 2014 MR 3, Eff. Feb. 13, 2014.

R 325.51993. Obtaining adopted and referenced standards.

Rule 3. (1) The OSHA regulations adopted in R 325.51992 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.

(2) The standards adopted in R 325.51992 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.

(3) Copies of the standards adopted in R 325.51992 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, plus \$20.00 for shipping and handling.

(4) The following Michigan occupational safety and health standards are referenced in R 325.51991 and R 325.51992. Up to 5 copies of these standards may be obtained at no charge from the Michigan Department of licensing and regulatory affairs, MIOSHA standards section, 7150 Harris Drive, P.O. Box 30643, Lansing, MI, 48909-8143 or via the internet at website: 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 6 “Personal Protective Equipment,” R 408.40601 to R 408.40841.

(b) Construction Safety Standard Part 42 “Hazard Communication,” R 408.44201 to R 408.44203.

(c) General Industry Safety Standard Part 33 “Personal Protective Equipment,” R 408.13301 to R 408.13398.

(d) Occupational Health Standard Part 430 “Hazard Communication,” R 325.77001 to R 325.77003.

(e) Occupational Health Standard Part 433 “Personal Protective Equipment,” R 325.60001 to R 325.60013.

(f) Occupational Health Standard Part 470 “Employee Medical Records and Trade Secrets,” R 325.3451 to R 325.3476.

History: 2014 MR 3, Eff. Feb. 13, 2014.

PART 604. CHROMIUM (VI) IN CONSTRUCTION

R 325.51995

Source: 2006 AACS.

R 325.51996

Source: 2010 AACS.

R 325.51997

Source: 2010 AACS.

PART 520. VENTILATION CONTROL

R 325.52001

Source: 2005 AACS.

R 325.52002

Source: 2005 AACS.

R 325.52003

Source: 2005 AACS.

R 325.52004

Source: 2005 AACS.

R 325.52005

Source: 2005 AACS.

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R 325.52006
Source: 2005 AACS.

R 325.52007
Source: 2005 AACS.

R 325.52008
Source: 2005 AACS.

R 325.52009
Source: 2005 AACS.

R 325.52010
Source: 2005 AACS.

R 325.52011
Source: 2005 AACS.

R 325.52012
Source: 2005 AACS.

HAZARDOUS WASTE OPERATIONS AND EMERGENCY RESPONSE

R 325.52101
Source: 1991 AACS.

R 325.52102 Application.

Rule 2. (1) These rules apply to all of the following operations when employees are exposed, or have a reasonable possibility of exposure, to safety or health hazards:

(a) Cleanup operations which are required by a governmental body, whether a federal, state, local, or other body, which involve hazardous substances, and which are conducted at uncontrolled hazardous waste sites. Such sites include any of the following:

(i) Sites on the environmental protection agency's (EPA) national priority site list (NPL).

(ii) Sites on state priority site lists.

(iii) Sites recommended for the EPA NPL.

(iv) Sites which are government-identified and are undergoing initial investigation conducted before the presence or absence of hazardous substances has been determined.

(b) Corrective actions that involve cleanup operations at sites covered by the resource conservation and recovery act of 1976 (RCRA), as amended, 42 U.S.C. §6901 et seq. "Congressional findings."

(c) Voluntary cleanup operations at sites recognized by federal, state, local, or other governmental bodies as uncontrolled hazardous waste sites.

(d) Operations which involve hazardous wastes and which are conducted at treatment, storage, and disposal (TSD) facilities regulated by 40 C.F.R. parts 264 and 265 pursuant to RCRA, by agencies under agreement with EPA to implement RCRA regulations.

(e) An emergency response operation that involves the release of, or a substantial threat of the release of, hazardous substances, without regard to the location of the hazard.

(2) All of the requirements of the Michigan occupational health and safety act (MIOSHA) occupational health rules and occupational safety rules for both general industry and construction apply, pursuant to their terms, to operations specified in subrule (1) of this rule, whether mentioned in these rules or not. Where there is a conflict or overlap between these and other rules, the requirement that is more protective of employee health and safety shall apply.

(3) All of these rules, except for R 325.52129 to R 325.52135, apply to hazardous substance cleanup operations covered by subrule (1)(a), (b), and (c) of this rule.

(4) R 325.52129 applies to operations at TSD facilities covered by subrule (1)(d) of this rule. All of the following apply to this subrule:

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(a) R 325.52129 applies to any TSD operation which is regulated by 40 C.F.R. parts 264 and 265 or by Michigan law authorized under RCRA and which is required to have a permit or interim status from EPA pursuant to 40 C.F.R. §270.1 or from a Michigan agency pursuant to RCRA.

(b) Employers who are not required to have a permit or interim status because they are conditionally exempt small quantity generators under 40 C.F.R. §261.5 or are generators who qualify under 40 C.F.R. §262.34 for exemptions from regulation under 40 C.F.R. parts 264, 265, and 270 need not comply with subrules R 325.52129 (1) to (8). Excepted employers who are required by the EPA or a Michigan agency to have their employees engage in emergency response or who direct their employees to engage in emergency response shall comply with R 325.52129(9). Excepted employers who are not required to have employees engage in emergency response, who direct their employees to evacuate in the case of emergencies, and who meet the requirements of R 325.52129 (9)(a) and (b) are exempt from the rest of R 325.52129.

(c) If an area is used primarily for treatment, storage, or disposal, any emergency response operation in that area shall be in compliance with R 325.52129(9). In other areas that are not used primarily for treatment, storage, or disposal, any emergency response operation shall be in compliance with R 325.52130 to R 325.52135. Compliance with R 325.52130 to R 325.52135 shall be deemed to be in compliance with R 325.52129(9).

(5) An emergency response operation which involves the release of, or a substantial threat of a release of, hazardous substances and which is not covered by subrule (1)(a) to (d) of this rule shall be in compliance with R 325.52130 to R 325.52135.

History: 1991 AACS; 1998-2000 AACS; 2014 MR 6, Eff. March 20, 2014.

R 325.52102a Adopted and referenced standards.

Rule 2a. (1) “NIOSH Recommendations for Occupational Health Standards,” 1986 edition, is adopted by reference in these rules. This standard is available from the National Institute for Occupational Safety and Health, Publications Dissemination Division, Cincinnati, Ohio 45226, or via the internet at website: www.cdc.gov/niosh, at no cost as of the time of adoption of these rules.

(2) “Threshold Limit Values and Biological Exposure Indices for 1990-1991,” 1990 edition, is adopted by reference in these rules. The ACGIH publication is available from the American Conference of Governmental Industrial Hygienists, 1330 Kemper Meadow Drive, Cincinnati, Ohio 45240-4148, or via the internet at website: www.acgih.org, at a cost at the time of adoption of these rules is \$25.00.

(3) The following regulations from the Code of Federal Regulations are adopted by reference in these rules. Copies of these regulations are available from the U.S. Government Printing Office, via the internet at website www.gpoaccess.gov, at no charge as of the time of adoption of these rules.

(a) 40 C.F.R. §261.3, Identification and Listing of Hazardous Waste, “Definition of Hazardous Waste.”

(b) 42 C.F.R. Part 84 “Approval of Respiratory Protective Devices.”

(c) 49 C.F.R. §171.8, Definitions and Abbreviations “General Information, Regulations, and Definitions.”

(d) 49 C.F.R. §172.101, General Information, Regulations, and Definitions “Hazardous Materials Table, Special Provisions, Hazardous Materials Communications, Emergency Response Information, Training Requirements, and Security Plans.”

(e) 49 C.F.R. Part 173, Shippers – General Requirements for Shipments and Packagings “Pipeline and Hazardous Materials Safety Administration, Department of Transportation.”

(f) 49 C.F.R. Part 178, Specifications for Packagings “Pipeline and Hazardous Materials Safety Administration, Department of Transportation.”

(g) 42 U.S.C. §9601, “Comprehensive Environmental Response Compensation and Liability Act (CERCLA).”

(4) The standards adopted in subrules (1) to (3) 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 subrules (1) to (3) 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.

(6) 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 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.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 18 “Fire Protection and Prevention,” R 408.41801 to R 408.41884.

(b) General Industry Safety Standard Part 6 “Fire Exits,” R 408.10601 to R 408.10697.

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- (c) General Industry Safety Standard Part 73 “Fire Brigades,” R 408.17301 to R 408.17320.
 - (d) Occupational Health Standard Part 301 “Air Contaminants,” R 325.51101 to 325.51108.
 - (e) Occupational Health Standard Part 380 “Occupational Noise Exposure,” R 325.60101 to 325.60131.
 - (f) Occupational Health Standard Part 381 “Ionizing Radiation,” R 325.60601a to 325.60618.
 - (g) Occupational Health Standard Part 430 “Hazard Communication,” R 325.77001 to 325.77003.
 - (h) Occupational Health Standard Part 451 “Respiratory Protection,” R 325.60051 to 325.60052.
 - (i) Occupational Health Standard Part 470 “Employee Medical Records and Trade Secrets,” R 325.3451 to R 325.3476.
 - (j) Occupational Health Standard Part 474 “Sanitation,” R 325.47401 to R 325.47427.
 - (k) Occupational Health Standard Part 490 “Permit-Required Confined Spaces,” R 325.63001 to R 325.63049.
 - (l) Occupational Health Standard Part 529 “Welding, Cutting and Brazing,” R 325.52901 to R 325.52908.
 - (7) Appendices A, B, C, and D to these rules are informational only and are not intended to create any additional obligations or requirements not otherwise imposed or to detract from any established obligations or requirements.
- History: 2014 MR 6, Eff. March 20, 2014.

R 325.52103 Definitions.

Rule 3. As used in these rules:

- (1) “Buddy system” means a system of organizing employees into work groups in such a manner that each employee of the work group is designated to be observed by a least 1 other employee in the work group. The purpose of the buddy system is to provide rapid assistance to employees in the event of an emergency.
- (2) “Cleanup operation” means an operation where hazardous substances are removed, contained, incinerated, neutralized, stabilized, cleared up, or in any other manner processed or handled with the ultimate goal of making the site safer for people and the environment.
- (3) “Decontamination” means the removal of hazardous substances from employees and their equipment to the extent necessary to prevent the occurrence of foreseeable adverse health effects.
- (4) “Emergency response” or “responding to emergencies” means a response effort by employees from outside the immediate release area or by other designated responders, for example, mutual-aid groups or local fire departments, to an occurrence which results, or is likely to result, in an uncontrolled release of a hazardous substance. Responses to incidental releases of hazardous substances where the substance can be absorbed, neutralized, or otherwise controlled at the time of release by employees in the immediate release area or by maintenance personnel are not considered to be emergency responses within the scope of these rules. Responses to releases of hazardous substances where there is no potential safety or health hazards, such as, fire, explosion, or chemical exposure, are not considered to be emergency responses.
- (5) “Facility” means any of the following:
 - (a) A building.
 - (b) A structure.
 - (c) An installation.
 - (d) Equipment.
 - (e) A pipe or pipeline, including a pipe into a sewer or publicly owned treatment works.
 - (f) A well.
 - (g) A pit.
 - (h) A pond.
 - (i) A lagoon.
 - (j) An impoundment.
 - (k) A ditch.
 - (l) A storage container.
 - (m) A motor vehicle.
 - (n) Rolling stock.
 - (o) Aircraft.
 - (p) A site or area where a hazardous substance has been deposited, stored, disposed of, placed, or otherwise caused to be located.
 - (q) Facility does not mean any consumer product in consumer use or any waterborne vessel.
- (6) “Hazardous material response (HAZMAT) team” means an organized group of employees which is designated by the employer and which is expected to perform work to handle and control actual or potential leaks or spills of hazardous substances that may require coming into close proximity to the substance. The team members perform responses to releases or potential releases of hazardous substances to control or stabilize a release or potential release. A HAZMAT

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team is not a fire brigade nor is a typical fire brigade a HAZMAT team. A HAZMAT team, however, may be a separate component of a fire brigade or fire department.

(7) "Hazardous substance" means any of the following substances, exposure to which results or may result in adverse effects on the health and safety of employees:

(a) Any substance defined under section 103(14) of the Comprehensive Environmental Response Compensation and Liability Act (CERCLA) 42 U.S.C. §9601, which is adopted in R 325.52102a.

(b) Any biological agent and other disease-causing agent which, after release into the environment and upon exposure, ingestion, inhalation, or assimilation into any person, either directly from the environment or indirectly by ingestion through food chains, will, or may reasonably be anticipated to, cause any of the following in such persons or their offspring:

(i) Death.

(ii) Disease.

(iii) Behavioral abnormalities.

(iv) Cancer.

(v) Genetic mutation.

(vi) Physiological malfunctions, including malfunctions in reproduction.

(vii) Physical deformations in such persons or their offspring.

(c) Any substance that is listed by the United States Department of Transportation as a hazardous material under 49 C.F.R. §172.101 "Hazardous Materials Table, Special Provisions, Hazardous Materials Communications, Emergency Response Information, Training Requirements, and Security Plans," and appendices, which are adopted in R 325.52102a.

(d) Hazardous waste.

(8) "Hazardous waste" means either of the following

(a) A waste or combination of wastes as defined in 40 C.F.R. §261.3 "Definition of Hazardous Waste," which are adopted in R 325.52102a.

(b) Those substances defined as hazardous waste in 49 C.F.R. §171.8 "General Information, Regulations, and Definitions," which are adopted in R 325.52102a.

(9) "Hazardous waste operation" means any operation to which these rules apply according with R 325.52102.

(10) "Hazardous waste site" or "site" means any facility or location at which hazardous waste operations take place and to which these rules apply.

(11) "Health hazard" means a chemical or a pathogen where acute or chronic health effects may occur in exposed employees. It also includes stress due to temperature extremes. The term health hazards includes chemicals that are classified in accordance with the Occupational Health Standard Part 430 "Hazard Communication," which is referenced in R 325.52102a, as posing one of the following hazardous effects:

(a) Acute toxicity, any route of exposure.

(b) Skin corrosion or irritation.

(c) Serious eye damage or eye irritation.

(d) Respiratory or skin sensitization.

(e) Germ cell mutagenicity.

(f) Carcinogenicity.

(g) Reproductive toxicity.

(h) Specific target organ toxicity, single or repeated exposure.

(i) Aspiration toxicity or simple asphyxiant.

Note: See Occupational Health Standard Part 430 "Hazard Communication," which is referenced in R 325.52102a, Appendix A "Health Hazard Criteria, Mandatory," for the criteria for determining if a chemical is classified as a health hazard.

(12) "IDLH" or "immediately dangerous to life or health" means an atmospheric concentration of any toxic, corrosive, or asphyxiant substance that poses an immediate threat to life, would cause irreversible or delayed adverse health effects, or would interfere with an person's ability to escape from a dangerous atmosphere.

(13) "Oxygen deficiency" means that concentration of oxygen, by volume, in the atmosphere below which air supplying respiratory protection shall be provided. An oxygen deficiency exists in atmospheres where the percentage of oxygen, by volume, is less than 19.5%.

(14) "Permissible exposure limit" or "PEL" means the inhalation or dermal permissible exposure limits of chemical substances specified or referenced in the air contaminants standard tables of Occupational Health Standard Part 301 "Air Contaminants for General Industry" which is referenced in R 325.52102a.

(15) "Postemergency response" means that portion of an emergency response which is performed after the immediate threat of a release has been stabilized or eliminated and cleanup of the site has begun. If postemergency response is

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performed by an employer's own employees as a continuation of initial emergency response, it is considered to be part of the initial response and not postemergency response. However, if a group of an employer's own employees that is separate from the group that provides the initial response performs the cleanup operation, the separate group of employees is considered to be performing postemergency response and is subject to R 325.52135.

(16) "Published exposure level" means the exposure limits specified in the publication entitled "NIOSH Recommendations for Occupational Health Standards," 1986 edition, which are adopted in R 325.52102a, or, if no limit is specified, the threshold limit values published by the American Conference of Governmental Industrial Hygienist (ACGIH) in the publication entitled "Threshold Limit Values and Biological Exposure Indices for 1990-1991," 1990 edition, which are adopted in R 325.52102a.

(17) "Qualified person" means a person who has specific training, knowledge, and experience in the area for which the person has responsibility and the authority to control operations.

(18) "Site safety and health supervisor" or "official" means an individual who is located on a hazardous waste site, who is responsible to the employer, and who has the authority and knowledge necessary to implement the site safety and health plan and verify compliance with applicable safety and health requirements.

(19) "Small quantity generator" means a generator of hazardous waste who, in any calendar month, generates not more than 1,000 kilograms (2,205 pounds) of hazardous waste.

(20) "Uncontrolled hazardous waste site" means an area where an accumulation of hazardous wastes creates a threat to the health and safety of individuals or the environment, or both. Such sites can be on public lands or on privately owned property. Normal operations at TSD sites are not included in this definition.

History: 1991 AACS; 1998-2000 AACS; 2014 MR 6, Eff. March 20, 2014.

R 325.52104 Safety and health program.

Rule 4. (1) An employer shall develop and implement a written safety and health program for its employees who are involved in hazardous waste operations. The program shall be designed to identify, evaluate, and control safety and health hazards and provide for emergency responses for hazardous waste operations.

(2) A safety and health program that is developed and implemented to meet other federal, state, or local regulations is acceptable to meet the requirements of subrule (1) of this rule if the program includes, or is modified to include, the topics required by this rule.

(3) The written safety and health program shall include all of the following topics:

(a) An organizational structure.

(b) A comprehensive work plan.

(c) A site-specific safety and health plan which need not repeat the standard operating procedures required by subdivision (f) of this subrule.

(d) The safety and health training program.

(e) The medical surveillance program.

(f) The employer's standard operating procedures for safety and health.

(g) Any necessary interface between the general program and site-specific activities.

(4) All of the following provisions apply to the organizational structure section of the program:

(a) The organizational structure section shall establish the specific chain of command and specify the overall responsibilities of supervisors and employees. It shall provide for all of the following:

(i) A general supervisor who has the responsibility and authority to direct all hazardous waste operations.

(ii) A site safety and health supervisor who has the responsibility and authority to develop and implement the site safety and health plan and verify compliance.

(iii) All other personnel needed for hazardous waste site operations and emergency response and their general functions and responsibilities.

(iv) The lines of authority, responsibility, and communication.

(b) The organizational structure section shall be reviewed and updated as necessary to reflect the current status of waste site operations.

(c) The original organizational structure section and any changes shall be made available to all affected employees.

(5) The comprehensive work plan section of the program shall address the tasks and objectives of site operations and the logistics and resources required to accomplish those tasks and objectives and shall provide for all of the following:

(a) Address anticipated cleanup activities, as well as normal operating procedures.

(b) Define work tasks and objectives and identify the methods for accomplishing those tasks and objectives.

(c) Establish personnel requirements for implementing the plan.

(d) Provide for the implementation of the training required in R 325.52109 to R 325.52112.

(e) Provide for the implementation of the required informational programs required in R 325.52120.

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- (f) Provide for the implementation of the medical surveillance program described in R 325.52113 to R 325.52116.
- (6) The site-specific safety and health plan section of the safety and health program shall be available on the site for inspection by employees, their designated representatives, and Michigan occupational safety and health program (MIOSHA) personnel. The plan section shall address the safety and health hazards of each phase of site operation and include the requirements and procedures for employee protection. The site-specific safety and health plan shall provide for all of the following:
- (a) A safety and health risk or hazard analysis for each site task and operation found in the work plan.
 - (b) Employee training assignments to assure compliance with R 325.52109 to R 325.52112.
 - (c) Personal protective equipment to be used by employees for each of the site tasks and operations being conducted as required by the personal protective equipment program in R 325.52118.
 - (d) Medical surveillance requirements in accordance with the program in R 325.52113 to R 325.52116.
 - (e) The frequency and types of air monitoring and personal monitoring and the environmental sampling techniques and instrumentation to be used, including the methods and schedule of maintenance and calibration of monitoring and sampling equipment.
 - (f) Site control procedures in accordance with the site control program required in R 325.52108.
 - (g) Decontamination procedures in accordance with R 325.52124.
 - (h) An emergency response plan that meets the requirements of R 325.52125 for safe and effective response to emergencies, including the necessary personal protective equipment and other equipment.
 - (i) Confined space entry procedures.
 - (j) A spill containment program which meets the requirements of R 325.52121(2)(g) shall be included where appropriate.
 - (k) Preentry briefings to be held before initiating any site activity and at such other times as necessary to ensure that employees are apprised of the site safety and health plan and that this plan is being followed. The information and data from site characterization and analysis work required pursuant to R 325.52107 shall be used to prepare and update the site safety and health plan and preentry briefings.
 - (l) Inspections conducted by the site safety and health supervisor, or designee, as necessary to determine the effectiveness of the site safety and health plan. Any deficiencies in the effectiveness of the site safety and health plan shall be corrected by the employer.
- (7) The written safety and health program required by this rule shall be made available to employees and their representatives, to contractors and subcontractors involved in the hazardous waste operation, and to Michigan occupational safety and health program (MIOSHA) personnel.

History: 1991 AACCS; 2014 MR 6, Eff. March 20, 2014.

R 325.52105

Source: 1991 AACCS.

R 325.52106

Source: 1991 AACCS.

R 325.52107

Source: 1991 AACCS.

R 325.52108

Source: 1991 AACCS.

R 325.52109 Training generally.

Rule 9. (1) All employees, supervisors, and management personnel who work at a hazardous waste site where cleanup operations are underway shall be trained and have supervised on-the-job field experience as required by this rule, R 325.52110, and R 325.52111 before they are permitted to engage in hazardous waste operations that could expose them to hazardous substances or safety or health hazards. All personnel shall also receive refresher training as required pursuant to R 325.52112.

(2) Employees and supervisors shall not participate in field activities until they have been trained at the level required by their job functions and responsibilities.

(3) Training shall cover all of the following topics:

- (a) The names of personnel and alternates who are responsible for site safety and health.
- (b) Safety, health, and other hazards present on the site.
- (c) Use of personal protective equipment.

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- (d) Work practices which will minimize the risks of hazards.
- (e) The safe use of engineering controls and equipment on the site.
- (f) Medical surveillance requirements, including the recognition of symptoms and signs which might indicate overexposure to hazards.
- (g) The contents of the site-specific safety and health plan required pursuant to R 325.52104(6)(g) to (j).
- (4) Employees who may respond to emergency situations at hazardous waste sites shall be trained in the proper response procedures for, and protection from, hazardous exposures.

History: 1991 AACS; 2014 MR 6, Eff. March 20, 2014.

R 325.52110

Source: 1991 AACS.

R 325.52111

Source: 1991 AACS.

R 325.52112

Source: 1991 AACS.

R 325.52113 Medical surveillance.

Rule 13. (1) Employers that are engaged in the operations described in R 325.52102(1)(a) to (c) and employers with a hazardous material response (HAZMAT) team shall establish a medical surveillance program, in accordance with this rule, for all of the following employees:

(a) All employees who are or may be exposed, for 30 days or more a year, to hazardous substances or health hazards at or above permissible exposure limits (PEL) or, if there is no PEL, above the published exposure levels for these substances without regard to the use of respirators.

(b) All employees who wear a respirator for 30 or more days a year or as required by Occupational Health Standard Part 451 "Respiratory Protection," which is referenced in R 325.52102a.

(c) All employees who are injured, become ill, or develop signs or symptoms due to the possible overexposure to hazardous substances or health hazards from an emergency response or hazardous waste operation.

(d) All employees on a HAZMAT team.

(2) Medical examinations and consultations shall be made available by the employer at no cost to the employee, without a loss of pay, and at a reasonable time and place for each employee covered by subrule (1) of this rule under the following, as applicable:

(a) For employees who are covered under subrule (1)(a),(b), and (d) of this rule, the following schedule applies:

(i) Before assignment to hazardous waste or emergency response operations.

(ii) At least once every 12 months for each covered employee, unless the responsible physician believes a longer interval is appropriate. The interval shall not be more than 2 years.

(iii) At termination of employment or reassignment to an area where the employee will not be covered, unless the employee has had an examination within the last 6 months.

(iv) As soon as possible upon notification by an employee that the employee has developed signs or symptoms indicating possible overexposure to hazardous substances or health hazards or that the employee has been injured or exposed above the permissible exposure limits or published exposure levels in an emergency situation.

(v) At more frequent times if the examining physician determines that an increased frequency of examination is medically necessary.

(b) For employees who are covered under subrule (1)(c) of this rule and for all employees, including those of employees who are covered by R 325.52102(1)(e), who may have been injured, received a health impairment, developed signs or symptoms which may have resulted from exposure to hazardous substances resulting from an emergency incident, or been exposed during an emergency incident to hazardous substances at concentrations above the permissible exposure limits or the published exposure levels without the necessary personal protective equipment being used, the following schedule applies:

(i) As soon as possible after the emergency incident or development of signs or symptoms.

(ii) At additional times if the examining physician determines that follow-up examinations or consultations are medically necessary.

History: 1991 AACS; 1998-2000 AACS; 2014 MR 6, Eff. March 20, 2014.

R 325.52114 Medical examinations, consultations, and procedures to be performed by or under supervision of physician; content of examinations and consultations; copies of rules and information to be provided by employer.

Rule 14 (1) All medical examinations, consultations, and procedures shall be performed by or under the supervision of a licensed physician, preferably a physician who is knowledgeable in occupational medicine.

(2) Medical examinations required by R 325.52113(2) shall include a medical and work history or updated history if one is in the employee's file, with a special emphasis on the symptoms related to the handling of hazardous substances and health hazards and on fitness for duty, including the ability to wear any required personal protective equipment (PPE) under conditions that may be expected at the work site.

(3) The content of medical examinations or consultations pursuant to R 325.52113(2) shall be determined by the attending physician. (See R 325.52137 for availability of appendix D, reference no. 10)

(4) An employer shall provide a copy of these rules and appendices to the attending physician and all of the following information for each employee who is to be examined:

(a) A description of an employee's duties as they relate to the employee's exposures.

(b) The employee's exposure levels or anticipated exposure levels.

(c) A description of any personal protective equipment used or to be used.

(d) Information from previous medical examinations of the employee which is not readily available to the examining physician.

(e) Information required pursuant to Occupational Health Standard Part 451 "Respiratory Protection," which is referenced in R 325.52102a.

History: 1991 AACS; 1998-2000 AACS; 2014 MR 6, Eff. March 20, 2014.

R 325.52115

Source: 1991 AACS.

R 325.52116 Medical surveillance recordkeeping.

Rule 16. (1) An accurate record of the medical surveillance required pursuant to R 325.52113 shall be retained and provided to others in accordance with Occupational Health Standard Part 470 "Employee Medical Records and Trade Secrets," which is referenced in R 325.52102a.

(2) The medical records required pursuant to R 325.52115 and this rule shall include all of the following information:

(a) The name and social security number of the employee.

(b) A physician's written opinions, recommended limitations, and results of examinations and tests.

(c) Any employee medical complaints related to exposure to hazardous substances.

(d) A copy of the information provided to the examining physician by the employer, except for the copy of these rules and appendices.

History: 1991 AACS; 2014 MR 6, Eff. March 20, 2014.

R 325.52117 Control of hazards.

Rule 17. (1) Engineering controls, work practices, personal protective equipment, or a combination of these shall be implemented in accordance with this rule to protect employees from exposure to hazardous substances and safety and health hazards.

(2) Engineering controls, such as pressurized control cabs on mobile equipment or remotely operated material handling equipment, and work practices, such as removing nonessential personnel from areas of high risk, shall be used to reduce and maintain employee exposures to or below permissible exposure limits, except to the extent that such controls and practices are not feasible.

(3) If engineering controls and work practices are not feasible or not required, any reasonable and appropriate combination of controls, practices, and personal protective equipment (PPE) shall be used to reduce and maintain employee exposures to or below the permissible exposure limits or dose limits for substances with a permissible exposure limit.

(4) An employer shall not use a schedule of employee rotation as a means to comply with permissible exposure limits or dose limits, except when there is no other feasible way of complying with the airborne or dermal dose limits for ionizing radiation.

(5) An employer shall comply with Occupational Health Standard Part 380 "Occupational Noise Exposure," Occupational Health Standard Part 381 "Ionizing Radiation," and Occupational Health Standard Part 529 "Welding, Cutting and Brazing," which are referenced in R 325.52102a.

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(6) Any reasonable and appropriate combination of engineering controls, work practices, and PPE shall be used to reduce and maintain employee exposure to or below published exposure levels for hazardous substances and health hazards without exposure or dose-regulating rules. The employer shall use safety data sheets (SDS) and other published literature as a guide in making a determination as to the level of appropriate protection.

History: 1991 AACCS; 2014 MR 6, Eff. March 20, 2014.

R 325.52118 Personal protective equipment (PPE).

Rule 18. (1) Personal protective equipment (PPE) shall be selected and used to protect employees from the hazards and potential hazards they are likely to encounter as identified during the site characterization and analysis.

(2) Personal protective equipment selection shall be based on an evaluation of the performance characteristics of the PPE relative to the requirements and limitations of the site, the task-specific conditions and duration, and the hazards and potential hazards identified at the site.

(3) Positive-pressure, self-contained breathing apparatus or positive-pressure, air line respirators that are equipped with an escape air supply shall be used when chemical exposure levels will create a substantial possibility of immediate death or immediate serious illness or injury or will impair the ability to escape.

(4) Totally-encapsulating chemical protective suits (protection equivalent to level A protection as recommended in appendix B) shall be used in conditions where skin absorption of a hazardous substance may result in a substantial possibility of immediate death or immediate serious illness or injury or may impair the ability to escape.

(5) The level of protection provided by PPE selection shall be increased when additional information on site conditions indicates that increased protection is necessary to reduce employee exposures below permissible exposure limits and published exposure levels for hazardous substances and health hazards. (See R 325.52137 for availability of appendix B pertaining to selecting PPE ensembles.) The level of employee protection provided may be decreased when additional information or site conditions show that decreased protection will not result in hazardous exposures to employees.

(6) All of the following provisions pertain to the use of totally-encapsulating chemical protective suits.

(a) Totally-encapsulating suits shall be selected to protect employees from the particular hazards which are identified during site characterization and analysis.

(b) Totally-encapsulating suits shall be capable of maintaining a positive air pressure. Appendix A, "Personal Protective Equipment Test Methods," shall be consulted for a test method to evaluate this air pressure requirement.

(c) Totally-encapsulating suits shall be capable of preventing inward test gas leakage of more than 0.5%. See appendix A for a test method.

(7) An employer shall establish a written personal protective equipment (PPE) program which is part of the safety and health program required by R 325.52104 or R 325.52129. This program is also a part of the site-specific safety and health plan specified in R 325.52104. The personal protective equipment program shall address all of the following elements if applicable:

(a) PPE selection based on site hazards.

(b) PPE use and limitations.

(c) Work duration.

(d) PPE maintenance and storage.

(e) PPE decontamination and disposal.

(f) PPE training and proper fitting.

(g) PPE donning and doffing procedures.

(h) PPE inspection before and after use.

(i) PPE proper use.

(j) Evaluation of the effectiveness of the PPE program.

(k) Limitations during temperature extremes and other appropriate medical considerations.

Manufacturer instructions relating to the subjects specified in subrules (d) to (h) of this subrule may be incorporated into the PPE program.

History: 1991 AACCS; 1998-2000 AACCS; 2014 MR 6, Eff. March 20, 2014.

R 325.52119

Source: 1991 AACCS.

R 325.52120

Source: 1991 AACCS.

R 325.52121

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Source: 1991 AACS.

R 325.52122

Source: 1991 AACS.

R 325.52123 Tank and vault operations.

Rule 23. (1) Tanks and vaults that contain a hazardous substance shall be handled in a manner similar to that for drums and containers by following R 325.52121.

(2) Appropriate tank or vault entry (confined space entry) procedures of Occupational Health Standard Part 490 "Permit-Required Confined Spaces" and Occupational Health Standard Part 451 "Respiratory Protection," which are referenced in R 325.52102a, and which are addressed in the site safety and health plan covered by R 325.52104(6) shall be followed in all cases where employees enter tanks, vaults, or other confined spaces.

History: 1991 AACS; 2014 MR 6, Eff. March 20, 2014.

R 325.52124 Decontamination.

Rule 24. (1) Procedures for all phases of decontamination shall be developed and implemented in accordance with this rule.

(2) All of the following provisions apply to decontamination procedures:

(a) A decontamination procedure shall be developed, communicated to employees, and implemented before any employees or equipment may enter areas on site where the potential for exposure to hazardous substances exists.

(b) Standard operating procedures shall be developed to minimize employee contact with hazardous substances or with equipment that has contacted hazardous substances.

(c) All employees who leave a contaminated area shall be appropriately decontaminated and all contaminated clothing and equipment that leaves a contaminated area shall be appropriately disposed of or decontaminated.

(d) Decontamination procedures shall be monitored by the site safety and health supervisor to determine their effectiveness. When such procedures are found to be ineffective, appropriate steps shall be taken to correct any deficiencies.

(e) Decontamination shall be performed in geographical areas that will minimize the exposure of uncontaminated employees or equipment to contaminated employees or equipment.

(f) All equipment and solvents that are used for decontamination shall be decontaminated or disposed of properly.

(g) Protective clothing and equipment shall be decontaminated, cleaned, laundered, maintained, or replaced as needed to maintain the effectiveness of the clothing and equipment.

(h) Employees whose non-impermeable clothing becomes wetted with hazardous substances shall immediately remove that clothing and proceed to a shower. The clothing shall be disposed of or decontaminated before it is removed from the work zone.

(i) Unauthorized employees shall not remove protective clothing or equipment from change rooms.

(j) Commercial laundries or cleaning establishments that decontaminate protective clothing or equipment shall be informed of the potentially harmful effects of exposure to hazardous substances.

(3) Where the decontamination procedure indicates a need for regular showers and change rooms outside of a contaminated area, such showers and change rooms shall be provided and shall be in compliance with Occupational Health Standard Part 474 "Sanitation," which is referenced in R 325.52102a.

(4). If temperature conditions prevent the effective use of water, other effective means for cleansing shall be provided and used.

History: 1991 AACS; 2014 MR 6, Eff. March 20, 2014.

R 325.52125 Emergency operations at hazardous waste sites.

Rule 25. (1) An emergency response plan shall be developed and implemented by all employers within the scope of R 325.52102(1)(a) and (b) to handle anticipated emergencies before start-up of hazardous waste operations. The plan shall be in writing and available for inspection and copying by employees, their representatives, Michigan occupational safety and health program personnel, and other federal and state government personnel with relevant responsibilities. An employer who will evacuate its employees from the danger area when an emergency occurs and who does not permit any of its employees to respond to assist in handling the emergency is exempt from the requirements of this rule if the employer provides an emergency action plan that is in compliance with General Industry Safety Standard Part 6 "Fire Exits," and Construction Safety Standard Part 18 "Fire Protection and Prevention," which are referenced in R 325.52102a.

(2) The emergency response plan shall address all of the following topics:

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- (a) Pre-emergency planning.
 - (b) Personnel roles, lines of authority, training, and communication.
 - (c) Emergency recognition and prevention.
 - (d) Safe distances and places of refuge.
 - (e) Site security and control.
 - (f) Evacuation routes and procedures.
 - (g) Decontamination.
 - (h) Emergency medical treatment and first aid.
 - (i) Emergency alerting and response procedures.
 - (j) A critique of response and follow-up.
 - (k) PPE and emergency equipment.
- (3) In addition to the topics for the emergency response plan specified in subrule (2) of this rule, both of the following elements shall be included in an emergency response plan for a hazardous waste cleanup site:
- (a) Site topography, layout, and prevailing weather conditions.
 - (b) Procedures for reporting incidents to local, state, and federal governmental agencies.
- (4) The emergency response plan shall be a separate section of the site-specific safety and health plan and shall be compatible and integrated with disaster, fire, or emergency response plans of local, state, and federal agencies.
- (5) The emergency response plan shall be rehearsed regularly as part of the overall training program for site operations and shall be reviewed periodically and amended, as necessary, to keep it current with new or changing site conditions or information.
- (6) An employee alarm system shall be installed in accordance with General Industry Safety Standard Part 6 “Fire Exits,” which is referenced in R 325.52102a, to notify employees of an emergency situation, to stop work activities if necessary, to lower background noise in order to enhance communication, and to begin emergency procedures.
- (7) Based upon the information available at time of an emergency, an employer shall evaluate the incident and site response capabilities and proceed with the appropriate steps to implement the site emergency response plan.

History: 1991 AACS; 1998-2000 AACS; 2014 MR 6, Eff. March 20, 2014.

R 325.52126

Source: 1991 AACS.

R 325.52127 Sanitation.

Rule 27.(1) All of the following provisions apply to potable water:

- (a) An adequate supply of potable water shall be provided on the site.
 - (b) Portable containers that are used to dispense drinking water shall be capable of being tightly closed and shall be equipped with a tap. Water shall not be dipped from containers.
 - (c) Any container that is used to distribute drinking water shall be clearly marked as to its contents and shall not be used for any other purpose.
 - (d) Where single-service cups are supplied, both a sanitary container for the unused cups and a receptacle for disposing of the used cups shall be provided.
- (2) Both of the following provisions apply to nonpotable water:
- (a) Outlets for nonpotable water, such as water for industrial or fire fighting purposes, shall be identified to indicate clearly that the water is unsafe and is not to be used for drinking, washing, or cooking purposes.
 - (b) There shall not be a cross-connection, open or potential, between a potable water system and a nonpotable water system.
- (3) All of the following provisions apply to toilet facilities.
- (a) Toilets shall be provided for employees according to the provisions of the following table:

Table 2
Toilet Facilities

Number of employees	Minimum number of facilities
20 or less	One
More than 20, less than 200	One toilet seat and 1 urinal per 40 employees.

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200 or more	One toilet seat and 1 urinal per 50 employees.
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- (b) Under temporary field conditions, at least 1 toilet facility shall be available.
- (c) Hazardous waste sites that are not provided with a sanitary sewer shall be provided with any of the following toilet facilities, unless prohibited by local codes:
 - (i) Chemical toilets.
 - (ii) Recirculating toilets.
 - (iii) Combustion toilets.
 - (iv) Flush toilets.
- (d) The requirements of this subrule shall not apply to mobile crews that have transportation readily available to nearby toilet facilities.
- (e) Doors to toilet facilities shall be provided with locks that are controlled from inside.
- (4) All employee food service facilities and operations shall meet the applicable laws, ordinances, and regulations of the jurisdictions in which they are located.
- (5) When temporary sleeping quarters are provided, they shall be heated, ventilated, and lighted.
- (6) An employer shall provide adequate washing facilities for employees who are engaged in operations where hazardous substances may be harmful to employees. Such facilities shall be near the worksite, in areas which are under the control of the employer, and where exposures are below permissible exposure limits. Such facilities shall be equipped to enable employees to remove hazardous substances from themselves.
- (7) When hazardous waste cleanup or removal operations commence on a site and the duration of the work will require 6 or more months, an employer shall provide showers and change rooms for employees who are exposed to hazardous substances and health hazards involved in hazardous waste cleanup or removal operations. Showers shall be provided and shall meet the requirements of Occupational Health Standard Part 474 "Sanitation," which is referenced in R 325.52102a. Change rooms shall be provided and shall meet the requirements of Occupational Health Standard Part 474 "Sanitation," which is referenced in R 325.52102a. Change rooms shall consist of 2 separate change areas separated by the shower area required by this subrule. One change area, with an exit leading off the worksite, shall provide employees with a clean area where they can remove, store, and put on street clothing. The second area, with an exit to the worksite, shall provide employees with an area where they can put on, remove, and store work clothing and personal protective equipment. Showers and change rooms shall be located in areas where exposures are below the permissible exposure limits. If this cannot be accomplished, then a ventilation system shall be provided that will supply air that is below the permissible exposure limits. Employers shall assure that employees shower at the end of their workshifts and when leaving the hazardous waste site.

History: 1991 AACS; 2014 MR 6, Eff. March 20, 2014.

R 325.52128

Source: 1991 AACS.

R 325.52129 Operations at treatment, storage, and disposal (TSD) facilities; establishment of written safety and health program, hazard communication program, medical surveillance program, decontamination procedures, procedures for introduction of new and innovative equipment, procedures for handling drums or containers, training program, and emergency response program

- Rule 29. (1) This rule applies to employers who conduct operations at treatment, storage, and disposal (TSD) facilities specified in R 325.52102(1)(d), except for employers that may be exempted in accordance with R 325.52102(4)(a) to (c).
- (2) An employer shall develop and implement a written safety and health program for employees who are involved in hazardous waste operations. This written program shall be available for inspection by employees, employees' representatives, and Michigan occupational safety and health program (MIOSHA) personnel. The program shall be designed to identify, evaluate, and control safety and health hazards in the employer's facilities for the purpose of employee protection and shall provide for emergency response that is in compliance with this rule. The program shall address, as appropriate, all of the following areas:
- (a) Site analysis.
 - (b) Engineering controls.
 - (c) Maximum exposure limits.
 - (d) Hazardous waste handling procedures.
 - (e) Uses of new technologies.

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- (3) An employer shall implement a hazard communication program that is in compliance with the requirements of Occupational Health Standard Part 430 "Hazard Communication," which is referenced in R 325.52102a.
- (4) An employer shall develop and implement a medical surveillance program in accordance with R 325.52113 to R 325.52116.
- (5) An employer shall develop and implement decontamination procedures in accordance with R 325.52124.
- (6) An employer shall develop and implement procedures for the introduction of new and innovative equipment into the workplace in accordance with R 325.52128.
- (7) An employer shall develop and implement procedures for handling drums or containers in accordance with R 325.52121 (2)(a) to (g) and R 325.52122 before starting work that involves the handling of drums or containers.
- (8) An employer shall develop and implement, in accordance with all of the following provisions, a training program, which is part of the employers health and safety program, for employees who are exposed to health hazards or hazardous substances of TSD operations to enable the employees to perform their assigned duties and functions in a safe and healthy manner so as not to endanger themselves or other employees:
- (a) The initial training program of new employees shall be a program of 24 hours of training. A certificate of such training shall be issued to each employee who successfully completes this training.
- (b) Initial training need not be provided for current employees for whom it can be shown that their previous work experience or training is equivalent to the training requirement of subdivision (a) of this subrule.
- (c) All employees shall be given 8 hours of refresher training annually.
- (d) Trainers who provide the initial training specified in subdivision (a) of this subrule shall have satisfactorily completed a program for teaching the subjects they teach or shall have academic credentials and instruction experience to demonstrate a satisfactory degree of competency in the subjects they teach.
- (9) An employer shall develop and implement an emergency response program in accordance with all of the following provisions:
- (a) An emergency response plan shall be developed and implemented. The emergency response plan need not duplicate any of the subjects fully addressed in the employer's contingency planning required by permits, such as those issued by the United States environmental protection agency, if the contingency plan is made part of the emergency response plan. The emergency response plan shall be a written portion of the safety and health program required by subrule (2) of this rule.
- (b) An employer who will evacuate its employees from the worksite when an emergency occurs and who does not permit any of its employees to assist in handling the emergency is exempt from the requirements of this subrule if the employer provides an emergency action plan in accordance with General Industry Safety Standard Part 6 "Fire Exits," and Construction Safety Standard Part 18 "Fire Protection and Prevention," which are referenced in R 325.52102a.
- (c) The emergency response plan shall address all of the following topics to the extent that they are not addressed in any specific program required in this rule:
- (i) Pre-emergency planning and coordination with outside parties.
- (ii) Personnel roles, lines of authority, and communication.
- (iii) Emergency recognition and prevention.
- (iv) Safe distances and places of refuge.
- (v) Site security and control.
- (vi) Evacuation routes and procedures.
- (vii) Decontamination procedures.
- (viii) Emergency medical treatment and first aid.
- (ix) Emergency alerting and response procedures.
- (x) Critique of response and follow-up.
- (xi) PPE and emergency equipment.
- (d) An employer shall provide and complete training for emergency response employees before they become involved in actual emergency operations. Such training shall include all of the following:
- (i) Elements of the emergency response plan.
- (ii) Standard operating procedures for emergency response operations.
- (iii) Personal protective equipment available and use and limitations of each.
- (iv) Procedures for handling emergency incidents.
- (v) Both exceptions to the training requirements of this subdivision are as follows:
- (A) An employer need not train all employees to the degree specified if the employer divides the work force so that a sufficient number of employees who are responsible for controlling emergencies have the training specified and so that all other employees who might initially respond to an emergency incident have sufficient awareness training to recognize

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that an emergency response situation exists and that they are instructed in that case to summon the fully trained employees and not attempt control activities for which they are not trained.

(B) An employer need not train all employees to the degree specified if arrangements have been made in advance for an outside, fully trained emergency response team to respond in a reasonable period and all employees who might initially respond to the incident have sufficient awareness training to recognize that an emergency response situation exists and they have been instructed to call the designated outside, fully trained emergency response team for assistance.

(vi) Employee members of TSD facility emergency response organizations shall be trained to a level of competence in the recognition of health and safety hazards to protect themselves and other employees. This includes training in all of the following areas:

(A) The methods used to minimize the risk from safety and health hazards.

(B) The safe use of control equipment.

(C) Selection and use of appropriate PPE.

(D) Safe operating procedures to be used at the incident scene.

(E) Techniques of coordination with other employees to minimize risks.

(F) Appropriate response to overexposure to health hazards or injury to themselves or others.

(G) Recognition of subsequent symptoms which may result from overexposure.

(vii) An employer shall certify that each covered employee has attended and successfully completed the training required in this subdivision or shall certify the employee's competency at least yearly. The method used to demonstrate competency for certification of training shall be recorded and maintained by the employer.

(e) All of the following provisions pertain to the procedures for handling emergency incidents:

(i) In addition to the elements for the emergency response plan required by subrule of this subrule, the following elements shall be included in emergency response plans to the extent that they do not repeat any information already contained in the emergency response plan:

(A) Site topography, layout, and prevailing weather conditions.

(B) Procedures for reporting incidents to local, state, and federal governmental agencies.

(ii) The emergency response plan shall be compatible and integrated with the disaster, fire, and emergency response plans of local, state, and federal agencies.

(iii) The emergency response plan shall be rehearsed regularly as part of the overall training program for site operations.

(iv) The site emergency response plan shall be reviewed periodically and, as necessary, be amended to keep it current with new or changing site conditions or information.

(v) An employee alarm system shall be installed in accordance with General Industry Safety Standard Part 6 "Fire Exits," which is referenced in R 325.52102a, to notify employees of an emergency situation, to stop work activities if necessary, to lower background noise to aid communication, and to begin emergency procedures.

(vi) Based upon the information available at the time of the emergency, an employer shall evaluate the incident and the site response capabilities and proceed with the appropriate steps to implement the site emergency response plan.

History: 1991 AACS; 1998-2000 AACS; 2014 MR 6, Eff. March 20, 2014.

R 325.52130 Emergency response to hazardous substances releases; emergency response plan.

Rule 30. (1) This rule and R 325.52131 to R 325.52135 apply to employers whose employees are engaged in emergency response wherever it occurs, except in operations specified in R 325.52102(1)(a) to (d).

(2) Emergency response organizations that have developed and implemented programs equivalent to the requirements of this rule and R 325.52131 to R 325.52135 for handling releases of hazardous substances pursuant to section 303 of the Emergency Planning and Community Right-To-Know Act of 1986, 42 U.S.C. §11003, "Comprehensive emergency response plans," shall be deemed to have met the requirements of this rule and R 325.52131 to R 325.52135.

(3) An emergency response plan shall be developed and implemented to handle anticipated emergencies before the commencement of emergency response operations. The plan shall be in writing and available for inspection and copying by employees, their representatives, and Michigan occupational safety and health program (MIOSHA) personnel. An employer who will evacuate its employees from the danger area when an emergency occurs and who does not permit any of its employees to assist in handling the emergency is exempt from the requirements of this subrule and subrule (4) of this rule if the employer provides an emergency action plan in accordance with General Industry Safety Standard Part 6 "Fire Exits," and Construction Safety Standard Part 18 "Fire Protection and Prevention," which are referenced in R 325.52102a.

(4) An employer shall develop an emergency response plan which shall address all of the following to the extent that they are not addressed elsewhere:

(a) Pre-emergency planning and coordination with outside parties.

(b) Personnel roles, lines of authority, training, and communication.

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- (c) Emergency recognition and prevention.
 - (d) Safe distances and places of refuge.
 - (e) Site security and control.
 - (f) Evacuation routes and procedures.
 - (g) Decontamination.
 - (h) Emergency medical treatment and first aid.
 - (i) Emergency alerting and response procedures.
 - (j) Critique of response and follow-up.
 - (k) PPE and emergency equipment.
- (5) Emergency response organizations may use the local emergency response plan or the state emergency response plan, or both, as part of their emergency response plan to avoid duplication. Those items of the emergency response plan that are properly addressed by the local and state emergency plans may be substituted into an employer's emergency plan or otherwise kept together for use by employers and employees, use.

History: 1991 AACCS; 1998-2000 AACCS; 2014 MR 6, Eff. March 20, 2014.

R 325.52131 Emergency response procedures.

Rule 31. (1) The senior emergency response official who responds to an emergency shall become the individual in charge of a site-specific incident command system (ICS). All emergency responders and their communications shall be coordinated and controlled through the individual in charge of the ICS, and shall be assisted by the senior official present for each employer.

(2) The senior official at an emergency response is the most senior official on the site who is responsible for controlling the operation at the site. Initially, it is the senior officer on the first piece of responding emergency apparatus to arrive on the incident scene who is the senior official. As more senior officers arrive, such as the battalion chief, fire chief, state law enforcement official, or site coordinator, the position of senior official is passed up the line of authority which has been previously established.

(3) The individual in charge of the ICS shall identify, to the extent possible, all hazardous substances or conditions present and shall address, as appropriate, all of the following:

- (a) Site analysis.
- (b) Use of engineering controls.
- (c) Maximum exposure limits.
- (d) Hazardous substance handling procedures.
- (e) The use of any new technologies.

(4) Based on the hazardous substances or conditions present, the individual in charge of the ICS shall implement appropriate emergency operations and assure that the personal protective equipment worn is appropriate for the hazards to be encountered. However, personal protective equipment shall meet the criteria contained in General Industry Safety Standard Part 73 "Fire Brigades," which is referenced in R 325.52102a, when worn while performing fire fighting operations beyond the incipient stage for any incident.

(5) Employees who are engaged in emergency response and who are exposed to hazardous substances that present an inhalation hazard or potential inhalation hazard shall wear positive-pressure, self-contained breathing apparatus while engaged in emergency response and until such time that the individual in charge of the ICS determines, through the use of air monitoring, that a decreased level of respiratory protection will not result in hazardous exposures to employees.

(6) The individual in charge of the ICS shall limit the number of emergency response personnel at the emergency site in those areas of potential or actual exposure to incident or site hazards to those who are actively performing emergency operations. However, operations in hazardous areas shall be performed using the buddy system in groups of 2 or more.

(7) Back-up personnel shall stand by with equipment ready to provide assistance or rescue. Qualified emergency medical service personnel shall also stand by with medical equipment and transportation capability.

(8) The individual in charge of the ICS shall designate a safety official, who is knowledgeable in the operations being implemented at the emergency response site, with specific responsibility for identifying and evaluating hazards and for providing direction with respect to the safety of operations for the emergency.

(9) When activities are judged by the safety official to be an IDLH or imminent danger condition, the safety official shall have the authority to alter, suspend, or terminate those activities. The safety official shall immediately inform the individual in charge of the ICS of any actions taken to correct these hazards at an emergency scene.

(10) After emergency operations have terminated, the individual in charge of the ICS shall implement appropriate decontamination procedures.

(11) Approved self-contained, compressed air breathing apparatus may, if necessary, be used with approved cylinders from other approved self-contained, compressed air breathing apparatus if such cylinders are of the same capacity and

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pressure rating. All compressed air cylinders that are used with self-contained breathing apparatus shall meet the criteria of the United States Department of Transportation and National Institute for Occupational Safety and The Department of Public Health adopted federal standards by reference January 1, 1975 which are adopted in these rules by reference. The criteria are set forth in 42 C.F.R. Part 84 "Approval of Respiratory Protective Devices," and 49 C.F.R. Parts 173 "Pipeline and Hazardous Materials Safety Administration, Department of Transportation," and 178 "Pipeline and Hazardous Materials Safety Administration, Department of Transportation," as adopted in R 325.52102a.

History: 1991 AACS; 1998-2000 AACS; 2014 MR 6, Eff. March 20, 2014.

R 325.52132

Source: 1991 AACS.

R 325.52133

Source: 1991 AACS.

R 325.52134

Source: 1991 AACS.

R 325.52135 Post-emergency response operations.

Rule 35. (1) Upon completion of the emergency response, the hazardous substances, health hazards, and materials contaminated with them, such as contaminated soil or other elements of the natural environment, are removed from the site of the incident, the employer who conducts the cleanup shall comply with either of the following provisions:

(a) Meet all of the requirements of R 325.52104 to R 325.52128.

(b) Where the cleanup is done on plant property using plant or workplace employees, such employees shall have completed the training requirements of all of the following:

(i) The provisions of General Industry Safety Standard Part 6 "Fire Exits," and Construction Safety Standard Part 18 "Fire Protection and Prevention," which are referenced in R 325.52102a.

(ii) The provisions of Occupational Health Standard Part 430 "Hazard Communication," which is referenced in R 325.52102a.

(iii) The provisions of Occupational Health Standard Part 451 "Respiratory Protection," which is referenced in R 325.52102a.

(iv) Other appropriate safety and health training appropriate to the tasks.

(2) All equipment that is to be used in the cleanup of the site of an incident shall be in serviceable condition and shall have been inspected before use.

History: 1991 AACS; 1998-2000 AACS; 2014 MR 6, Eff. March 20, 2014.

R 325.52136 Rescinded.

History: 1991 AACS; 2014 MR 6, Eff. March 20, 2014.

R 325.52137 Rescinded.

History: 1991 AACS; 1998-2000 AACS; 2014 MR 6, Eff. March 20, 2014.

OCCUPATIONAL HEALTH STANDARDS

R 325.52201

Source: 2001 AACS.

R 325.52401

Source: 2001 AACS.

PART 525. GRINDING, POLISHING, AND BUFFING OPERATIONS

R 325.52501

Source: 2003 AACS.

R 325.52502

Source: 2003 AACS.

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R 325.52503
Source: 2003 AACS.

R 325.52504
Source: 2003 AACS.

R 325.52505
Source: 2003 AACS.

R 325.52506
Source: 2003 AACS.

PART 526 DIPPING AND COATING OPERATIONS

R 325.52601
Source: 2007 AACS.

R 325.52602
Source: 2007 AACS.

PART 527 SANDING MACHINES

R 325.52701
Source: 2001 AACS.

PART 528. SPRAY-FINISHING OPERATIONS

R 325.52801
Source: 2007 AACS.

PART 529. WELDING, CUTTING, AND BRAZING

R 325.52901
Source: 2012 AACS.

R 325.52902
Source: 2012 AACS.

R 325.52904
Source: 2012 AACS.

R 325.52905
Source: 2012 AACS.

R 325.52906
Source: 2012 AACS.

R 325.52907
Source: 2012 AACS.

R 325.52908
Source: 2012 AACS.

Rule 3240
Source: 2012 AACS.

PERSONAL PROTECTIVE EQUIPMENT

R 325.60001 Scope.

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Rule 1. (1) This standard provides specifications for personal protective equipment and prescribes the use of this equipment for the protection of the employee's eyes, face, and hands during general industry operations.

(2) This standard shall apply to all places of general industry employment in this state and includes requirements of the employer and use by the employee of personal protective equipment and provides reasonable and adequate means, ways, and methods for the proper selection and safe use of this equipment.

(3) Personal protective safety equipment relating to eye and face protection, head protection, hand protection, feet protection, body protection, and electrical protective equipment shall be in compliance with General Industry Safety Standard Part 33 "Personal Protective Equipment," as referenced in R 325.60002a.

(4) Hearing protection shall be in compliance with Occupational Health Standard Part 380 "Occupational Noise Exposure," as referenced in R 325.60002a.

(5) Respiratory protection shall be in compliance with Occupational Health Standard Part 451 "Respiratory Protection," as referenced in R 325.60002a.

History: 1995 AACs; 1998 AACs; 2014 MR 3, Eff. Feb. 13, 2014.

R 325.60002 Application.

Rule 2. Protective equipment, including personal protective equipment for eyes, face, head, and extremities, protective clothing, and protective shields and barriers, shall be provided, used, and maintained in a sanitary and reliable condition, wherever it is necessary by reason of hazards of processes or environment, chemical hazards, radiological hazards, or mechanical irritants, encountered in a manner capable of causing injury or impairment in the function of any part of the body through absorption, inhalation, or physical contact.

History: 1995 AACs; 2014 MR 3, Eff. Feb. 13, 2014.

R 325.60002a Adoption of standards by reference; access to other MIOSHA rules; appendices.

Rule 2a. (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 Standards Institute (ANSI) Z-87.1 "American National Standard Practice for Occupational and Educational Eye and Face Protection," 2003 edition. Cost \$82.00.

(b) ANSI Z-87.1 "American National Standard Practice for Occupational and Educational Eye and Face Protection," 1989 edition, revised 1998. Cost \$148.00.

(c) ANSI Z-87.1 "American National Standard Practice for Occupational and Educational Eye and Face Protection," 1989 edition. Cost: \$148.00.

(2) 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.

(3) 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.

(4) 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 of licensing and regulatory affairs, MIOSHA standards section, 7150 Harris Drive, P.O. Box 30643, Lansing, MI, 48909-8143 or via the internet at website: 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) General Industry Safety Standard Part 33 "Personal Protective Equipment," R 408.13301 to R 408.13398.

(b) Occupational Health Standard Part 380 "Occupational Noise Exposure," R 325.60101 to R 325.30128.

(c) Occupational Health Standard Part 451 "Respiratory Protection," R 325.60051 to R 325.60052.

(5) The appendices are informational only and are not intended to create any additional obligations or requirements not otherwise imposed or to detract from any established obligations or requirements.

History: 2014 MR 3, Eff. Feb. 13, 2014.

R 325.60002b Definitions.

Rule 2b. (1) "Chin protector" means the portion of a device that offers protection to a wearer's chin, lower face, and neck.

(2) "Face shield" means a device commonly intended to shield the wearer's face, or portions thereof, in addition to the eyes, from certain hazards, depending on faceshield type.

(3) "Filter lens" means a lens that attenuates specific wavelengths of ultraviolet, visible, and infrared radiation.

(4) "Frame" means a device, which holds the lens or lenses on the wearer.

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- (5) "Front" means the part of a spectacle or goggle frame that is intended to contain the lens or lenses.
- (6) "Goggle" means a protective device intended to fit the face surrounding the eyes in order to shield the eyes from certain hazards, depending on goggle type.
- (7) "Handshield" means a hand-held welding helmet. See "welding helmet."
- (8) "Headband" means the part of the harness that encircles the head.
- (9) "Helmet" also called a hard hat or cap, means a device that is worn on the head and that is designed to provide limited protection against impact, flying particles, or electric shock.
- (10) "Lens" means the transparent part of a protective device through which the wearer sees, also referred to as a plate or window for some devices.
- (11) "Lift-front" means a type of supplementary lens and holder that covers the viewing area of a protector immediately in front of the wearer's eyes and that can be positioned outside the line of sight.
- (12) "Light" means optical radiation weighted by its ability to cause visual sensations.
- (13) "Manufacturer" means a business entity that marks or directs the permanent marking of the components or complete devices as compliant with this standard, and sells them as compliant.
- (14) "Non-removable lens" means a lens and holder that are homogeneous and continuous.
- (15) "Prescription lens" means a lens manufactured to the wearer's individual corrective prescription.
- (16) "Protector" means a device that provides eye or face protection against the hazards of processes encountered in employment.
- (17) "Radiant energy or radiation" means the 3 kinds of radiant energy which are pertinent to this standard including the following:
- (a) Ultraviolet.
 - (b) Visible light.
 - (c) Infrared.
- (18) "Sanitizing" means an act or process of destroying organisms that may cause disease.
- (19) "Side shield" means a part of, or attachment to, a spectacle that provides side impact resistance.
- (20) "Spectacles" also known as "safety glasses," means a protective device intended to shield the wearer's eyes from certain hazards, depending on the spectacle type; also means a device patterned after conventional-type spectacle eyewear, but of more substantial construction, with or without side shields, and with plano or corrective impact resistant lenses of clear or absorptive filter glass or plastic.
- (21) "Temple" means the part of a spectacle frame commonly attached to the front and generally extending behind the ear of the wearer.
- (22) "Welding goggle" means a goggle intended for limited welding applications.
- (23) "Welding faceshield" means a faceshield intended for limited welding applications. Faceshields shall be used only in conjunction with spectacles or goggles, or both.
- (24) "Welding helmet" means a protective device intended to provide protection for the eyes and face against optical radiation and weld spatter, which shall be worn only in conjunction with spectacles or goggles.
- (25) "Window," means the lens portion of a faceshield (see definition of "lens" in R 325.60002b(10)).
- History: 2014 MR 3, Eff. Feb. 13, 2014.

R 325.60003 Employer's and employee's responsibilities.

- Rule 3. (1) Where employees provide their own protective equipment, an employer shall be responsible for ensuring the adequacy of the equipment, including proper maintenance, and for the sanitation of the equipment.
- (2) An employer shall not permit defective or damaged personal protective equipment to be used.
- History: 1995 AACS; 2014 MR 3, Eff. Feb. 13, 2014.

PAYMENT FOR PERSONAL PROTECTIVE EQUIPMENT

R 325.60003a Payment for personal protective equipment (PPE).

- Rule 3a. (1) An employer shall provide at no cost to employees the personal protective equipment necessary to protect against hazards that the employer is aware of as a result of any required assessments.
- (2) An employer shall pay for replacement PPE, as necessary, under either of the following conditions:
- (a) When the PPE no longer provides the protection it was designed to provide.
 - (b) When the previously provided PPE is no longer adequate or functional.
- (3) When an employee has lost or intentionally damaged the PPE issued to him or her, an employer is not required to pay for its replacement and may require the employee to pay for its replacement.

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(4) An employer is not required to pay for prescription safety eyewear with removable or permanent sideshields as long as the employer provides safety eyewear that fits over an employee's prescription lenses.

(5) An employer is not required to pay for non-specialty prescription safety eyewear, provided that the employer permits these items to be worn off the job-site.

(6) An employer is not required to pay for either of the following:

(a) Everyday clothing, which includes any of the following:

(i) Long-sleeve shirts.

(ii) Long pants.

(iii) Street shoes.

(iv) Normal work boots.

(v) Ordinary clothing.

(vi) Skin creams.

(b) Other items used solely for protection from weather, which includes any of the following:

(i) Winter coats.

(ii) Jackets.

(iii) Gloves.

(iv) Parkas.

(v) Rubber boots.

(vi) Hats.

(vii) Raincoats.

(viii) Ordinary sunglasses.

(ix) Sunscreen.

(7) An employer shall pay for protection when ordinary weather gear is not sufficient to protect an employee and special equipment or extraordinary clothing is needed to protect the employee from unusually severe weather conditions. Clothing used in artificially-controlled environments with extreme hot or cold temperatures, such as freezers, is not considered part of the weather gear exception.

(8) All of the following apply to upgraded and personalized PPE:

(a) An employer is not required to pay for PPE requested by an employee that exceeds the PPE requirements, provided that the employer provides PPE that meets the standards at no cost to the employee.

(b) If an employer allows an employee to acquire and use upgraded or personalized PPE, then the employer is not required to reimburse the employee for the equipment, provided that the employer has provided adequate PPE at no cost to the employee.

(c) An employer shall evaluate an employee's upgraded or personalized PPE to ensure that it complies with all of the following:

(i) Adequate to protect from hazards present in the workplace.

(ii) Properly maintained.

(iii) Kept in a sanitary condition.

(9) When the provisions of another MIOSHA standard specify whether the employer shall pay for specific equipment, the payment provisions of that standard prevails.

History: 2014 MR 3, Eff. Feb. 13, 2014.

R 325.60004 Rescinded.

History: 1995 AACS; 2014 MR 3, Eff. Feb. 13, 2014.

HAZARD ASSESSMENT

R 325.60005 Personal protective hazard assessment and equipment selection.

Rule 5. (1) An employer shall assess the workplace to determine if hazards are present, or are likely to be present, that necessitate the use of personal protective equipment.

(2) If hazards are present, or are likely to be present, and if the employer cannot eliminate the hazards by feasible engineering controls, then the employer shall do all of the following:

(a) Select, and have each affected employee use, the types of personal protective equipment that will protect the affected employee from the hazards identified in the hazard assessment.

(b) Communicate selection decisions to each affected employee.

(c) Select personal protective equipment that properly fits each affected employee.

(d) Select personal protective equipment that shall be designed and constructed to be safe for the work to be performed.

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(3) Non-mandatory Appendix B contains an example of procedures that complies with the requirement for a hazard assessment.

(4) An employer shall verify, that the required workplace hazard assessment has been performed through a written certification which identifies all of the following information:

- (a) The workplace evaluated.
- (b) The person certifying that the evaluation has been performed.
- (c) The date or dates of the personal protective hazard assessment
- (d) The document is a certification of hazard assessment.

History: 1995 AACS; 1998-2000 AACS; 2014 MR 3, Eff. Feb. 13, 2014.

TRAINING

R 325.60006. Personal protective equipment training.

Rule 6. (1) An employer shall provide training to each employee who is required by these rules to use personal protective equipment. The training shall include all of the following:

- (a) When and why personal protective equipment is necessary.
- (b) What personal protective equipment is necessary.
- (c) How to properly don, doff, adjust, and wear the personal protective equipment.
- (d) The limitations of the personal protective equipment.
- (e) The proper care, maintenance, useful life, and disposal of the personal protective equipment.

(2) Each affected employee shall demonstrate an understanding of the training specified in subrule (1) of this rule and the ability to use the equipment properly before being allowed to perform work requiring the use of personal protective equipment.

(3) When an employer has reason to believe that any affected employee who has already been trained does not have the understanding and skill required by subrule (2) of this rule, the employer shall retrain the employee. The occurrence of any of the following circumstances requires retraining:

- (a) Changes in the workplace that render previous training obsolete.
- (b) Changes in the types of personal protective equipment to be used that render previous training obsolete.
- (c) Inadequacies in an affected employee's knowledge or use of assigned personal protective equipment which indicate that the employee has not retained the requisite understanding or skill.

History: 1995 AACS; 2014 MR 3, Eff. Feb. 13, 2014.

R 325.60007 Rescinded.

History: 1995 AACS; 1998-2000 AACS; 2014 MR 3, Eff. Feb. 13, 2014.

EYE AND FACE PROTECTION

R 325.60008. Use of eye and face protection.

Rule 8. (1) An employer shall ensure that each affected employee uses appropriate eye or face protection when exposed to eye or face hazards from any of the following:

- (a) Flying particles.
- (b) Molten metal.
- (c) Liquid chemicals.
- (d) Corrosive materials.
- (e) Air contaminants.
- (f) Radiation.

(2) See Appendix B, Appendix Table 1, "Eye and Face Protector Selection Chart," and Appendix Figure 1, "Eye and Face Protective Devices Chart," which shall be used as a guide in the selection of the proper eye and face protection.

(3) An employer shall ensure that each affected employee uses eye protection that provides side protection when there is a hazard from flying objects. Detachable side protectors, such as clip-on or slide-on sideshields, that are in compliance with the pertinent requirements of this rule are acceptable.

(4) An employer shall ensure that each affected employee who wears prescription lenses while engaged in operations that involve eye hazards wears eye protection that incorporates the prescription in its design or wears eye protection that can be worn over the prescription lenses without disturbing the proper position of the prescription lenses or the protective lenses.

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(5) An employer shall ensure that eye and face personal protective equipment shall be distinctly marked to facilitate identification of the manufacturer.

History: 1995 AACS; 1998-2000 AACS; 2014 MR 3, Eff. Feb. 13, 2014.

R 325.60008a Filter lenses.

Rule 8a. (1) An employer shall ensure that each affected employee uses equipment that has filter lenses which have a shade numbers appropriate for the work being performed for protection from injurious light radiation.

(2) Table 1 is a listing of appropriate shade numbers for various operations.

(3) Table 1 reads as follows:

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TABLE 1
FILTER LENSES FOR PROTECTION AGAINST RADIANT ENERGY

OPERATIONS	PLATE THICKNESS (INCHES)	PLATE THICKNESS (MM)	MINIMUM* PROTECTIVE SHADE
Gas Welding:			
Light	Under 1/8	Under 3.2	4
Medium	1/8 to 1/2	3.2 to 12.7	5
Heavy	Over 1/2	Over 12.7	6
Oxygen Cutting			
Light	Under 1	Under 25	3
Medium	1 to 6	25 to 150	4
Heavy	Over 6	Over 150	5
OPERATIONS	ELECTRODE SIZE 1/32 IN.	ARC CURRENT	MINIMUM* PROTECTIVE SHADE
Shield metal Arc welding	Less than 3	Less than 60	7
	3 to 5	60 to 160	8
	more than 5 to 8	161 to 250	10
	more than 8	251 to 550	11
Gas metal arc welding and flux	cored arc welding	Less than 60	7
		60 to 160	10
		161 to 250	10
		251 to 500	10
Gas tungsten arc welding	welding	Less than 50	8
		50 to 150	8
		151 to 500	10
Air carbon Arc cutting	(Light)	Less than 500	10
	(Heavy)	500 to 1000	11
Plasma arc welding		Less than 20	6
		20 to 100	8
		101 to 400	10
		401 to 800	11
Plasma arc cutting	(Light)**	Less than 300	8
		300 to 400	9
		401 to 800	10
Torch brazing Torch soldering Carbon arc welding			3
			2
			14

* As a rule of thumb, start with a shade that is too dark to see the weld zone. Then go to a lighter shade that gives a sufficient view of the weld zone without going below the minimum. In oxyfuel gas welding or cutting where the torch produces a high yellow light, it is desirable to use a filter lens that absorbs the yellow or sodium line in the visible light of the (spectrum) operation.

** These values apply where the actual arc is clearly seen. Experience has shown that light filters may be used when the arc is hidden by the workpiece.

History: 2014 MR 3, Eff. Feb. 13, 2014.

R 325.60009 Eye and face protection; consensus standards.

Rule 9. (1) All protective eye and face protection devices, shall be in compliance with any of the following consensus standards:

(a) ANSI Z-87.1 "American National Standard Practice for Occupational and Educational Eye and Face Protection," 2003 edition, as adopted in R 325.60002a.

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(b) ANSI Z-87.1 "American National Standard Practice for Occupational and Educational Eye and Face Protection," 1989 (Revised 1998) edition, as adopted in R 325.60002a.

(c) ANSI Z-87.1 "American National Standard Practice for Occupational and Educational Eye and Face Protection," 1989 edition, as adopted in R 325.60002a.

(2) Protective eye and face protection devices that the employer demonstrates are at least as effective as protective eye and face protection devices that are constructed in accordance with 1 of the consensus standards adopted in subrule (1) of this rule shall be considered to be in compliance with this rule.

History: 1995 AACS; 1998-2000 AACS; 2014 MR 3, Eff. Feb. 13, 2014.

HAND PROTECTION

R 325.60010 Hand protection, generally.

Rule 10. An employer shall select and require employees to use appropriate hand protection when employees' hands are exposed to hazards, such as those from any of the following:

- (a) Skin absorption of harmful substances.
- (b) Severe cuts or lacerations.
- (c) Severe abrasions.
- (d) Punctures.
- (e) Chemical burns.
- (f) Irritating materials.
- (g) Thermal burns.
- (h) Harmful temperature extremes.

History: 1995 AACS; 2014 MR 3, Eff. Feb. 13, 2014.

R 325.60011 Hand protection, selection.

Rule 11. An employer shall base the selection of the appropriate hand protection on an evaluation of the performance characteristics of the hand protection relative to all of the following:

- (a) The task or tasks to be performed.
- (b) Conditions present.
- (c) Duration of use.
- (d) The hazards and potential hazards identified.

History: 1995 AACS; 2014 MR 3, Eff. Feb. 13, 2014.

R 325.60012 Rescinded.

History: 1995 AACS; 2014 MR 3, Eff. Feb. 13, 2014.

R 325.60013 Rescinded.

History: 1995 AACS; 2014 MR 3, Eff. Feb. 13, 2014.

USE OF RESPIRATORS IN DANGEROUS ATMOSPHERES

R 325.60022

Source: 1998-2000 AACS.

RESPIRATORY PROTECTION

R 325.60051 Scope and application.

Rule 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.

History: 1998-2000 AACS; 2014 MR 1, Eff. Jan. 21, 2014.

R 325.60052 Adoption by reference of federal standard.

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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, are adopted by reference in these rules.

(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.

(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.

History: 1998-2000 AACCS; 2005 AACCS; 2007 AACCS; 2014 MR 1, Eff. Jan. 21, 2014.

OCCUPATIONAL NOISE EXPOSURE

R 325.60101

Source: 1986 AACCS.

R 325.60102

Source: 1986 AACCS.

R 325.60103

Source: 1986 AACCS.

R 325.60104

Source: 1986 AACCS.

R 325.60105

Source: 1986 AACCS.

R 325.60106

Source: 1986 AACCS.

R 325.60107

Source: 1986 AACCS.

R 325.60108

Source: 1986 AACCS.

R 325.60109

Source: 1986 AACCS.

R 325.60110

Source: 1986 AACCS.

R 325.60111

Source: 1986 AACCS.

R 325.60112

Source: 1986 AACCS.

R 325.60113

Source: 1986 AACCS.

R 325.60114

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Source: 1986 AACS.

R 325.60115

Source: 1993 AACS.

R 325.60116

Source: 1986 AACS.

R 325.60117

Source: 1986 AACS.

R 325.60118

Source: 1986 AACS.

R 325.60119

Source: 1993 AACS.

R 325.60120

Source: 1993 AACS.

R 325.60121

Source: 1993 AACS.

R 325.60122

Source: 1993 AACS.

R 325.60123

Source: 1986 AACS.

R 325.60124

Source: 1986 AACS.

R 325.60125

Source: 1993 AACS.

R 325.60126

Source: 1986 AACS.

R 325.60127

Source: 1993 AACS.

R 325.60128

Source: 1993 AACS.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

DIRECTOR'S OFFICE

OCCUPATIONAL HEALTH STANDARDS--NOISE EXPOSURE FOR CONSTRUCTION

R 325.60131

Source: 1998-2000 AACS.

AIR CONTAMINANTS FOR CONSTRUCTION

R 325.60151

Source: 2013 AACS.

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- R 325.60151a**
Source: 2013 AACS.
- R 325.60152**
Source: 2002 AACS.
- R 325.60153**
Source: 2002 AACS.
- R 325.60154**
Source: 2013 AACS.
- R 325.60155**
Source: 2013 AACS.
- R 325.60156**
Source: 2013 AACS.
- R 325.60157**
Source: 2013 AACS.
- R 325.60158**
Source: 2013 AACS.
- R 325.60159**
Source: 2013 AACS.
- R 325.60160**
Source: 2013 AACS.
- R 325.60161**
Source: 2013 AACS.

OCCUPATIONAL HEALTH STANDARDS COMMISSION

PART 381. IONIZING RADIATION

- R 325.60601a**
Source: 2009 AACS.
- R 325.60601b**
Source: 2009 AACS.
- R 325.60602**
Source: 2009 AACS.
- R 325.60603**
Source: 2009 AACS.
- R 325.60604**
Source: 2009 AACS.
- R 325.60605**
Source: 2009 AACS.
- R 325.60606**
Source: 2009 AACS.
- R 325.60607**

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Source: 2009 AACS.

R 325.60608

Source: 2009 AACS.

R 325.60609

Source: 2009 AACS.

R 325.60610

Source: 2009 AACS.

R 325.60611

Source: 2009 AACS.

R 325.60612

Source: 2009 AACS.

R 325.60613

Source: 2009 AACS.

R 325.60614

Source: 2009 AACS.

R 325.60615

Source: 2009 AACS.

R 325.60616

Source: 2009 AACS.

R 325.60617

Source: 2009 AACS.

R 325.60618

Source: 2009 AACS.

Rule 2410

Source: 2009 AACS.

OCCUPATIONAL HEALTH STANDARDS COMMISSION

PART 382. NONIONIZING RADIATION

R 325.60701

Source: 2002 AACS.

R 325.60702

Source: 2002 AACS.

R 325.60703

Source: 2002 AACS.

R 325.60704

Source: 2002 AACS.

AGRICULTURAL FIELD SANITATION

R 325.61751

Source: 1997 AACS.

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R 325.61752
Source: 1997 AACS.

R 325.61753
Source: 1997 AACS.

R 325.61754
Source: 1997 AACS.

R 325.61755
Source: 1997 AACS.

R 325.61756
Source: 1997 AACS.

R 325.61757
Source: 1997 AACS.

DEPARTMENT OF LABOR & ECONOMIC GROWTH

DIRECTOR'S OFFICE

PART 620. VENTILATION CONTROL FOR CONSTRUCTION

R 325.62001
Source: 2007 AACS.

R 325.62002
Source: 2007 AACS.

R 325.62003
Source: 2007 AACS.

R 325.62004
Source: 2007 AACS.

R 325.62005
Source: 2007 AACS.

R 325.62006
Source: 2007 AACS.

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

OCCUPATIONAL HEALTH STANDARDS

**PART 621. HEALTH HAZARD CONTROL FOR SPECIFIC EQUIPMENT
AND OPERATIONS FOR CONSTRUCTION**

R 325.62102. Adopted and referenced standards.

Rule 62102. (1) The following standard is adopted by reference in these rules, American Welding Society Standard AWS Z49.1 'Safety in Welding and Cutting, and Allied Processes,' 1967 edition, and is 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 of \$106.00.

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(2) The standard adopted in subrule (1) of this rule is 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.

(3) Copies of the standard 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 Regulatory Services Section, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan, 48909-8143, at the cost charged in subrule (1) of this rule, plus \$20.00 for shipping and handling.

(4) 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 Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan, 48909-8143 or via the internet at web-site: 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 (CS) Standard Part 1 ‘General Rules,’ R 408.40101 to R 408.40134.

(b) CS Part 6 ‘Personal Protective Equipment,’ R 408.40601 to R 408.40641.

(c) CS Part 42 ‘Hazard Communication,’ R 408.44201 to R 408.44203.

(d) General Industry Safety Standard Part 76 ‘Spray Finishing Using Flammable and Combustible Materials,’ R 408.17601 to R 408.17602.

(e) Occupational Health (OH) Standard Part 303 ‘Methylenedianiline,’ R 325.50051 to R 325.50076.

(f) OH Part 305 ‘Asbestos in General Industry,’ R 325.51311 to R 325.51312.

(g) OH Part 430 ‘Hazard Communication,’ R 325.77001 to R 325.77003.

(h) OH Part 432 ‘Hazardous Waste Operations and Emergency Response,’ R 325.52101 to R 325.52137.

(i) OH Part 451 ‘Respiratory Protection,’ R 325.60051 to R 325.60052.

(j) OH Part 591 ‘Process Safety Management of Highly Hazardous Chemicals,’ R 325.18301 to R 325.18302.

(k) OH Part 601 ‘Air Contaminants for Construction,’ R 325.60151 to R 325.60161.

(l) OH Part 603 ‘Lead Exposure in Construction,’ R 325.51991 to R 325.51992.

(m) OH Part 620 ‘Ventilation Control for Construction,’ R 325.62001 to R 325.62006.

(n) OH Part 680 ‘Noise Exposure for Construction,’ R 325.60131.

(o) OH Part 681 ‘Radiation of Construction: Ionizing and Nonionizing,’ R 325.68101 to R 325.68102.

History: 2014 MR 21, Eff. November 19, 2014.

R 325.62104. Temporary heating devices; ventilation.

Rule 62104. (1) An employer shall supply fresh air in sufficient quantities to maintain the health and safety of employees. Where natural means of fresh air supply is inadequate, the employer shall provide mechanical ventilation.

(2) When heaters are used in confined spaces, the employer shall ensure sufficient ventilation for proper combustion, maintaining the health and safety of employees, and limiting temperature rise in the area.

History: 2014 MR 21, Eff. November 19, 2014.

R 325.62105. Use of hand and power tools.

Rule 62105. (1) All hand and power tools and similar equipment, whether furnished by the employer or the employee, shall be maintained in a safe condition.

(2) Employees using hand and power tools and exposed to the hazard of falling, flying, abrasive, and splashing objects, or exposed to harmful dusts, fumes, mists, vapors, or gases shall be provided with the particular personal protective equipment necessary to protect them from the hazard.

All personal protective equipment shall meet the requirements and be maintained according to the MIOSHA standards listed in Table 1 ‘Construction Occupational Health and Environmental Controls’ and Table 2 ‘Personal Protective and Life Saving Equipment,’ as shown below.

(3) When fuel-powered tools are used in enclosed spaces, the applicable requirements for concentrations of toxic gases and use of personal protective equipment apply, as outlined in the MIOSHA standards listed in Table 1 ‘Construction Occupational Health and Environmental Controls’ and Table 2 ‘Personal Protective and Life Saving Equipment,’ as shown below.

(4) All Personal protective equipment provided for use shall be in accordance with Table 2 ‘Personal Protective and Life Saving Equipment,’ as shown below.

Table 1
Construction Occupational Health and Environmental Controls Standards

CS Part 1 General Rules

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CS Part 42 Hazard Communication*
GI Part 76 Spray Finishing Using Flammable and Combustible Materials*
OH Part 303 Methylenedianiline*
OH Part 430 Hazard Communication
OH Part 432 Hazardous Waste Operations and Emergency Response
OH Part 591 Process Safety Management of Highly Hazardous Chemicals
OH Part 601 Air Contaminants for Construction
OH Part 603 Lead Exposure in Construction
OH Part 620 Ventilation Control for Construction
OH Part 680 Noise Exposure for Construction
OH Part 681 Radiation of Construction: Ionizing and Nonionizing

Note: the above listed MIOSHA Standards are referenced in R 325.62102

- *CS – Construction Safety Standard
- *GI – General Industry Standard
- *OH – Occupational Health Standard

Table 2
Personal Protective and Life Saving Equipment

CS Part 6 Personal Protective Equipment*
OH Part 451 Respiratory Protection*
OH Part 680 Noise Exposure for Construction

Note: the above listed MIOSHA Standards are referenced in R 325.62102

- *CS – Construction Safety Standard
- *OH – Occupational Health Standard

History: 2014 MR 21, Eff. November 19, 2014.

R 325.62106. Ventilation and protection in welding, cutting, and heating.

Rule 62106. (1) Gas welding and cutting in general. The applicable technical portions of American National Standards Institute standard ANSI Z49.1 ‘Safety in Welding and Cutting,’ 1967 edition, apply, as referenced in R 325.62102.

(2) For purposes of this standard, mechanical ventilation shall meet the following requirements:

- (a) Mechanical ventilation shall consist of either general mechanical ventilation systems or local exhaust systems.
- (b) General mechanical ventilation shall be of sufficient capacity and so arranged as to produce the number of air changes necessary to maintain welding fumes and smoke within safe limits, as defined in the MIOSHA standards listed in Table 1 ‘Construction Occupational Health and Environmental Controls.’
- (c) Local exhaust ventilation shall consist of freely movable hoods intended to be placed by the welder or burner as close as practicable to the work. This system shall be of sufficient capacity and so arranged as to remove fumes and smoke at the source and keep the concentration of them in the breathing zone within safe limits as defined in the MIOSHA standards listed in Table 1 ‘Construction Occupational Health and Environmental Controls.’
- (4) Contaminated air exhausted from a working space shall be discharged into the open air or otherwise clear of the source of intake air.
- (5) All air replacing withdrawn air shall be clean and respirable.
- (6) Oxygen shall not be used for ventilation purposes, comfort cooling, blowing dust from clothing, or for cleaning the work area.

History: 2014 MR 21, Eff. November 19, 2014.

R 325.62107. Welding, cutting, and heating in confined spaces.

Rule 62107. (1) Except as provided in subrule (2) of this rule and R 325.62109, either general mechanical or local exhaust ventilation meeting the requirements of R 325.62106 shall be provided whenever welding, cutting, or heating is performed in a confined space.

(2) When sufficient ventilation cannot be obtained without blocking the means of access, employees in the confined space shall be protected by air-line respirators in accordance with the requirements of Occupational Health Standard Part 451 ‘Respiratory Protection,’ as referenced in R 325.62102, and an employee on the outside of a confined space shall be assigned to maintain communication with those working within it and to aid them in an emergency.

History: 2014 MR 21, Eff. November 19, 2014.

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R 325.62108. Welding, cutting, or heating of metals of toxic significance.

Rule 62108. (1) Welding, cutting, or heating in any enclosed spaces involving the following metals shall be performed with either general mechanical or local exhaust ventilation meeting the requirements of R 325.62106:

- (a) Zinc-bearing base or filler metals or metals coated with zinc-bearing materials.
- (b) Lead base metals.
- (c) Cadmium-bearing filler materials.
- (d) Chromium-bearing metals or metals coated with chromium-bearing materials.

(2) Welding, cutting, or heating in any enclosed spaces involving the following metals shall be performed with local exhaust ventilation in accordance with the requirements of R 325.62106, or employees shall be protected by air-line respirators in accordance with the requirements of Occupational Health Standard Part 451 'Respiratory Protection,' as referenced in R 325.62102:

- (a) Metals containing lead, other than as an impurity, or metals coated with lead-bearing materials.
- (b) Cadmium-bearing or cadmium-coated base metals.
- (c) Metals coated with mercury-bearing metals.
- (d) Beryllium-containing base or filler metals. Because of its high toxicity, work involving beryllium shall be done with both local exhaust ventilation and air-line respirators.
- (3) Employees performing operations in the open air shall be protected by filter-type respirators in accordance with the requirements of Occupational Health Standard Part 451 'Respiratory Protection,' except that employees performing operations on beryllium-containing base or filler metals shall be protected by air-line respirators in accordance with the requirements of Occupational Health Standard Part 451 'Respiratory Protection,' as referenced in R 325.62102.
- (4) Other employees exposed to the same atmosphere as the welders or burners shall be protected in the same manner as the welder or burner.

History: 2014 MR 21, Eff. November 19, 2014.

R 325.62109. Inert-gas metal-arc welding.

Rule 62109. (1) Since the inert-gas metal-arc welding process involves the production of ultra-violet radiation of intensities of 5 to 30 times that produced during shielded metal-arc welding, the decomposition of chlorinated solvents by ultra-violet rays, and the liberation of toxic fumes and gases, employees shall not be permitted to engage in, or be exposed to, the process until the following special precautions have been taken:

- (a) The use of chlorinated solvents shall be kept at least 200 feet, unless shielded, from the exposed arc, and surfaces prepared with chlorinated solvents shall be thoroughly dry before welding is permitted on such surfaces.
- (b) Welders and other employees who are exposed to radiation shall be suitably protected so that the skin is covered completely to prevent burns and other damage by ultra-violet rays. Welding helmets and hand shields shall be free of leaks and openings, and free of highly reflective surfaces.
- (c) When inert-gas metal-arc welding is being performed on stainless steel, the requirements of R 325.62108(2) shall be met to protect against dangerous concentrations of nitrogen dioxide.
- (2) Employees in the area not protected from the arc by screening shall be protected by filter lenses meeting the requirements of Construction Safety Standard Part 6 'Personal Protective Equipment' as referenced in R 325.62102.
- (3) When 2 or more welders are exposed to each other's arc, filter lens goggles of a suitable type, meeting the requirements of Construction Safety Standard Part 6 'Personal Protective Equipment' as referenced in R 325.62102, shall be worn under welding helmets.
- (4) The welder shall use hand shields to protect against flashes and radiant energy when either the helmet is lifted or the shield is removed.

History: 2014 MR 21, Eff. November 19, 2014.

R 325.62110. General welding, cutting, and heating.

Rule 62110. Welding, cutting, and heating, not involving conditions or materials described in R 325.62107, R 325.62108, or R 325.62109, may be done without mechanical ventilation or respiratory protective equipment, but where, because of unusual physical or atmospheric conditions, an unsafe accumulation of contaminants exists, an employer shall provide suitable mechanical ventilation or respiratory protective equipment.

History: 2014 MR 21, Eff. November 19, 2014.

R 325.62115. Protection against toxic preservative coatings.

Rule 62115. (1) In enclosed spaces, all surfaces covered with toxic preservatives shall be stripped of all toxic coatings for a distance of at least 4 inches from the area of heat application, or the employees shall be protected by air-line

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respirators, meeting the requirements in Occupational Health Standard Part 451 ‘Respiratory Protection,’ as referenced in R 325.62102.

(2) In the open air, employees shall be protected by a respirator, in accordance with requirements in Occupational Health Standard Part 451 ‘Respiratory Protection,’ as referenced in R 325.62102.

(3) The preservative coatings shall be removed a sufficient distance from the area to be heated to ensure that the temperature of the unstripped metal will not be appreciably raised. Artificial cooling of the metal surrounding the heating area may be used to limit the size of the area required to be cleaned.

History: 2014 MR 21, Eff. November 19, 2014.

R 325.62116. Lockout and tagging of circuits.

Rule 62116. Safety-related work practices are contained in Construction Safety Standards Part 1 ‘General Rules’ and Part 17 ‘Electrical Installations,’ as referenced in R 325.62102. In addition to covering the hazards arising from the use of electricity at jobsites, these regulations also cover the hazards arising from the accidental contact, direct or indirect, by employees with all energized lines, above or below ground, passing through or near the jobsite.

History: 2014 MR 21, Eff. November 19, 2014.

R 325.62117. Electrical Equipment.

Rule 62117. (1) All electrical conductors and equipment shall be approved.

(2) The employer shall ensure that electrical equipment is free from recognized hazards that are likely to cause death or serious physical harm to employees. Safety of equipment shall be determined on the basis of all of the following considerations:

(a) Suitability for installation and use in conformity with the provisions of Construction Safety Standards Part 1 ‘General Rules’ and Part 17 ‘Electrical Installations,’ as referenced in R 325.62102. Suitability of equipment for an identified purpose may be evidenced by listing, labeling, or certification for that identified purpose.

(b) Mechanical strength and durability, including, for parts designed to enclose and protect other equipment, the adequacy of the protection provided.

(c) Electrical insulation.

(d) Heating effects under conditions of use.

(e) Arcing effects.

(f) Classification by type, size, voltage, current capacity, and specific use.

(g) Other factors that contribute to the practical safeguarding of employees using, or likely to come in contact, with the equipment.

(3) Listed, labeled, or certified equipment shall be installed and used in accordance with instructions included in the listing, labeling, or certification.

History: 2014 MR 21, Eff. November 19, 2014.

R 325.62118. Cranes and derricks.

Rule 62118. Whenever internal combustion engine powered equipment exhausts in enclosed spaces, tests shall be made and recorded to ensure that employees are not exposed to unsafe concentrations of toxic gases or oxygen deficient atmospheres.

History: 2014 MR 21, Eff. November 19, 2014.

R 325.62119. Motor vehicles, mechanized equipment, and marine operations.

Rule 62119. (1) The use, care, and charging of all batteries shall conform to the requirements of R 325.62117.

(2) For marine operations and equipment the first aid and lifesaving equipment provisions for rendering first aid and medical assistance shall be in accordance with Construction Safety Standards Part 1 ‘General Rules,’ and Part 6 ‘Personal Protective Equipment’ as referenced in R 325.62102.

History: 2014 MR 21, Eff. November 19, 2014.

R 325.62120. Demolition; preparatory operations.

Rule 62120. An employer shall determine if any type of hazardous chemicals, gases, explosives, flammable materials, or similarly dangerous substances have been used in any pipes, tanks, or other equipment on the property. When the presence of any of these substances is apparent or suspected, testing and purging shall be performed and the hazard eliminated before demolition is started.

History: 2014 MR 21, Eff. November 19, 2014.

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R 325.62125. Power transmission and distribution.

Rule 62125. (1) The occupational health standards contained in these rules apply to the construction of electric transmission and distribution lines and equipment.

(2) As used in this rule, the term “construction“ includes the erection of new electric transmission and distribution lines and equipment, and the alteration, conversion, and improvement of existing electric transmission and distribution lines and equipment.

(3) Existing electric transmission and distribution lines and electrical equipment shall be modified to conform to the requirements of applicable standards, if work as described in R 325.62125(2) is to be performed on such lines or equipment.

(4) The standards in Construction Safety Standard Part 16 ‘Power Transmission and Distribution,’ provide minimum requirements for safety and health. Employers may require compliance with additional standards that are not in conflict with Construction Safety Standard Part 16 ‘Power Transmission and Distribution,’ as referenced in R 325.62102.

(5) The employer shall provide emergency procedures and first aid training or require that the employees are knowledgeable and proficient in both of the following:

(a) Procedures involving emergency situations.

(b) First aid fundamentals including resuscitation.

(6) In lieu of R 325.62125(5) regarding first aid requirements, the employer may comply with the provisions of Construction Safety Standard Part 1 ‘General Rules,’ as referenced in R 325.62102.

(7) Sanitation facilities shall comply with the requirements of Construction Safety Standard Part 1 ‘General Rules,’ as referenced in R 325.62102.

History: 2014 MR 21, Eff. November 19, 2014.

R 325.62126. Blasting and use of explosives.

Rule 62126. (1) Explosives are any of the following:

(a) Any chemical compound, mixture, or device, the primary or common purpose of which is to function by explosion; that is, with substantially instantaneous release of gas and heat, unless such compound, mixture, or device is otherwise specifically classified by the United States department of transportation.

(b) All material that is classified as Class A, Class B, and Class C explosives by the United States Department of Transportation.

(c) Classification of explosives by the United States department of transportation is as follows:

(i) Class A explosives: Possessing detonating hazards, such as any of the following:

(A) Dynamite.

(B) Nitroglycerin.

(C) Picric acid.

(D) Lead azide.

(E) Fulminate of mercury.

(F) Black powder.

(G) Blasting caps.

(H) Detonating primers.

(ii) Class B explosives: Possessing flammable hazard, such as propellant explosives, including some smokeless propellants.

(iii) Class C explosives: Including certain types of manufactured articles that contain Class A or Class B explosives, or both, as components, but in restricted quantities.

(2) Sufficient time shall be allowed, but not less than 15 minutes in tunnels, for the smoke and fumes to leave the blasted area before returning to the shot. The blaster shall inspect the area and the surrounding rubble to determine if all charges have been exploded before employees are allowed to return to the operation and in tunnels, after the muck pile has been wetted down.

History: 2014 MR 21, Eff. November 19, 2014.

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**UNDERGROUND CONSTRUCTION, CAISSONS, COFFERDAMS,
AND COMPRESSED AIR**

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R 325.62991
Source: 2004 AACS.

R 325.62992
Source: 2004 AACS.

R 325.62993
Source: 1998-2000 AACS.

R 325.62994
Source: 2004 AACS.

R 325.62995
Source: 2004 AACS.

R 325.62996
Source: 2004 AACS.

PERMIT-REQUIRED CONFINED SPACES

R 325.63001
Source: 1998-2000 AACS.

R 325.63002
Source: 1998-2000 AACS.

R 325.63049
Source: 1998-2000 AACS.

OH STANDARD RULE 6610 - MEDICAL SERVICES AND FIRST AID

R 325.66201
Source: 2002 AACS.

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OCCUPATIONAL HEALTH STANDARDS

R 325.66401
Source: 2005 AACS.

PART 681. RADIATION IN CONSTRUCTION: IONIZING AND NONIONIZING

R 325.68101
Source: 2005 AACS.

R 325.68102
Source: 2005 AACS.

BLOODBORNE INFECTIOUS DISEASES

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R 325.70001

Source: 2001 AACCS.

R 325.70001a Referenced standards.

Rule 1a. (1) 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 Licensing and Regulatory Affairs, MIOASHA 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, at the time of adoption of these rules, is 4 cents per page.

(a) Occupational Health Standard Part 470 "Employee Medical Records and Trade Secrets," R 325.3451 to R 325.3476.

(b) MIOASHA Standard Part 11. "Recording and Reporting of Occupational Injuries and Illnesses," R 408.22101 to R 408.22162.

(2) The appendices to these rules are informational only and are not intended to create any additional obligations or requirements not otherwise imposed by these rules or to detract from any established obligations or requirements.

History 2014 MR 20, Eff. Nov. 4, 2014.

R 325.70002 Definitions.

Rule 2. As used in these rules:

(a) "Act" means Michigan occupational safety and health act (MIOASHA), 1974 PA 154, MCL 408.1001 to 408.1094.

(b) "Biologically hazardous conditions" means equipment, containers, rooms, materials, experimental animals, animals infected with HBV or HIV virus, or combinations thereof that contain, or are contaminated with, blood or other potentially infectious material.

(c) "Blood" means human blood, human blood components, and products made from human blood.

(d) "Bloodborne pathogens" means pathogenic microorganisms that are present in human blood and can cause disease in humans. These pathogens include hepatitis B virus (HBV) and human immunodeficiency virus (HIV).

(e) "Clinical laboratory" means a workplace where diagnostic or other screening procedures are performed on blood or other potentially infectious material.

(f) "Contaminated" means the presence or the reasonably anticipated presence of blood or other potentially infectious material on an item or surface.

(g) "Contaminated laundry" means laundry that has been soiled with blood or other potentially infectious materials or that may contain sharps.

(h) "Contaminated sharps" means any contaminated object that can penetrate the skin, including any of the following:

(i) Needles.

(ii) Scalpels.

(iii) Broken glass.

(iv) Broken capillary tubes.

(v) Exposed ends of dental wires.

(i) "Decontamination" means the use of physical or chemical means to remove, inactivate, or destroy bloodborne pathogens on a surface or item to the point where they are no longer capable of transmitting infectious particles and the surface or item is rendered safe for handling, use, or disposal.

(j) "Department" means the department of licensing and regulatory affairs.

(k) "Director" means the director of the department or his or her designee.

(l) "Disinfect" means to inactivate virtually all recognized pathogenic microorganisms, but not necessarily all microbial forms, on inanimate objects.

(m) "Engineering controls" means controls, for example, sharps disposal containers, self-sheathing needles, or safer medical devices, such as sharps with engineered sharps injury protections and needleless systems, that isolate or remove the bloodborne pathogen hazard from the workplace.

(n) "Exposure" means reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that may result from the performance of an employee's duties. "Exposure" does not include incidental exposures that may take place on the job, that are neither reasonably nor routinely expected, and that the worker is not required to incur in the normal course of employment.

(o) "Exposure incident" means a specific eye, mouth, other mucous membrane, nonintact skin, or parenteral contact with blood or other potentially infectious material that results from the performance of an employee's duties.

(p) "Handwashing facilities" means facilities that provide an adequate supply of running, potable water, soap, and single-use towels or an air drying machine.

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(q) “Licensed health care professional” means a person whose legally permitted scope of practice allows him or her to independently perform the activities required by R 325.70013 concerning hepatitis B vaccination and post-exposure evaluation and follow-up.

(r) “Needleless systems” means a device that does not use needles for any of the following:

(i) The collection of bodily fluids or withdrawal of body fluids after initial venous or arterial access is established.

(ii) The administration of medication or fluids.

(iii) Any other procedure involving the potential for occupational exposure to bloodborne pathogens due to percutaneous injuries from contaminated sharps.

(s) “Other potentially infectious material” means any of the following:

(i) Any of the following human body fluids:

(A) Semen.

(B) Vaginal secretions.

(C) Amniotic fluid.

(D) Cerebrospinal fluid.

(E) Peritoneal fluid.

(F) Pleural fluid.

(G) Pericardial fluid.

(H) Synovial fluid.

(I) Saliva in dental procedures.

(J) Any body fluid that is visibly contaminated with blood.

(K) All body fluids in situations where it is difficult or impossible to differentiate between body fluids.

(ii) Any unfixed tissue or organ, other than intact skin, from a living or dead human.

(iii) Cell or tissue cultures that contain HIV, organ cultures, and culture medium or other solutions that contain HIV or HBV; and blood, organs, or other tissues from experimental animals infected with HIV or HBV.

(t) “Parenteral” means exposure occurring as a result of piercing mucous membrane or the skin barrier, such as exposure through subcutaneous, intramuscular, intravenous, or arterial routes resulting from needlesticks, human bites, cuts, and abrasions.

(u) “Personal protective equipment” or “PPE” means specialized clothing or equipment that is worn by an employee to protect him or her from a hazard. General work clothes, such as uniforms, pants, shirts, or blouses, that are not intended to function as protection against a hazard are not considered to be personal protective equipment.

(v) “Production facility” means a facility that is engaged in the industrial-scale, large-volume production of HIV or HBV or in the high-concentration production of HIV or HBV.

(w) “Regulated waste” means any of the following:

(i) Liquid or semiliquid blood or other potentially infectious material.

(ii) Contaminated items that would release blood or other potentially infectious material in a liquid or semiliquid state if compressed.

(iii) Items that are caked with dried blood or other potentially infectious material and that are capable of releasing these materials during handling.

(iv) Contaminated sharps.

(v) Pathological and microbiological waste that contains blood and other potentially infectious material.

(x) “Research laboratory” means a laboratory that produces or uses research laboratory-scale amounts of HIV or HBV. A research laboratory may produce high concentrations of HIV or HBV, but not in the volume found in a production facility.

(y) “Sharps with engineered sharps injury protections” means a nonneedle sharp or a needle device that is used for withdrawing body fluids, accessing a vein or artery, or administering medications or other fluids, and that has a build-in safety feature or mechanism that effectively reduces the risk of an exposure incident.

(z) “Source individual” means any living or dead individual whose blood or other potentially infectious material may be a source of occupational exposure to an employee. Examples of a source individual include all of the following:

(i) A patient of a hospital or clinic.

(ii) A client of an institution for the developmentally disabled.

(iii) A victim of trauma.

(iv) A client of a drug or alcohol treatment facility.

(v) A resident of a hospice or nursing home.

(vi) Human remains.

(vii) An individual who donates or sells his or her blood or blood components.

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(aa) “Standard operating procedures (SOPs)” means any of the following that address the performance of work activities so as to reduce the risk of exposure to blood and other potentially infectious material:

- (i) Written policies.
- (ii) Written procedures.
- (iii) Written directives.
- (iv) Written standards of practice.
- (v) Written protocols.
- (vi) Written systems of practice.
- (vii) Elements of an infection control program.

(bb) “Sterilize” means the use of a physical or chemical procedure to destroy all microbial life, including highly resistant bacterial endospores.

(cc) “Universal precautions” means a method of infection control that treats all human blood and other potentially infectious material as capable of transmitting HIV, HBV, and other bloodborne pathogens.

(dd) “Work practices” means controls that reduce the likelihood of exposure to bloodborne pathogens by altering the manner in which a task is performed.

History: 1993 AACS; 1996 AACS; 2001 AACS; 2014 MR 20, Eff. Nov. 4, 2014.

R 325.70003 Exposure determination.

Rule 3. (1) An employer shall evaluate routine and reasonably anticipated tasks and procedures to determine whether there is actual or reasonably anticipated employee exposure to blood or other potentially infectious material. Based on this evaluation, an employer shall categorize all employees into category A or B as follows:

(a) Category A consists of occupations that require procedures or other occupation-related tasks that involve exposure or reasonably anticipated exposure to blood or other potentially infectious material or that involve a likelihood for spills or splashes of blood or other potentially infectious material. This includes procedures or tasks conducted in nonroutine situations as a condition of employment.

(b) Category B consists of occupations that do not require tasks that involve exposure to blood or other potentially infectious material on a routine or nonroutine basis as a condition of employment. Employees in occupations in this category do not perform or assist in emergency medical care or first aid and are not reasonably anticipated to be exposed in any other way.

(2) An exposure determination shall be made without regard to the use of personal protective clothing and equipment.

(3) An employer shall maintain a list of all job classifications that are determined to be category A.

History: 1993 AACS; 2014 MR 20, Eff. Nov. 4, 2014.

R 325.70004 Exposure control plan.

Rule 4. (a) If an employee is determined to be in category A, then an employer shall establish a written exposure control plan to minimize or eliminate employee exposure.

(b) An exposure control plan shall contain all of the following information:

(i) The exposure determination required by R 325.70003(1).

(ii) The schedule and method of implementation for each applicable rule.

(iii) The contents or a summary of the training program required by R 325.70016.

(iv) The procedures for the evaluation of circumstances surrounding exposure incidents as required by R 325.70013(5).

(v) Task-specific standard operating procedures (SOPs) that address all of the following areas:

(A) Employee recognition of reasonably anticipated exposure to blood and other potentially infectious material.

(B) Appropriate selection, use, maintenance, and disposal of personal protective equipment.

(C) Contingency plans for foreseeable circumstances that prevent following the recommended SOPs.

(c) General employer policies or task-specific SOPs shall address the management of inadvertent exposures such as needlesticks or mucus membrane exposures.

(d) The exposure control plan shall be reviewed at least annually and updated as necessary. A review shall consider changes in employees' tasks and procedures and the latest information from the centers for disease control or the department. See appendix A for addresses of these agencies. The review and update of the exposure control plans shall comply with both of the following provisions:

(i) Reflect changes in technology that eliminate or reduce exposure to bloodborne pathogens.

(ii) Document annually consideration and implementation of appropriate commercially available and effective safer medical devices designed to eliminate or minimize occupational exposure.

(e) An employer shall ensure that only a person who has knowledge of applicable control practices is authorized to write and to review an exposure control plan.

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(f) An employer shall ensure that the exposure control plan is made available to the director or a representative of the director for examination and copying upon request.

(g) An employer shall ensure that a copy of the exposure control plan is accessible to category A employees in accordance with Occupational Health Standard Part 470 "Employee Medical Records and Trade Secrets," as referenced in R 325.70001a.

(h) An employer, who is required to establish an exposure control plan shall solicit input from non-managerial employees responsible for direct patient care who are potentially exposed to injuries from contaminated sharps in the identification, evaluation, and selection of effective engineering and work practice controls and shall document the solicitation in the exposure control plan.

History: 1993 AACS; 1996 AACS; 2001 AACS; 2014 MR 20, Eff. Nov. 4, 2014.

R 325.70005

Source: 1996 AACS.

R 325.70006

Source: 1993 AACS.

R 325.70007 Work practices.

Rule 7. At a minimum, work practices shall ensure all of the following:

(a) All personal protective equipment shall be removed before leaving the work area and shall be placed in an appropriately designated area or container for storage, washing, decontamination, or disposal.

(b) If a garment is penetrated by blood or other potentially infectious materials, the garment shall be removed immediately or as soon as feasible.

(c) Employers shall provide handwashing facilities that are readily accessible to employees. When provision of handwashing facilities is not feasible, the employer shall provide either an appropriate antiseptic hand cleanser in conjunction with clean cloth/paper towels or antiseptic towelettes. When antiseptic hand cleansers or towelettes are used, employees shall wash hands with soap and running water as soon as feasible.

(d) Employers shall ensure that employees wash their hands immediately or as soon as feasible after removal of gloves or other personal protective equipment.

(e) Employers shall ensure that employees wash hands and any other skin with soap and water, or flush mucous membranes with water immediately or as soon as feasible following contact of such body areas with blood or other potentially infectious materials.

(f) Used needles and other contaminated sharps shall not be sheared, bent, or broken and shall not be recapped or resheathed where other disposal methods are practical. Used needles and other sharps shall not be recapped, resheathed, or removed unless the employer can demonstrate that no alternative is feasible or that such action is required by a specific medical procedure. Needle recapping or removal shall be accomplished by use of a mechanical device or a 1-handed technique. The disposal of needles and sharps shall be accomplished in accordance with the provisions of R 325.70010.

(g) Eating, drinking, smoking, applying cosmetics or lip balm, or handling contact lenses is prohibited in laboratories and other work areas where there is a reasonable likelihood of exposure.

(h) Food and drink shall not be stored in refrigerators, freezers, shelves, cabinets, or on countertops or benchtops where blood or other potentially infectious material is present or in other areas of possible contamination.

(i) All procedures that involve blood or other potentially infectious material shall be performed in a manner that minimizes splashing, spraying, and aerosolization of blood or other potentially infectious material.

(j) Mouth pipetting or suctioning is prohibited.

History: 1993 AACS; 1996 AACS; 2014 MR 20, Eff. Nov. 4, 2014.

R 325.70008 Protective work clothing and equipment.

Rule 8. An employer shall provide protective work clothing and equipment used in the following:

(a) When there is occupational exposure, an employer shall provide, at no cost to the employee, and assure that an employee uses, appropriate personal protective clothing and equipment, such as any of the following:

(i) Gloves.

(ii) Gowns.

(iii) Fluid-proof aprons.

(iv) Laboratory coats.

(v) Head and foot coverings.

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- (vi) Faceshields or mask and eye protection.
- (vii) Mouthpieces.
- (viii) Resuscitation bags.
- (ix) Pocket masks.
- (x) Other ventilation devices.

Personal protective equipment is appropriate only if it does not permit blood or other potentially infectious material to pass through to or reach the employee's work clothes, street clothes, undergarments, skin, eyes, mouth, or other mucous membranes under normal conditions of use and for the duration of time that the protective equipment is used.

(b) An employer shall ensure that an employee uses appropriate personal protective equipment unless the employer shows that the employee temporarily and briefly declined to use PPE when, under rare and extraordinary circumstances, it was the employee's professional judgment that in the specific instance the use of PPE would have prevented the delivery of health care or public safety services or would have posed an increased hazard to the safety of the worker or coworker. When the employee makes this judgment, the circumstances shall be investigated and documented to determine if changes can be made to prevent future occurrences.

(c) An employer shall assure that appropriate protective equipment and clothing in the appropriate sizes are readily accessible at the worksite or issued to employees at no cost to the employees. Hypoallergenic gloves, glove liners, powderless gloves, or other similar alternatives shall be readily accessible to employees who are allergic to the gloves normally provided. See appendix A for more information.

(d) An employer shall provide for the cleaning, laundering, or disposing of protective clothing and equipment required by this rule.

(e) An employer shall repair or replace required protective clothing and equipment as needed to maintain their effectiveness.

(f) An employee shall wear gloves if there is a reasonable anticipation of direct skin contact with blood, other potentially infectious material, mucous membranes, or nonintact skin of patients; when performing vascular access procedures, except as specified in subdivision (g) of this subrule; and when handling items or surfaces that are soiled with blood or other potentially infectious material. Disposable (single-use) gloves, such as surgical or examination gloves, shall be replaced as soon as practical if contaminated or as soon as feasible if torn, punctured, or ineffective as barriers. Disposable gloves shall not be washed or decontaminated for reuse. Utility gloves shall be discarded if any are cracked, peeling, discolored, torn, or punctured or exhibit other signs of deterioration, but may be decontaminated for reuse if the integrity of the glove is maintained.

(g) If an employer of a volunteer blood donation center judges that routine gloving for all phlebotomies is not necessary, the employer shall do all of the following:

(i) Periodically reevaluate this policy.

(ii) Make appropriate gloves available to all employees who wish to use them for phlebotomy.

(iii) Not discourage the use of gloves for phlebotomy.

(iv) Require that gloves be used for phlebotomy in the following circumstances:

(A) When the employee has cuts, scratches, or other breaks in the skin on his or her hands or wrists.

(B) When the employee judges that hand contamination with blood may occur, for example, when performing phlebotomy on an uncooperative patient.

(C) When the employee is receiving training in phlebotomy.

(h) Employees shall wear masks and eye protection or chin-length face shields as appropriate if splashes, sprays, spatters, droplets, or aerosols of blood or other potentially infectious material may be generated and if there is a likelihood for eye, nose, or mouth contamination.

(i) Employees shall wear gowns, lab coats, aprons, clinic jackets, or similar outer garments where appropriate if there is a reasonably anticipated exposure. Such clothing shall protect all areas of exposed skin that have a significant likelihood for contamination. The type of characteristics will depend upon the task and degree of exposure anticipated.

(j) Employees shall wear surgical caps or hoods and shoe covers or boots where appropriate if there is a reasonable anticipation of gross contamination, for example, in autopsies and orthopedic surgery.

History: 1993 AACCS; 1996 AACCS; 2014 MR 20, Eff. Nov. 4, 2014.

R 325.70009 Housekeeping.

Rule 9. (1) An employer shall assure that the worksite is maintained in a clean and sanitary condition. An employer shall determine and implement an appropriate written schedule for cleaning and for the method of decontamination based on all of the following:

(a) The location within a facility.

(b) The type of surface to be cleaned.

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- (c) The type of soil present.
- (d) The tasks or procedures being performed.
- (2) All equipment and environmental and working surfaces shall be maintained in a sanitary condition as follows:
 - (a) Work surfaces shall be cleaned and appropriately decontaminated with an appropriate disinfectant in all of the following instances:
 - (i) After completion of procedures.
 - (ii) When surfaces are overtly contaminated.
 - (iii) Immediately when blood or other potentially infectious material is spilled.
 - (iv) At the end of the work shift if the surface may have become contaminated since the last cleaning. See appendix A for supplemental information.
 - (b) Protective coverings such as plastic wrap, aluminum foil, or plastic-backed, absorbent paper may be used to cover equipment and environmental surfaces. These coverings shall be removed and replaced at the end of the work shift if contaminated or as soon as feasible when they become overly contaminated.
 - (c) Equipment that may become contaminated with blood or other potentially infectious material shall be examined before servicing or shipping and shall be decontaminated as necessary unless the employer can demonstrate that decontamination is not feasible. If decontamination is not feasible, the employer shall ensure that a readily observable label which states the portions of the equipment that remain contaminated and that is in compliance with R 325.70014(2)(h) is attached to the equipment. The employer shall ensure that all affected employees, the servicing representative, or the manufacturer, as appropriate, is notified that equipment decontamination is not feasible and is notified of the portions of the equipment that remain contaminated before handling, servicing, or shipping so that appropriate precautions will be taken.
 - (d) All bins, pails, cans, and similar receptacles that are intended for reuse and that have a reasonable likelihood for becoming contaminated with blood and other potentially infectious material shall be inspected and decontaminated on a regularly scheduled basis and shall be cleaned and decontaminated immediately, or as soon as possible, upon visible contamination.
 - (e) Broken glassware that may be contaminated shall not be picked up directly with the hands. It shall be cleaned up using mechanical means, such as a brush and dust pan, tongs, cotton swabs, or forceps.
 - (f) Specimens of blood or other potentially infectious material shall be placed in a closable leakproof container during collection, handling, processing, storing, transporting, or shipping. If contamination of the outside of a primary container is likely, a second leakproof container shall be placed over the outside of the first and closed to prevent leakage during handling, processing, storing, transporting, or shipping. If puncture of the primary container is likely, then the primary container shall be placed within a leakproof, puncture-resistant secondary container. All containers shall be labeled or color-coded in accordance of R 325.70014.
 - (g) Reusable sharps that are contaminated with blood or other potentially infectious materials shall not be stored or processed in a manner that requires employees to reach by hand into the containers where these sharps have been placed.
History: 1993 AACCS; 1996 AACCS; 2014 MR 20, Eff. Nov. 4, 2014.

R 325.70010

Source: 1993 AACCS.

R 325.70011 Laundry.

- Rule 11. (1) Laundry that is or may be soiled with blood or other potentially infectious material or that may contain contaminated sharps shall be treated as if it were contaminated and shall be handled as little as possible with a minimum of agitation.
- (2) Contaminated laundry shall be bagged at the location where it was used and shall not be sorted or rinsed in areas where patients are cared for.
 - (3) Contaminated laundry shall be placed and transported in bags or containers labeled or color-coded in accordance with R 325.70014. If laundry is wet and presents the likelihood for soaking through or leaking from the bag, it shall be placed and transported in leakproof bags.
 - (4) An employer shall ensure that laundry workers wear protective gloves and other appropriate personal protective work clothing while handling contaminated laundry.
 - (5) When an employer follows universal precautions in the handling of all soiled laundry, alternative labeling or color coding is sufficient if it permits all employees to recognize the containers that are required to be in compliance with universal precautions.

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(6) When an employer ships contaminated laundry off-site to a facility that does not use universal precautions in the handling of all laundry, the shipping employer shall use bags or containers that are labeled or color-coded in accordance with R 325.70014.

History: 1993 AACCS; 2014 MR 20, Eff. Nov. 4, 2014.

R 325.70012

Source: 1996 AACCS.

R 325.70013 Vaccinations and postexposure follow-up.

Rule 13. (1) An employer shall assure that all medical evaluations are procedures that are performed by or under the supervision of a licensed physician or other licensed health care professional and that all laboratory tests are conducted by an accredited laboratory.

(2) An employer shall assure that all evaluations, procedures, vaccinations, and postexposure prophylaxes are provided without cost to the employee, at a reasonable time and place, and according to current recommendations of the United States public health service, unless in conflict with this rule.

(3) An employer shall assure that all employees will receive appropriate counseling with regard to medical risks and benefits before undergoing any evaluations, procedures, vaccinations, or postexposure prophylaxes.

(4) Within 10 working days of the time of initial assignment and after the employee has received training required by R 325.70016(5)(i), an employer shall make all of the following available to each category A employee:

(a) A hepatitis B vaccination. If an employee initially declines vaccination, but at a later date, while still covered under these rules, decides to accept the HBV vaccine, the employer shall provide the vaccine at that time. If a booster dose or doses are recommended by the United States public health service at a future date, the booster dose or doses shall be made available.

(b) If an employee has previously received the complete HBV vaccination series, is found to be immune to HBV by virtue of adequate antibody titer, or the vaccine is contraindicated for medical reasons, then the employer is not required to offer the HBV vaccine to that employee.

(c) An employer shall not make participation in a prescreening program a prerequisite for receiving hepatitis B vaccination.

(d) An employer shall assure that an employee who declines to accept hepatitis B vaccination signs a waiver statement with all of the following provisions:

(i) Understanding of risk.

(ii) Acknowledgment of opportunity of vaccination at no cost.

(iii) Declining vaccination.

(iv) Future availability of vaccination at no cost if desired, if still in at-risk status. See appendix B for a sample of an acceptable waiver statement.

(5) An employer shall provide each exposed employee with an opportunity to have a confidential medical evaluation and follow-up subsequent to a reported occupational exposure incident to blood or other potentially infectious material. The evaluation and follow-up shall include, at a minimum, all of the following elements:

(a) Documentation of the route or routes of exposure and the circumstances under which the exposure incident occurred.

(b) Identification and documentation of the source individual, unless the employer can establish that identification is infeasible or prohibited by state or local law, shall include all of the following:

(i) The source individual's blood shall be tested as soon as feasible and after consent is obtained to determine HBV and HIV infectivity. If consent is not obtained, the employer shall establish that legally required consent cannot be obtained. If the source individual's consent is not required by law, his or her blood, if available, shall be tested and the results documented.

(ii) If the source individual is already known to be infected with HBV or HIV, testing need not be repeated.

(iii) Results of the source individual's testing shall be made available to the exposed employee, and the employee shall be informed of applicable laws and regulations concerning disclosure of the identity and infectious status of the source individual.

(c) Collection and testing of blood or HBV and HIV serological status shall include both of the following:

(i) The exposed employee's blood shall be collected as soon as feasible and tested after consent is obtained.

(ii) If the exposed employee consents to baseline blood collection, but not to HIV testing at that time, the sample shall be preserved for not less than 90 days. If within the 90 days the employee elects to have the baseline sample tested, such testing shall be done as soon as feasible.

(d) Postexposure prophylaxis, when medically indicated, as recommended by the United States public health service.

(e) Counseling on risk reduction and the risks and benefits of HIV testing in accordance with state law.

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(f) Evaluation of reported illnesses.

(6) An employer shall ensure that the health care professional who is responsible for the hepatitis B Vaccination is provided with a copy of these rules and appendices. An employer shall ensure that the health care professional who evaluates an employee after an exposure incident is provided with all of the following information:

(a) A description of the affected employee's duties as they relate to the employee's exposure incident.

(b) Documentation of the route or routes of exposure and the circumstances under which exposure occurred.

(c) Results of the source individual's blood testing, if available.

(d) All medical records that are relevant to the appropriate treatment of the employee, including vaccination status, and that are the employer's responsibility to maintain.

(7) For each evaluation pursuant to the provisions of this rule, an employer shall obtain, and provide an employee with a copy of, the evaluating health care professional's written opinion within 15 working days of the completion of the evaluation. The written opinion shall be limited to the following information:

(a) Whether hepatitis B vaccination is indicated for an employee and if the employee has received such vaccination.

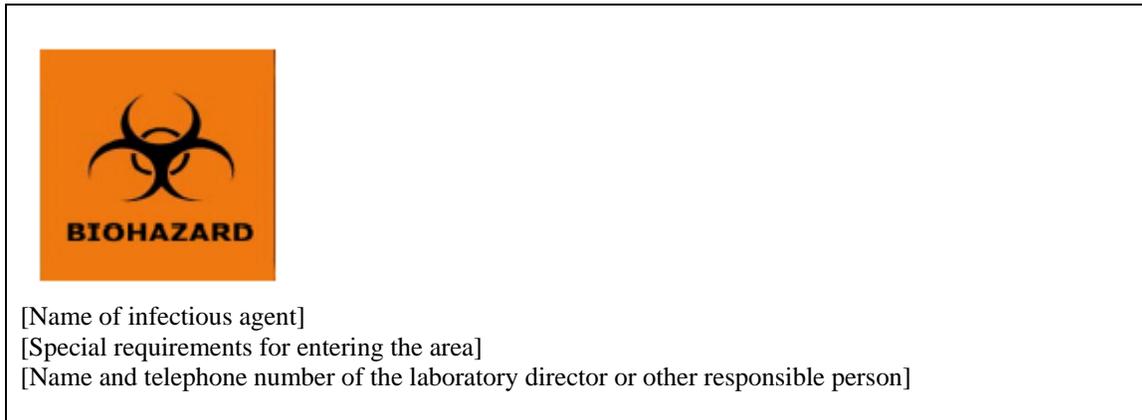
(b) A statement that the employee has been informed of the results of the medical evaluation and that the employee has been told about any medical conditions that have resulted from exposure to blood or other potentially infectious material and that require further evaluation or treatment. The written opinion obtained by the employer shall not reveal specific findings or diagnoses that are unrelated to the employee's ability to wear protective clothing and equipment or receive vaccinations. Such findings and diagnoses shall remain confidential.

(8) Medical records that are required by these rules shall be maintained in accordance with R 325.70015.

History: 1993 AACS; 1996 AACS; 2014 MR 20, Eff. Nov. 4, 2014.

R 325.70014 Communication of hazards to employees.

Rule 14. (1) An employer shall post signs at the entrance to work areas specified in R 325.70012. The signs shall bear the following legend:



These signs shall be fluorescent orange-red with lettering and symbols in a contrasting color.

(2) Labels shall be in compliance with all of the following requirements:

(a) Warning labels shall be affixed to containers of regulated waste, refrigerators and freezers that contain blood or other potentially infectious material, and other containers that are used to store or transport blood or other potentially infectious material, except as provided in subdivision (e) or (f) of this subrule.

(b) Labels that are required pursuant to this rule shall include the follow legend:



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- (c) Labels shall be fluorescent orange or orange-red or predominately orange or orange-red, with lettering or symbols in a contrasting color.
 - (d) Labels shall either be an integral part of the container or shall be affixed as close as safely possible to the container by string, wire, or adhesive or by another method that prevents the loss of labels or the unintentional removal of labels.
 - (e) Red bags or red containers may be substituted for labels.
 - (f) Containers of blood, blood components, or blood products that are labeled as to their contents and that have been released for transfusion or other clinical use are exempted from the labeling requirements of this rule.
 - (g) Individual containers of blood or other potentially infectious materials that are placed in a labeled container during storage, transport, shipment, or disposal are exempted from labeling requirements.
 - (h) Labels required for contaminated equipment shall be in accordance this subrule and shall also describe which portions of the equipment remain contaminated.
 - (i) Regulated waste that has been decontaminated need not be labeled or color-coded.
- History: 1993 AACS; 1996 AACS; 2001 AACS; 2014 MR 20, Eff. Nov. 4, 2014.

R 325.70015 Recordkeeping.

- Rule 15. (1) An employer shall establish and maintain medical records for each category A employee in accordance with Occupational Health Standard Part 470 "Employee Medical Records and Trade Secrets," as referenced in R 325.70001a.
- (2) An employer shall ensure that medical records contain, at a minimum, all of the following information:
- (a) The name and social security number of the employee.
 - (b) A copy of the employee's hepatitis B vaccination status, including the dates administered and medical records relating to the employee's ability to receive a vaccination as required by R 325.70013.
 - (c) A copy of all results of examinations, medical testing, and follow-up procedures as required by R 325.70013.
 - (d) The employer's copy of the physician's written opinion.
 - (e) A copy of the information provided to the physician as required by R 325.70013(6).
- (3) An employer shall assure that employee medical records that are required by this rule are kept confidential and are not disclosed or reported without the employee's express written consent to any person within or outside the workplace, except as required by this rule or as may be required or permitted by law.
- (4) An employer shall maintain employee medical records for not less than the duration of employment plus 30 years in accordance with Occupational Health Standard Part 470 "Employee Medical Records and Trade Secrets," as referenced in R 325.70001a.
- (5) An employer shall develop and maintain training records for each category A employee. Training records shall be maintained for 3 years beyond the date that the training occurred.
- (6) Training records shall include all of the following information:
- (a) The dates of the training sessions.
 - (b) The contents or a summary of the training sessions.
 - (c) The names and qualifications of persons who conduct the training.
 - (d) The names and job titles of all persons who attend the training sessions.
- (7) An employer shall assure that all records that are required to be maintained by these rules shall be made available, upon request, to representatives of the department or the director for examination and copying.
- (8) An employer shall ensure that employee training records are provided, upon request, for examination and copying to employees, employee representatives, and the director in accordance with Occupational Health Standard Part 470 "Employee Medical Records and Trade Secrets," as referenced in R 325.70001a.
- (9) An employer shall ensure that employee medical records are provided, upon request, for examination and copying to the subject employee, to anyone who has the written consent of the subject employee, and to the director in accordance

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with Occupational Health Standard Part 470 “Employee Medical Records and Trade Secrets,” as referenced in R 325.70001a.

(10) An employer shall comply with the requirements that involve the transfer of records in Occupational Health Standard Part 470 “Employee Medical Records and Trade Secrets,” as referenced in R 325.70001a.

(11) All of the following provisions apply to a sharps injury log:

(a) An employer shall establish and maintain a sharps injury log for the recording of percutaneous injuries from contaminated sharps. The information in the sharps injury log shall be recorded and maintained in a manner that protects the confidentiality of the injured employee. At a minimum, a sharps injury log shall contain all of the following information:

(i) The type and brand of device involved in the incident.

(ii) The work unit or work area where the exposure incident occurred.

(iii) An explanation of how the incident occurred.

(b) The requirement to establish and maintain a sharps injury log applies to any employer who is required to maintain a log of occupational injuries and illnesses as prescribed in MIOSHA Standard Part 11. “Recording and Reporting of Occupational Injuries and Illnesses,” as referenced in R 325.70001a.

(c) A sharps injury log shall be maintained for the period required as prescribed in MIOSHA Standard Part 11. “Recording and Reporting of Occupational Injuries and Illnesses,” as referenced in R 325.70001a.

History: 1993 AACS; 1996 AACS; 2001 AACS; 2014 MR 20, Eff. Nov. 4, 2014.

R 325.70016 Information and training.

Rule 16. (1) An employer shall ensure that all category A employees participate in a training program provided at no cost to the employees and during working hours.

(2) Training shall be provided at the time of initial assignment to category A work or within 90 days after the effective date of these rules, whichever is later, and at least annually thereafter. If an employee has received training on bloodborne pathogens in the year preceding the effective date of these rules, only training with respect to requirements of this rule that were not included in the previous training need to be provided.

(3) An employer shall provide additional training when changes, such as the modification of tasks or procedures or the institution of new tasks or procedures, affect an employee’s occupational exposure. The additional training may be limited to addressing the new exposures created.

(4) Material appropriate in content and vocabulary to the educational level, literacy, and language background of employees shall be used.

(5) The training program shall contain all of the following elements:

(a) Accessibility of the copy of these rules and an explanation of the contents of these rules, including appendices.

(b) A general explanation of the epidemiology and symptoms of bloodborne diseases.

(c) An explanation of the modes of transmission of bloodborne pathogens.

(d) An explanation of the employer’s exposure control plan, including the standard operating procedures, and how an employee can access the written plan.

(e) An explanation of the appropriate methods for recognizing tasks and other activities that may involve exposure to blood and other potentially infectious material.

(f) An explanation of the use and limitations of practices that will prevent or reduce exposure, including appropriate engineering controls, work practices, and personal protective equipment.

(g) Information on all of the following with respect to personal protective clothing and equipment:

(i) Types.

(ii) Proper use.

(iii) Limitations.

(iv) Location.

(v) Removal.

(vi) Handling.

(vii) Decontamination.

(viii) Disposal.

(h) An explanation of the basis for selecting protective clothing and equipment.

(i) Information on the hepatitis B vaccine and postexposure prophylaxis, including all of the following information:

(i) Availability.

(ii) Efficacy.

(iii) Safety.

(iv) The benefits of being vaccinated.

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- (v) Method of administration.
 - (vi) That vaccination is free of charge.
 - (j) Information on the appropriate actions to take and persons to contact in an emergency involving blood or other potentially infectious material.
 - (k) An explanation of the procedure to follow if an exposure incident occurs, including the method of reporting the incident, and the medical follow-up and counseling that will be made available.
 - (l) An explanation of the signs and labels or color coding required by R 325.70014.
 - (6) Employees in HIV or HBV research laboratories and HIV/HBV production facilities shall receive the following initial training in addition to the training requirements specified in subrule (5) of this rule:
 - (a) Employees shall be trained in, and demonstrate proficiency in, standard microbiological practices and techniques and in the practices and operations specific to the facility before being allowed to work with HIV and HBV.
 - (b) Employees shall be experienced in the handling of human pathogens or tissue cultures before working with HIV and HBV.
 - (c) A training program shall be provided to employees who have not had experience in handling human pathogens. Initial work activities shall not include the handling of infectious agents. A progression of work activities shall be assigned as techniques are learned and proficiency is developed. An employee shall participate in work activities that involve infectious agents only after proficiency has been demonstrated.
 - (7) Training shall be conducted in the following manner:
 - (a) At the time of initial assignment to tasks where occupational exposure may take place and at least annually thereafter.
 - (b) Training sessions shall afford employees ample opportunity for discussion and the answering of questions by a knowledgeable trainer.
 - (c) The person conducting the training shall be knowledgeable in the subject matter covered by the elements contained in the training program as it relates to the workplace that the training will address.
- History: 1993 AACCS; 1996 AACCS; 2001 AACCS; 2014 MR 20, Eff. Nov. 4, 2014.
- R 325.70017 Rescinded.**
History: 1993 AACCS; 1996 AACCS; 2014 MR 20, Eff. Nov. 4, 2014.

R 325.70018 Rescinded.
History: 1993 AACCS; 1996 AACCS; 2014 MR 20, Eff. Nov. 4, 2014.

HAZARDOUS WORK IN LABORATORIES

PART 431. HAZARDOUS WORK IN LABORATORIES

R 325.70101. Scope; effective date of subrule (2).

Rule 1. (1) These rules set forth the requirements for laboratory use of hazardous chemicals. Subjects to which these rules apply include all of the following:

- (a) Exposure limits.
- (b) Exposure monitoring.
- (c) Written chemical hygiene plan.
- (d) Employee information and training.
- (e) Medical surveillance.
- (f) Hazard identification.
- (g) Use of respiratory protection.
- (h) Recordkeeping.

(2) These rules, where they apply as specified in R 325.70102, supersede all Michigan occupational safety and health act (MIOSHA) occupational health standards that govern the use of specific chemical substances, except as provided in R 325.70104, R 325.70105, and R 325.70108. Also, where they apply, these rules supersede the requirements of the occupational safety and health administration (OSHA) hazard communication standard, being 29 C.F.R. §1910.1200, which is incorporated by section 14a of 1974 PA 154, MCL 408.1014a. This subrule takes effect when an employer has developed and implemented a written chemical hygiene plan as prescribed by R 325.70106.

(3) All occupational health standards that do not deal with a specific chemical substance apply to laboratory operations as do any occupational safety standards administered by the Michigan department of Licensing and Regulatory Affairs. Such non-chemical substance standards that apply to laboratory operations include all of the following rules, which are referenced in R 325.70102a:

- (a) Occupational Health Standard Part 380 "Occupational Noise Exposure."

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- (b) Occupational Health Standard Part 381 “Ionizing Radiation.”
 - (c) Occupational Health Standard Part 382 “Nonionizing Radiation.”
 - (d) Occupational Health Standard Part 520 “Ventilation Control.”
 - (e) Occupational Health Standard Part 490 “Permit-Required Confined Spaces.”
 - (f) Occupational Health Standard Part 451 “Respiratory Protection.”
 - (g) Occupational Health Standard Part 474 “Sanitation.”
 - (h) Occupational Health Standard Part 472 “Medical Services and First Aid.”
 - (i) Occupational Health Standard Part 470 “Employee Medical Records and Trade Secrets.”
- History: 1992 AACCS; 2003 AACCS; 2014 MR 1, Eff. Jan 17, 2014.

R 325.70102

Source: 2003 AACCS.

R 325.70102a. Referenced standards and appendices.

Rule 2a. (1) The OSHA standard 29 C.F.R. §1910.1450 “Occupational exposure to hazardous chemicals in laboratories,” is adopted by reference in these rules. A copy of this regulation is available from the U.S. Department of Labor, via the internet at website www.osha.gov, at no charge as of the time of adoption of these rules.

(2) The standard adopted in subrule (1) of this rule is also available for inspection at the Department of Licensing and Regulatory Affairs, MIOSHA Standards Section, 7150 Harris Drive, Lansing, Michigan, 48909-8143.

(3) Copies of the standard 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.

(4) 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 licensing and regulatory affairs, MIOSHA standards section, 7150 Harris Drive, P.O. Box 30643, Lansing, MI, 48909-8143 or via the internet at website: 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) Occupational Health Standard Part 380 “Occupational Noise Exposure,” R 325.60101 to R 325.60128.

(b) Occupational Health Standard Part 381 “Ionizing Radiation,” R 325.60601a to R 325.60618.

(c) Occupational Health Standard Part 382 “Nonionizing Radiation,” R 325.60701 to R 325.60704.

(d) Occupational Health Standard Part 430 “Hazard Communication,” R 325.77001 to R 325.77003.

(e) Occupational Health Standard Part 451 “Respiratory Protection,” R 325.60051 to R 325.60052.

(f) Occupational Health Standard Part 470 “Employee Medical Records and Trade Secrets,” R 325.3451 to R 325.3476.

(g) Occupational Health Standard Part 472 “Medical Services and First Aid,” R 325.47201.

(h) Occupational Health Standard Part 474 “Sanitation,” R 325.47401 to R 325.47425.

(i) Occupational Health Standard Part 490 “Permit-Required Confined Spaces,” R 325.63001 to R 325.63049.

(j) Occupational Health Standard Part 520 “Ventilation Control,” R 325.52001 to R 325.52012.

(5) Appendices to these rules are informational only and are not intended to create any additional obligations or requirements not otherwise imposed by these rules or to detract from any established obligations or requirements.

History: 2014 MR 1, Eff. Jan 17, 2014.

R 325.70103. Definitions.

Rule 3. (1) “Action level” means a concentration which is designated in established MIOSHA health standards for a specific substance, calculated as an 8-hour, time-weighted average, and which initiates certain required activities, such as exposure monitoring and medical surveillance.

(2) “Chemical hygiene officer” means an employee who is designated by the employer, and who is qualified by training or experience, to provide technical guidance in the development and implementation of the provisions of the Chemical Hygiene Plan. This definition is not intended to place limitations on the position description or job classification that the designated individual shall hold within the employer's organizational structure.

(3) “Chemical Hygiene Plan” means a written program which is developed and implemented by the employer, which sets forth procedures, equipment, personal protective equipment, and work practices that are capable of protecting employees from the health hazards presented by the hazardous chemicals used in a particular workplace, and which is in compliance with R 325.70106.

(4) “Director” means the director of the Michigan department of Licensing and Regulatory Affairs or his or her designee.

(5) “Emergency” means any occurrence, such as equipment failure, the rupture of containers, or the failure of control equipment, that results in an uncontrolled release of a hazardous chemical into the workplace.

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- (6) "Employee" means a person who is assigned to work in a laboratory workplace and who may be exposed to hazardous chemicals in the course of his or her assignments.
- (7) "Hazardous chemical" means any chemical which is classified as health hazard or simple asphyxiant in accordance with the Occupational Health Standard Part 430 "Hazard Communication," as referenced in R 325.70102a.
- (8) "Health hazard" means a chemical that is classified as posing 1 of the following hazardous effects:
- (a) Acute toxicity, any route of exposure.
 - (b) Skin corrosion or irritation.
 - (c) Serious eye damage or eye irritation.
 - (d) Respiratory or skin sensitization.
 - (e) Germ cell mutagenicity.
 - (f) Carcinogenicity.
 - (g) Reproductive toxicity.
 - (h) Specific target organ toxicity, single or repeated exposure.
 - (i) Aspiration hazard.
- (j) The criteria for determining whether a chemical is classified as a health hazard are detailed in Appendix A of Occupational Health Standard Part 430 "Hazard Communication," as referenced in R 325.70102a, rule §1910.1200(c) which includes the definitions of "simple asphyxiant".
- (9) "Laboratory" means a facility where the laboratory use of hazardous chemicals occurs. It is a workplace where relatively small quantities of hazardous chemicals are used on a nonproduction basis.
- (10) "Laboratory scale" means work with substances in which the containers used for reactions, transfers, and other handling of substances are designed to be easily and safely manipulated by 1 person. "Laboratory scale" does not mean those workplaces whose function is to produce commercial quantities of materials.
- (11) "Laboratory-type hood" means a work chamber which is used in a laboratory, which is enclosed on 5 sides and has a moveable sash or fixed partial closure on the remaining side, which is constructed and maintained to draw air from the laboratory and prevent or minimize the escape of air contaminants into the laboratory, and which allows chemical manipulations to be conducted in the enclosure without inserting any portion of the employee's body other than hands and arms. The term includes walk-in hoods with adjustable sashes if the sashes are adjusted during use so that the airflow and the exhaust of air contaminants are not compromised and so that employees do not work inside the enclosure during the release of airborne hazardous chemicals.
- (12) "Laboratory use of hazardous chemicals" means the handling or use of such chemicals in which all of the following conditions are met:
- (a) Chemical manipulations are carried out on a laboratory scale.
 - (b) Multiple chemical procedures or chemicals are used.
 - (c) The procedures that are involved are not part of production process, nor in any way simulate a production process.
 - (d) Protective laboratory practices and equipment are available and in common use to minimize the potential for employee exposure to hazardous chemicals.
- (13) "Medical consultation" means a consultation that takes place between an employee and a licensed physician to determine what medical examinations or procedures, if any, are appropriate.
- (14) "Mutagen" means chemicals that cause permanent changes in the amount or structure of the genetic material in a cell. Chemicals classified as mutagens in accordance with Occupational Health Standard Part 430 "Hazard Communication," as referenced in R 325.70102a, shall be considered mutagens for purposes of these rules.
- (15) "Physical hazard" means a chemical that is classified as posing 1 of the following hazardous effects:
- (a) Explosive.
 - (b) Flammable, gases, aerosols, liquids, or solids.
 - (c) Oxidizer as a liquid, solid, or gas.
 - (d) Self-reactive.
 - (e) Pyrophoric as a gas, liquid or solid.
 - (f) Self-heating.
 - (g) Organic peroxide.
 - (h) Corrosive to metal.
 - (i) Gas under pressure.
 - (j) In contact with water emits flammable gas.
 - (k) Combustible dust.
- (l) The criteria for determining whether a chemical is classified as a physical hazard are in Appendix B of Occupational Health Standard Part 430 "Hazard Communication," as referenced in R 325.70102a, rule §1910.1200(c) which includes the definitions of "combustible dust" and "pyrophoric gas."

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(16) “Protective laboratory practices and equipment” means those laboratory procedures, practices, and equipment that are accepted by laboratory health and safety experts as effective, or that the employer can show to be effective, in minimizing the potential for employee exposure to hazardous chemicals.

(17) “Reproductive toxins” means chemicals that affect the reproductive capabilities, including adverse effects on sexual function and fertility in adult males and females, as well as adverse effects on the development of the offspring. Chemicals classified as reproductive toxins in accordance with the Occupational Health Standard Part 430 “Hazard Communication,” as referenced in R 325.70102a, shall be considered reproductive toxins for purposes of these rules.

(18) “Select carcinogen” means any substance that meets 1 or more of the criteria set forth in the definition of select carcinogen in OSHA standard 29 C.F.R. §1910.1450, paragraph (b), as referenced in R 325.70102a. The cited definition is printed as Appendix C to these rules.

History: 1992 AACS; 2003 AACS; 2014 MR 1, Eff. Jan 17, 2014.

Editor's Note: An obvious error in R 325.70103 was corrected at the request of the promulgating agency, pursuant to Section 56 of 1969 PA 306, as amended by 2000 PA 262, MCL 24.256. The rule containing the error was published in *Michigan Register*, 2014 MR 1. The memorandum requesting the correction was published in *Michigan Register*, 2014 MR 2.

R 325.70104

Source: 2003 AACS.

R 325.70105

Source: 2003 AACS.

R 325.70106

Source: 2003 AACS.

R 325.70107. Employee information and training.

Rule 7. (1) An employer shall provide employees with information and training to ensure that they are apprised of and understand the hazards of chemicals present in their work areas.

(2) Such information shall be provided at the time of an employee's initial assignment to a work area where hazardous chemicals are present and before assignments that involve new exposure situations. Refresher information and training shall be provided by the employer to ensure that an employee is aware of the risks of exposure to hazardous chemicals.

(3) Employees shall be informed of all of the following:

(a) The contents of these rules and appendices, which shall be made available to employees.

(b) The location and availability of the employer's chemical hygiene plan.

(c) The permissible exposure limits for MIOSHA-regulated substances or the recommended exposure limits for other hazardous chemicals if there are no applicable MIOSHA rules.

(d) Signs and symptoms associated with exposures to hazardous chemicals that are used in the laboratory.

(e) The location and availability of known reference material on the hazards, safe handling, storage, and disposal of hazardous chemicals found in the laboratory including, but not limited to, safety data sheets (SDS) received from a chemical supplier.

(4) Employee training shall include all of the following:

(a) Methods and observations that may be used to detect the presence or release of a hazardous chemical, such as monitoring conducted by the employer, continuous monitoring devices, and the visual appearance or odor of hazardous chemicals when being released.

(b) The physical and health hazards of chemicals in the work environment.

(c) The measures employees can take to protect themselves from health hazards, including specific procedures that the employer has implemented to protect employees from exposure to hazardous chemicals, such as appropriate work practices, emergency procedures, and personal protective equipment to be used.

(5) The employee shall be trained about the applicable details of the employer's written chemical hygiene plan.

History: 1992 AACS; 2003 AACS; 2014 MR 1, Eff. Jan 17, 2014.

R 325.70108

Source: 2003 AACS.

R 325.70109. Hazard identification.

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Rule 9. (1) With respect to labels and safety data sheets (SDS) for hazardous chemicals, both of the following provisions apply:

- (a) Employers shall ensure that labels on incoming containers of hazardous chemicals are not removed or defaced.
- (b) Employers shall maintain any safety data sheets that are received with incoming shipments of hazardous chemicals and ensure that safety data sheets are readily accessible to laboratory employees.

(2) All of the following provisions shall apply to chemical substances that are developed in the laboratory:

- (a) If the composition of the chemical substance that is produced exclusively for the laboratory's use is known, an employer shall determine if it is a hazardous chemical. If the employer determines that the chemical is hazardous, the employer shall provide appropriate training as required by R 325.70107.
- (b) If the chemical produced is a by-product of unknown composition, an employer shall assume that the substance is hazardous and shall implement the provisions of R 325.70106.
- (c) If the chemical substance is produced for another user outside of a laboratory, an employer shall comply with the Occupational Health Standard Part 430 "Hazard Communication," as referenced in R 325.70102a, including the requirements for preparation of safety data sheets and labeling.

History: 1992 AACS; 2003 AACS; 2014 MR 1, Eff. Jan 17, 2014.

R 325.70110. Use of respiratory protection.

Rule 10. If, after appropriate application of feasible engineering and work practice controls, the use of respirators is necessary to maintain exposure below permissible exposure limits, the employer shall provide, at no cost to the employee, the proper respiratory protection equipment. Respirators shall be selected and used in accordance with the requirements of Occupational Health Standard Part 451 "Respiratory Protection," as referenced in R 325.70102a.

History: 1992 AACS; 2003 AACS; 2014 MR 1, Eff. Jan 17, 2014.

R 325.70111. Recordkeeping.

Rule 11. (1) An employer shall establish and maintain, for each employee, an accurate record of any measurements taken to monitor employee exposures and any medical consultation and examinations, including tests or written opinions required by these rules.

(2) An employer shall assure that such records are kept, transferred, and made available in accordance with the provisions of Occupational Health Standard Part 470 "Employee Medical Records and Trade Secrets," as referenced in R 325.70102a, and are protected from unauthorized disclosure.

History: 1992 AACS; 2003 AACS; 2014 MR 1, Eff. Jan 17, 2014.

R 325.70112

Source: 2003 AACS.

R 325.70113 Rescinded.

History: 1992 AACS; 2003 AACS; 2014 MR 1, Eff. Jan 17, 2014.

R 325.70114 Rescinded.

History: 1992 AACS; 2003 AACS; 2014 MR 1, Eff. Jan 17, 2014.

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

DIRECTOR'S OFFICE

OCCUPATIONAL HEALTH STANDARDS

R 325.70251

Source: 2001 AACS.

HAZARD COMMUNICATION

R 325.77001 Scope and application.

Rule 1. (1) These rules establish requirements to ensure that the hazards of all chemicals produced or imported by chemical manufacturers or importers are evaluated and that information concerning the hazards is transmitted to affected

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employers and communicated to employees. These rules establish requirements to ensure that markings, placards, and labels required on hazardous materials and explosives, both in transportation and at stationary facilities, are retained until the materials have been removed to the extent that the materials do not pose a hazard.

(2) The regulations adopted by R 325.77002 shall apply to all chemical manufacturers, chemical importers, and employers pursuant to the provisions of 29 C.F.R. §1910.1200 and 29 C.F.R. §1926.59.

(3) The regulations adopted by R 325.77003 shall apply to workplaces pursuant to the provisions of 29 C.F.R. §1910.1201, 29 C.F.R. §1926.61, and 29 C.F.R. §1928.21.

(4) Section 14a(1) of 1974 PA 154, MCL 408.1014a(1) adopted the original federal standard by reference. In addition, sections 14b to 14l of 1974 PA 154, MCL 408.1014b to 408.1014l set forth additional requirements for Michigan employers. The regulations adopted by R 325.77002 will have the force and effect of law, but only to the extent they are consistent with section 14a(1) of 1974 PA 154, MCL 408.1014a(1). If there is any inconsistency, section 14a(1) of 1974 PA 154, MCL 408.1014a(1), will control.

History: 1995 AACCS; 2014 MR 2, Eff. Feb. 5, 2014.

R 325.77002 Hazard communication; adoption by reference.

Rule 2. (1) The following federal occupational safety and health administration (OSHA) regulations from the Code of Federal Regulations are adopted by reference in these rules:

(a) 29 C.F.R. §1910.1200 “Hazard Communication,” February 8, 2013.

(b) 29 C.F.R. §1926.59 “Hazard Communication,” June 20, 1996.

(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.

History: 1995 AACCS; 2012 AACCS; 2014 MR 2, Eff. Feb. 5, 2014.

R 325.77003 Retention of department of transportation markings, placards, and labels; adoption by reference.

Rule 3. (1) The following federal occupational safety and health administration (OSHA) regulations from the Code of Federal Regulations are adopted by reference in these rules:

(a) 29 C.F.R. §1910.1201 “Retention of DOT markings, placards and labels” July 19, 1994.

(b) 29 C.F.R. §1926.61 “Retention of DOT markings, placards and labels”
June 20, 1996.

(c) 29 C.F.R. §1928.21 “Applicability of Standards in 29 CFR Part 1910” March 7, 1996.

(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.

History: 1995 AACCS; 2012 AACCS; 2014 MR 2, Eff. Feb. 5, 2014.

R 325.77004 Availability of adopted rules.

Rule 4. (1) The standards adopted 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.

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

(3) The standards adopted in these rules 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.

History: 2014 MR 2, Eff. Feb. 5, 2014.

PART 311. BENZENE

R 325.77101. Scope.

Rule 1. (1) These rules apply to all occupational exposures to benzene, chemical abstracts service registry no. 71-43-2, except as provided in subrules (2) and (3) of this rule.

(2) These rules do not apply to any of the following:

(a) The storage, transportation, distribution, dispensing, sale, or use of gasoline, motor fuels, or other fuels that contain benzene after its final discharge from bulk wholesale storage facilities, except that operations which dispense gasoline or motor fuels for more than 4 hours per day in an indoor location are covered by these rules.

(b) Loading and unloading operations at bulk wholesale storage facilities which use vapor control systems for all loading and unloading operations. However, such operations are subject to the provisions of R 325.77107 and R 325.77109(c) and the Hazard Communication provisions of sections 14a to 14m of the Michigan Occupational Safety and Health Act (MIOSHA), 1974 PA 154, MCL 408.1014a to 408.1014m.

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(c) The storage, transportation, distribution, or sale of benzene or liquid mixtures that contain more than 0.1% benzene in intact containers or in transportation pipelines while sealed in a manner to contain benzene vapors or liquid. However, such storage, transportation, distribution, or sale is subject to the provisions of R 325.77107 and R 325.77109(c) and the hazard communication provisions of sections 14a to 14m of the Michigan Occupational Safety and Health Act (MIOSHA), 1974 PA 154, MCL 408.1014a to 408.1014m.

(d) Containers and pipelines that carry mixtures which are less than 0.1% benzene.

(e) Natural gas-processing plants that process gas which contains less than 0.1% benzene.

(f) Work operations where the only exposure to benzene is from liquid mixtures that contain 0.5% or less of benzene, by volume, or the vapors released from the liquids until September 12, 1988; work operations where the only exposure to benzene is from liquid mixtures that contain 0.3% or less of benzene, by volume, or the vapors released from the liquids from September 12, 1988, to September 12, 1989; and work operations where the only exposure to benzene is from liquid mixtures that contain 0.1% or less of benzene, by volume, or the vapors released from the liquids after September 12, 1989; except that tire-building machine operators who use solvents which contain more than 0.1% benzene are subject to the provisions of R 325.77109 to R 325.77109h.

(g) Oil and gas drilling, production, and servicing operations.

(h) Coke oven batteries.

(3) Cleaning and repair operations of barges and tankers that have contained benzene are excluded from the provisions of R 325.77106, R 325.77106a, R 325.77105(1) to (4), and R 325.77105b. Engineering and work practice controls shall be used to keep exposures below 10 ppm, unless it is proven to be not feasible.

History: 1989 AACCS; 2002 AACCS; 2014 MR 15, Eff. Aug. 12, 2014.

R 325.77101a. Referenced standards.

Rule 1a. (1) 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 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.michigan.gov/mioshastandards. For quantities greater than 5, the cost, at the time of adoption of these rules, is 4 cents per page.

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

(b) Occupational Health Standard Part 430 "Hazard Communication," R 325.77001 to R 325.77003.

(c) Occupational Health Standard Part 433 "Personal Protective Equipment," R 325.60001 to R 325.60013.

(d) Occupational Health Standard Part 451 "Respiratory Protection," R 325.60051 to R 325.60052.

(e) Occupational Health Standard Part 470 "Employee Medical Records and Trade Secrets," R 325.3451 to R 325.3476.

(2) Appendices A, B, C, and D to these rules are informational only and are not intended to create any additional obligations or requirements not otherwise imposed by these rules or to detract from any established obligations or requirements.

History: 2014 MR 15, Eff. Aug. 12, 2014.

R 325.77102. Definitions.

Rule 2. (1) "Act" means Michigan Occupational Safety and Health Act (MIOSHA), 1974 PA 154, MCL 408.1001 to 408.2094.

(2) "Action level" means an airborne concentration of benzene of 0.5 parts per million (ppm) calculated as an 8-hour, time-weighted average (TWA).

(3) "Authorized person" means any of the following:

(a) A person who is specifically authorized by the employer to enter a regulated area and whose duties require the person to enter a regulated area.

(b) A person who enters a regulated area as a designated representative of employees for the purpose of exercising the right to observe monitoring and measuring procedures under R 325.77112.

(c) Any other person authorized by the act or rules issued under the act.

(4) "Benzene" (C₆H₆) (CAS registry no. 71-43-2) means liquefied or gaseous benzene. It includes benzene contained in liquid mixtures and the benzene vapors released by the liquids. It does not include trace amounts of unreacted benzene contained in solid materials.

(5) "Bulk wholesale storage facility" means a bulk terminal or bulk plant where fuel is stored before delivery to wholesale customers.

(6) "Container" means any barrel, bottle, can, cylinder, drum, reaction vessel, storage tank, or other receptacle, but does not include piping systems.

(7) "Day" means any part of a calendar day.

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(8) "Department" means the Michigan department of licensing and regulatory affairs.

(9) "Director" means the director of the department or his or her designee.

(10) "Emergency" means any occurrence, such as, equipment failure, rupture of containers, or failure of control equipment, which may or does result in an unexpected significant release of benzene.

(11) "Employee exposure" means exposure to airborne benzene that would occur if an employee did not use respiratory protective equipment.

(12) "Regulated area" means any area where airborne concentrations of benzene are more than or can reasonably be expected to be more than the permissible exposure limits of either the 8-hour time-weighted average exposure of 1 ppm or the short-term exposure limit of 5 ppm for 15 minutes.

(13) "Vapor control system" means any equipment that is used for containing the total vapors displaced during the loading of gasoline motor fuel or other fuel tank trucks and the displacing of these vapors through a vapor processing system or balancing the vapor with the storage tank. This equipment also includes systems containing the vapors displaced from the storage tank during the unloading of the tank truck which balance the vapors back to the tank truck.

History: 1989 AACS; 2001 AACS; 2014 MR 15, Eff. Aug. 12, 2014.

R 325.77103 Permissible exposure limits (PELs).

Rule 3. (1) An employer shall assure that an employee is not exposed to an airborne concentration of benzene of more than 1 part of benzene per million parts of air (1 ppm) as an 8-hour, time-weighted average (TWA).

(2) An employer shall assure that an employee is not exposed to an airborne concentration of benzene of more than 5 ppm averaged over any 15-minute period as a short-term exposure limit (STEL).

History: 1989 AACS.

R 325.77104 Regulated areas.

Rule 4. (1) An employer shall establish a regulated area where the airborne concentration of benzene is more than, or can reasonably be expected to be more than, the permissible exposure limits of either the 8-hour TWA exposure of 1 ppm or the STEL of 5 ppm for 15 minutes.

(2) Access to regulated areas shall be limited to authorized persons.

(3) Regulated areas shall be determined from the rest of the workplace in any manner that minimizes the number of employees exposed to benzene within the regulated area.

History: 1989 AACS.

EXPOSURE MONITORING

R 325.77105. Exposure monitoring.

Rule 5. (1) Determinations of employee exposure shall be made from breathing zone air samples that are representative of each employee's average exposure to airborne benzene.

(2) Representative 8-hour TWA employee exposures shall be determined on the basis of 1 sample or samples representing the full shift exposures for each job classification in each work area.

(3) Determinations of compliance with the short-term exposure limits (STEL) shall be made from 15-minute employee breathing zone samples that are measured at operations where there is reason to believe exposures are high, such as where tanks are opened, filled, unloaded, or gauged, where containers or process equipment are opened, and where benzene is used for cleaning or as a solvent in an uncontrolled situation. An employer may use objective data, such as measurements from brief period measuring devices, to determine where STEL monitoring is needed.

(4) Except for initial monitoring required by R 325.77105a, if an employer can document that one shift will consistently have higher exposures for an operation, then the employer shall only be required to determine representative employee exposure for that operation during the shift on which the highest exposure is expected.

History: 1989 AACS; 2001 AACS; 2014 MR 15, Eff. Aug. 12, 2014.

R 325.77105a. Initial monitoring.

Rule 5a. (1) An employer who has a place of employment subject to these rules shall monitor each workplace and work operation to accurately determine the airborne concentrations of benzene to which employees may be exposed.

(2) The employer shall complete the initial monitoring within 30 days of the introduction of benzene into the workplace.

History: 2014 MR 15, Eff. Aug. 12, 2014.

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R 325.77105b. Periodic monitoring and monitoring frequency.

Rule 5b.(1) If the monitoring required by R 325.77105a reveals employee exposure at or above the action level, but at or below the TWA, then the employer shall repeat representative full-shift personal monitoring for each such employee at least every year.

(2) If the monitoring required by R 325.77105a reveals employee exposure above the TWA, then the employer shall repeat the monitoring for each such employee at least every 6 months.

(3) An employer may alter the monitoring schedule from every 6 months to annually for an employee for whom 2 consecutive measurements, taken not less than 7 days apart, indicate that the employee exposure has decreased to the TWA or below, but is at or above the action level.

(4) An employer shall repeat monitoring for the STEL as necessary to evaluate exposures of employees subject to short-term exposures.

History: 2014 MR 15, Eff. Aug. 12, 2014.

R 325.77105c. Termination of monitoring.

Rule 5c. (1) If the initial monitoring required by R 325.77105a reveals employee exposure to be below the action level, then an employer may discontinue the monitoring for that employee, except as otherwise required by R 325.77105d.

(2) If the periodic monitoring required by R 325.77105b reveals that employee exposures, as indicated by not less than 2 consecutive measurements, taken not less than 7 days apart, are below the action level, then an employer may discontinue the monitoring for that employee, except as otherwise required by R 325.77105d.

History: 2014 MR 15, Eff. Aug. 12, 2014.

R 325.77105d. Additional monitoring.

Rule 5d. (1) An employer shall institute the exposure monitoring required by R 325.77105a and R 325.77105b when there has been a change in the production, process, control equipment, personnel, or work practices which may result in new or additional exposures to benzene or when the employer has any reason to suspect a change which may result in new or additional exposures.

(2) If spills, leaks, ruptures, or other breakdowns that may lead to employee exposure occur, then an employer shall monitor, using area or personal sampling, after the cleanup of the spill or repair of the leak, rupture, or other breakdown to ensure that exposures have returned to the level that existed before the incident.

History: 2014 MR 15, Eff. Aug. 12, 2014.

R 325.77105e. Accuracy of monitoring.

Rule 5e. Monitoring shall be accurate, to a confidence level of 95%, to within plus or minus 25% for airborne concentrations of benzene.

History: 2014 MR 15, Eff. Aug. 12, 2014.

R 325.77105f. Notification of monitoring.

Rule 5f. (1) An employer shall, within 15 working days after the receipt of the results of any monitoring performed under these rules, notify each affected employee of monitoring results, either individually in writing or by posting the results in an appropriate location that is accessible to employees.

(2) If the PELs are exceeded, then the written notification required by this rule shall contain the corrective action being taken by the employer to reduce the employee exposure to or below the PELs or shall refer to a document which is available to the employee and which states the corrective actions to be taken.

History: 2014 MR 15, Eff. Aug. 12, 2014.

METHODS OF COMPLIANCE

R 325.77106. Engineering controls and work practices.

Rule 6. (1) An employer shall institute engineering controls and work practices to reduce and maintain employee exposure to benzene at or below the permissible exposure limits, except to the extent that the employer can establish that these controls are not feasible or where the provisions of subrule (3) of this rule or R 325.77107(1) apply.

(2) Where the feasible engineering controls and work practices that can be instituted are not sufficient to reduce employee exposure to or below the PELs, an employer shall use the controls and practices to reduce employee exposure to the lowest levels that can be achieved by such use and shall supplement the controls and practices with the use of respiratory protection which complies with the requirements of R 325.77107.

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(3) Where an employer can document that benzene is used in a workplace less than a total of 30 days per year, the employer shall use engineering controls, work practice controls, respiratory protection, or any combination of these controls to reduce employee exposure to benzene to or below the PELs, except that an employer shall use engineering and work practice controls, if feasible, to reduce exposure to or below 10 ppm as an 8-hour TWA.

History: 1989 AACs; 2014 MR 15, Eff. Aug. 12, 2014.

R 325.77106a. Compliance program.

Rule 6a. (1) When any exposures are above the PELs, an employer shall establish and implement a written program to reduce employee exposure to or below the PELs primarily by means of engineering and work practice controls, as required by the provisions of R 325.77106.

(2) The written program shall include a schedule for development and implementation of the engineering and work practice controls. These plans shall be reviewed and revised, as appropriate, based on the most recent exposure monitoring data, to reflect the current status of the program.

(3) Upon request, an employer shall furnish written compliance programs to the director, affected employees, and designated employee representatives for examination and copying.

History: 2014 MR 15, Eff. Aug. 12, 2014.

R 325.77107. Respiratory protection.

Rule 7. (1) For employees who use respirators required by these rules, the employer shall provide each employee an appropriate respirator that complies with the requirements of these rules. An employer shall ensure that an employee uses a respirator during all of the following:

(a) Periods necessary to install or implement feasible engineering and work-practice controls.

(b) Work operations for which the employer establishes that compliance with either the TWA or STEL through the use of engineering and work-practice controls is not feasible; for example, some maintenance and repair activities, vessel cleaning, or other operations for which engineering and work-practice controls are not feasible because exposures are intermittent and limited in duration.

(c) Work operations for which feasible engineering and work-practice controls are not yet sufficient, or are not required under R 325.77106(3), to reduce employee exposure to or below the PELs.

(d) Emergencies.

(2) An employer shall implement a respiratory protection program in accordance with Occupational Health Standard Part 451 "Respiratory Protection," 29 C.F.R. §1910.134 (b) to (d), (except for (d)(1)(iii), (d)(3)(iii)(b)(1), and (2)) and (f) to (m), as referenced in R 325.77101a, which covers each employee required by this rule to use a respirator. Both of the following apply:

(a) For air-purifying respirators, the employer shall replace the air-purifying element at the expiration of its service life or at the beginning of each shift in which such elements are used, whichever comes first.

(b) If NIOSH approves an air-purifying element with an end-of-service-life indicator for benzene, then the element may be used until the indicator shows no further useful life.

(3) An employer shall do all of the following:

(a) Select, and provide to employees, the appropriate respirators specified in paragraph (d)(3)(i)(A) of Occupational Health Standard Part 451 "Respiratory Protection," as referenced in R 325.77101a.

(b) Provide employees with any organic vapor gas mask or any self-contained breathing apparatus with a full facepiece to use for escape.

(c) Use an organic vapor cartridge or canister with powered and non-powered air-purifying respirators, and a chin-style canister with full facepiece gas masks.

(d) Ensure that canisters used with non-powered air-purifying respirators have a minimum service life of 4 hours when tested at 150 ppm benzene at a flow rate of 64 liters per minute (LPM), a temperature of 25 [deg]C, and a relative humidity of 85%; for canisters used with tight-fitting or loose-fitting powered air-purifying respirators, the flow rates for testing must be 115 LPM and 170 LPM, respectively.

(4) An employer shall allow an employee who cannot use a negative-pressure respirator to use a respirator with less breathing resistance, such as a powered air-purifying respirator or supplied-air respirator.

History: 1989 AACs; 2001 AACs; 2014 MR 15, Eff. Aug. 12, 2014.

R 325.77108. Protective clothing and equipment.

Rule 8. (1) Personal protective clothing and equipment shall be worn in accordance with Occupational Health Standard Part 433 "Personal Protective Equipment," as referenced in R 325.77101a.

(2) An employer shall provide protective clothing and equipment at no cost to the employee and the employer shall

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ensure its use where appropriate.

(3) Eye and face protection shall meet the requirements of General Industry Safety Standard Part 33 "Personal Protective Equipment," as referenced in R 325.77101a.

History: 1989 AACS; 2001 AACS; 2014 MR 15, Eff. Aug. 12, 2014.

MEDICAL SURVEILLANCE

R 325.77109. Medical surveillance, generally.

Rule 9. (1) An employer shall make a medical surveillance program available to all of the following persons:

- (a) Employees who are or may be exposed to benzene at or above the action level 30 or more days per year.
- (b) Employees who are exposed to benzene at or above the PELs 10 or more days per year.
- (c) Employees who are involved in tire-building operations, known as tire-building machine operators, and who use solvents that contain more than 0.1% benzene.

(2) An employer shall ensure that all medical examinations and procedures are performed by or under the supervision of a licensed physician and that all laboratory tests are conducted by an accredited laboratory.

(3) An employer shall ensure that persons other than licensed physicians who administer the pulmonary function testing required by this rule complete a training course in spirometry sponsored by an appropriate governmental, academic, or professional institution.

(4) An employer shall ensure that all examinations and procedures are provided without cost to the employee and at a reasonable time and place.

History: 1989 AACS; 2001 AACS; 2014 MR 15, Eff. Aug. 12, 2014.

R 325.77109a. Initial examination

Rule 9a. Before the time of initial assignment, an employer shall provide a medical examination for each employee covered by the provisions of this rule. The examination shall include all of the following:

- (a) A detailed occupational history, including all of the following:
 - (i) Past work exposure to benzene or any other hematological toxins.
 - (ii) A family history of blood dyscrasias, including hematological neoplasms.
 - (iii) A history of blood dyscrasias, including genetic hemoglobin abnormalities, bleeding abnormalities, and abnormal function of formed blood elements.
 - (iv) A history of renal or liver dysfunction.
 - (v) A history of medicinal drugs routinely taken.
 - (vi) A history of previous exposure to ionizing radiation.
 - (vii) Exposure to marrow toxins outside of the current work situation.
- (b) A complete physical examination.
- (c) A complete blood count, including all of the following:
 - (i) A leukocyte count with differential.
 - (ii) A quantitative thrombocyte count.
 - (iii) Hematocrit.
 - (iv) Hemoglobin.
- (v) Erythrocyte count and erythrocyte indices (MCV, MCH, MCHC). The results of these tests shall be reviewed by the examining physician.
- (d) Additional tests that the examining physician deems necessary due to alterations to the components of the blood or other signs which may be related to benzene exposure.
- (e) For all workers who are required to wear respirators for not less than 30 days a year, the physical examination shall pay special attention to the cardiopulmonary system and shall include a pulmonary function test.

History: 2014 MR 15, Eff. Aug. 12, 2014.

R 325.77109b. Periodic examinations.

Rule 9b. (1) An employer shall provide each employee who is subject to R 325.77109 with an annual medical examination. An annual examination shall include, at a minimum, all of the following elements:

- (a) A brief history regarding any new exposure to potential marrow toxins, changes in medicinal drug use, or the appearance of physical signs relating to blood disorders.
- (b) A complete blood count, including all of the following:
 - (i) A leukocyte count with differential.
 - (ii) A quantitative thrombocyte count.

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(iii) Hemoglobin.

(iv) Hematocrit.

(v) Erythrocyte count and erythrocyte indices (MCV, MCH, MCHC).

(c) Appropriate additional tests that the examining physician deems necessary due to alterations in the components of the blood or other signs which may be related to benzene exposure.

(2) If an employee develops signs and symptoms commonly associated with toxic exposure to benzene, then an employer shall provide the employee with an additional medical examination that shall include the elements considered appropriate by the examining physician.

(3) For employees who are required to use respirators for not less than 30 days a year, a pulmonary function test shall be performed every 3 years. A specific evaluation of the cardiopulmonary system shall be made at the time of the pulmonary function test.

History: 2014 MR 15, Eff. Aug. 12, 2014.

R 325.77109c. Emergency examinations.

Rule 9c. If an employee is exposed to benzene in an emergency situation, then, in addition to the surveillance required by these rules, the employer shall ensure the employee has urinary phenol testing as follows:

(a) A urine sample shall be collected at the end of the employee's shift and tested within 72 hours of collection. The urine sample specific gravity shall be corrected to 1.024.

(b) If the results of the urinary phenol test is below 75 mg phenol/L of urine, then further testing is not required.

(c) If the results of the urinary phenol test is equal to or more than 75 mg phenol/L of urine, then the employee shall have an initial complete blood count to be repeated every month for 3 months, which shall include all of the following:

(i) Erythrocyte count.

(ii) Leukocyte count with differential.

(iii) Thrombocyte count.

(d) If any of the conditions specified in R 325.77109d exist, then the employer shall ensure that the requirements of R 325.77109d are met and provide the employee with periodic examinations if directed by the physician.

History: 2014 MR 15, Eff. Aug. 12, 2014.

R 325.77109d. Additional examinations and referrals.

Rule 9d. (a) If the results of the complete blood count required for the initial and periodic examinations indicate that any of the following abnormal conditions exist, then the employer shall ensure that the blood count is repeated within 2 weeks:

(i) The hemoglobin level or the hematocrit falls below the normal limit, that is, outside the 95% confidence interval (C.I.), as determined by the laboratory for the particular geographic area or these indices show a persistent downward trend from the individual's preexposure norms and these findings cannot be explained by other medical reasons.

(ii) The thrombocyte (platelet) count varies more than 20% below the employee's most recent values or falls outside the normal limit (95% C.I.) as determined by the laboratory.

(iii) The leukocyte count is below 4,000 per mm³ or there is an abnormal differential count.

(b) If the abnormality persists, then the employer shall ensure that the examining physician refers an employee to a hematologist or an internal medicine physician (internist) for further evaluation, unless the physician has good reason to believe the referral is unnecessary. (See Appendix C for examples of conditions where a referral may be unnecessary.)

(c) An employer shall provide the hematologist or internist with all the information required under R 325.77109e and the medical record required to be maintained according to R 325.77111a.

(d) An employer shall ensure that the hematologist's or internist's evaluation includes a determination as to the need for additional tests, and an employer shall ensure that the needed tests are provided.

History: 2014 MR 15, Eff. Aug. 12, 2014.

R 325.77109e. Information provided to physician.

Rule 9e. An employer shall provide all of the following information to the examining physician:

(a) A copy of these rules and adopted appendices.

(b) A description of the affected employee's duties as they relate to the employee's exposure.

(c) The employee's actual or representative exposure level.

(d) A description of any personal protective equipment used or to be used.

(e) Information from previous employment-related medical examinations of the affected employee that is not otherwise available to the examining physician.

History: 2014 MR 15, Eff. Aug. 12, 2014.

R 325.77109f. Physician's written opinions.

Rule 9f. (1) For each examination under this rule, an employer shall obtain, and provide an employee with, a copy of the examining physician's written opinion within 15 days of the examination. The written opinion shall be limited to the following information:

- (a) The occupationally pertinent results of the medical examination and tests.
 - (b) The physician's opinion concerning whether the employee has any detected medical conditions that would place an employee's health at greater than normal risk of material impairment from exposure to benzene.
 - (c) The physician's recommended limitations upon an employee's exposure to benzene or upon an employee's use of protective clothing or equipment and respirators.
 - (d) A statement that an employee has been informed by a physician of the results of the medical examination and any medical conditions resulting from benzene exposure that require further explanation or treatment.
- (2) The written opinion obtained by an employer shall not reveal specific records, findings, and diagnoses that have no bearing on the employee's ability to work in a benzene-exposed workplace.

History: 2014 MR 15, Eff. Aug. 12, 2014.

R 325.77109g. Medical removal plan.

Rule 9g. (1) If a physician makes a referral to a hematologist or internist under R 325.77109d, then an employee shall be removed from areas where exposures may exceed the action level until the physician makes a determination under subrule (2) of this rule.

(2) Following the examination and evaluation by a hematologist or internist, a decision to remove an employee from areas where benzene exposure is above the action level or to allow the employee to return to areas where benzene exposure is above the action level shall be made by the physician in consultation with a hematologist or internist. The physician shall communicate the decision, in writing, to the employer and employee. In the case of removal, the physician shall state the required probable duration of removal from occupational exposure to benzene above the action level and the requirements for future medical examinations to review the decision.

(3) If an employee is removed under subrule (2) of this rule, then an employer shall provide a follow-up examination. The physician, in consultation with a hematologist or internist, shall make a decision, within 6 months of the date an employee was removed, as to whether the employee may be returned to his or her usual job or whether the employee should be removed permanently.

(4) If an employee is temporarily removed from benzene exposure under subrule (1) or (2) of this rule, then an employer shall transfer the employee to a comparable job for which the employee is qualified or which the employee can be trained for in a short period and where benzene exposures are as low as possible, but not higher than the action level. An employer shall maintain the employee's current wage rate, seniority, and other benefits. If no such job is available, then an employer shall provide medical removal protection benefits until a job becomes available or for 6 months, whichever comes first.

(5) If an employee is removed permanently from benzene exposure based on a physician's recommendation under subrule (3) of this rule, then an employee shall be given the opportunity to transfer to another position which is available or later becomes available for which the employee is qualified or which the employee can be trained for in a short period and where benzene exposures are as low as possible, but not higher than the action level. An employer shall ensure that the employee does not suffer a reduction in current wage rate, seniority, or other benefits as a result of the transfer.

History: 2014 MR 15, Eff. Aug. 12, 2014.

R 325.77109h. Medical removal protection benefits.

Rule 9h. (1) An employer shall provide to an employee 6 months of medical removal protection benefits immediately following each occasion that an employee is removed from exposure to benzene because of hematological findings under R 325.77109g (1) or (2), unless the employee has been transferred to a comparable job where benzene exposures are below the action level.

(2) For purposes of this rule, the requirement that an employer provide medical removal protection benefits means that the employer shall maintain the current wage rate, seniority, and other benefits of an employee as though the employee had not been removed.

(3) An employer's obligation to provide medical removal protection benefits to a removed employee shall be reduced to the extent that the employee receives compensation for earnings lost during the period of removal either from a publicly or employer-funded compensation program or from employment with another employer made possible by virtue of the employee's removal.

History: 2014 MR 15, Eff. Aug. 12, 2014.

R 325.77110 Rescinded.

History: 1989 AACs; 2001 AACs; : 2014 MR 15, Eff. Aug. 12, 2014.

COMMUNICATION OF HAZARDS

R 325.77110a. Hazard communication, generally.

Rule 10a. (1) Chemical manufacturers, importers, distributors and employers shall comply with all requirements of the Occupational Health Standard Part 430 "Hazard Communication," as referenced in R 325.77101a.

(2) In classifying the hazards of benzene a minimum of the following hazard classifications shall be addressed:

- (a) Cancer.
- (b) Central nervous system effects.
- (c) Blood effects.
- (d) Aspiration.
- (e) Skin, eye, and respiratory tract irritation.
- (f) Flammability.

(3) An employer shall include benzene in the hazard communication program established to comply with the Occupational Health Standard Part 430 "Hazard Communication," as referenced in R 325.77101a. An employer shall ensure that each employee has access to labels on containers of benzene and to safety data sheets, and is trained in accordance with the requirements of R 325.77110(c) and Occupational Health Standard Part 430 "Hazard Communication," as referenced in R 325.77101a.

History: 2014 MR15, Eff. Aug. 12, 2014.

R 325.77110b. Warning signs and labels.

Rule 10b. (1) An employer shall post signs at entrances to regulated areas. The signs shall bear the following legend:

DANGER BENZENE MAY CAUSE CANCER HIGHLY FLAMMABLE LIQUID AND VAPOR DO NOT SMOKE WEAR RESPIRATORY PROTECTION IN THIS AREA AUTHORIZED PERSONNEL ONLY

(2) Prior to June 1, 2016, an employer may use the following legend instead of that specified in subrule (1) of this rule:

DANGER BENZENE CANCER HAZARD FLAMMABLE - NO SMOKING AUTHORIZED PERSONNEL ONLY RESPIRATOR REQUIRED
--

(3) An employer shall ensure that labels or other appropriate forms of warning are provided for containers of benzene within the workplace. The labels shall comply with the requirements of R 325.77110a, Occupational Health Standard Part 430 "Hazard Communication," section (f), as referenced in R 325.77101a, and in sections 14a to 14m of the act.

(4) Prior to June 1, 2015, an employer shall include the following legend or similar language on the labels or other appropriate forms of warning:

DANGER CONTAINS BENZENE CANCER HAZARD

History: 2014 MR 15, Eff. Aug. 12, 2014.

R 325.77110c. Information and training.

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Rule 10c. (1) An employer shall provide employees with information and training at the time of their initial assignment to a work area where benzene is present. If exposures are above the action level, then employees shall be provided with information and training at least annually thereafter.

(2) The training program shall comply with the requirements of Occupational Health Standard Part 430 "Hazard Communication," Sections (h)(1) and (2), as referenced in R 325.77101a, and shall include specific information on benzene for each category of information included in sections 14a to 14m of the act.

(3) In addition to the information required, pursuant to the requirements of Occupational Health Standard Part 430 "Hazard Communication," as referenced in R 325.77101a, the employer shall do both of the following:

(a) Provide employees with an explanation of the contents of this rule, including Appendices A and B, which are adopted in R 325.77101a, and indicate to employees where copies of these rules are available.

(b) Describe the medical surveillance program required under R 325.77109 and explain the information contained in Appendix C, which is adopted in R 325.77101a.

History: 2014 MR 15, Eff. Aug. 12, 2014.

RECORDKEEPING

R 325.77111. Exposure measurements.

Rule 11. (1) An employer shall establish and maintain an accurate record of all measurements required by R 325.77105 to R 325.77105f in accordance with the provisions of the Occupational Health Standard Part 470 "Employee Medical Records and Trade Secrets," as referenced in R 325.77101a.

(2) The record shall include all of the following information:

(a) The dates, number, duration, and results of each of the samples taken, including a description of the procedure used to determine representative employee exposures.

(b) A description of the sampling and analytical methods used.

(c) A description of the type of respiratory protective devices worn, if any.

(d) The name, social security number, job classification, and exposure levels of the employee monitored and all other employees whose exposures the measurement is intended to represent.

(3) An employer shall maintain the record for not less than 30 years and in accordance with Occupational Health Standard Part 470 "Employee Medical Records and Trade Secrets," as referenced in R 325.77101a.

History: 1989 AACS; 2001 AACS; 2014 MR 15, Eff. Aug. 12, 2014.

R 325.77111a. Medical surveillance.

Rule 11a. (1) An employer shall establish and maintain an accurate record for each employee who is subject to medical surveillance required by the provisions of "Medical Surveillance" R 325.77109 to R 325.77109h. The record shall be maintained in accordance with Occupational Health Standard Part 470 "Employee Medical Records and Trade Secrets," as referenced in R 325.77101a.

(2) The record shall include all of the following information:

(a) The name and social security number of the employee.

(b) The employer's copy of the physician's written opinion on the initial, annual, and special examinations, including results of medical examinations and all tests, opinions, and recommendations.

(c) Any employee medical complaints related to exposure to benzene.

(d) A copy of the information provided to the physician as required by R 325.77109e.

(e) A copy of the employee's medical and work history related to exposure to benzene or any other hematologic toxins.

(3) An employer shall maintain the record for not less than the duration of employment plus 30 years. The record shall be maintained in accordance with Occupational Health Standard Part 470 "Employee Medical Records and Trade Secrets," as referenced in R 325.77101a.

History: 2014 MR 15, Eff. Aug. 12, 2014.

R 325.77111b. Records availability and transfer.

Rule 11b. (1) An employer shall ensure that all records required to be maintained by this rule are made available, upon request, to the director for examination and copying.

(2) Employee exposure monitoring records required by this rule shall be provided, upon request, for examination and copying to employees, employee representatives, and the director in accordance with Occupational Health Standard Part 470 "Employee Medical Records and Trade Secrets," as referenced in R 325.77101a.

(3) Employee medical records required by this rule shall be provided, upon request, for examination and copying to the subject employee, to anyone having the specific written consent of the subject employee, and to the director in accordance with Occupational Health Standard Part 470 "Employee Medical Records and Trade Secrets," as referenced

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in R 325.77101a.

(4) An employer shall comply with the requirements involving the transfer of records in Occupational Health Standard Part 470 "Employee Medical Records and Trade Secrets," as referenced in R 325.77101a.

R 325.77112. Observation of monitoring.

Rule 12. (1) An employer shall provide affected employees or their designated representatives an opportunity to observe the measuring of monitoring of employee exposure to benzene conducted under R 325.77105 to R 325.77105f.

(2) When observation of the measuring or monitoring of employee exposure to benzene requires entry into areas where the use of protective clothing and equipment or respirators is required, an employer shall provide the observer with personal protective clothing and equipment or respirators required to be worn by employees working in the area, ensure the use of such clothing and equipment or respirators, and require the observer to comply with all other applicable safety and health procedures.

History: 2014 MR 15, Eff. Aug. 12, 2014.

R 325.77112. Observation of monitoring.

Rule 12. (1) An employer shall provide affected employees or their designated representatives an opportunity to observe the measuring of monitoring of employee exposure to benzene conducted under R 325.77105 to R 325.77105f.

(2) When observation of the measuring or monitoring of employee exposure to benzene requires entry into areas where the use of protective clothing and equipment or respirators is required, an employer shall provide the observer with personal protective clothing and equipment or respirators required to be worn by employees working in the area, ensure the use of such clothing and equipment or respirators, and require the observer to comply with all other applicable safety and health procedures.

History: 1989 AACS; 2014 MR 15, Eff. Aug. 12, 2014.

R 325.77113 Rescinded.

History: 1989 AACS; 2001 AACS; 2014 MR 15, Eff. Aug. 12, 2014.

R 325.77114 Rescinded.

History: 1989 AACS; 2001 AACS; 2014 MR 15, Eff. Aug. 12, 2014.

R 325.77115 Rescinded.

History: 1989 AACS; 2001 AACS; 2014 MR 15, Eff. Aug. 12, 2014.

DEPARTMENT OF COMMUNITY HEALTH
HEALTH LEGISLATION AND POLICY DEVELOPMENT
LEAD HAZARD CONTROL
PART 1. GENERAL PROVISIONS

R 325.99101

Source: 2005 AACS.

R 325.99102

Source: 2007 AACS.

R 325.99103

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Source: 2007 AACS.

R 325.99104

Source: 2007 AACS.

PART 2. TRAINING PROGRAMS

R 325.99201

Source: 2005 AACS.

R 325.99202

Source: 2005 AACS.

R 325.99203

Source: 2005 AACS.

R 325.99204

Source: 2005 AACS.

R 325.99205

Source: 2005 AACS.

R 325.99206

Source: 2005 AACS.

R 325.99207

Source: 2005 AACS.

R 325.99208

Source: 2005 AACS.

R 325.99209

Source: 2005 AACS.

R 325.99210

Source: 2005 AACS.

R 325.99211

Source: 2005 AACS.

R 325.99212

Source: 2005 AACS.

R 325.99213

Source: 2005 AACS.

PART 3. CERTIFIED INDIVIDUALS AND FIRMS

R 325.99301

Source: 2007 AACS.

R 325.99302

Source: 2005 AACS.

R 325.99303

Source: 2005 AACS.

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R 325.99304
Source: 2007 AACCS.

PART 4. WORK PRACTICE STANDARDS

R 325.99401
Source: 2005 AACCS.

R 325.99402
Source: 2005 AACCS.

R 325.99403
Source: 2007 AACCS.

R 325.99404
Source: 2007 AACCS.

R 325.99405
Source: 2005 AACCS.

R 325.99406
Source: 2007 AACCS.

R 325.99407
Source: 2005 AACCS.

R 325.99408
Source: 2007 AACCS.

R 325.99409
Source: 2007 AACCS.