Michigan Register

Issue No. 7– 2015 (Published May 1, 2015)

GRAPHIC IMAGES IN THE

MICHIGAN REGISTER

COVER DRAWING

Michigan State Capitol:

This image, with flags flying to indicate that both chambers of the legislature are in session, may have originated as an etching based on a drawing or a photograph. The artist is unknown. The drawing predates the placement of the statue of Austin T. Blair on the capitol grounds in 1898.

(Michigan State Archives)

PAGE GRAPHICS

Capitol Dome:

The architectural rendering of the Michigan State Capitol's dome is the work of Elijah E. Myers, the building's renowned architect. Myers inked the rendering on linen in late 1871 or early 1872. Myers' fine draftsmanship, the hallmark of his work, is clearly evident.

Because of their size, few architectural renderings of the 19th century have survived. Michigan is fortunate that many of Myers' designs for the Capitol were found in the building's attic in the 1950's. As part of the state's 1987 sesquicentennial celebration, they were conserved and deposited in the Michigan State Archives.

(Michigan State Archives)

East Elevation of the Michigan State Capitol:

When Myers' drawings were discovered in the 1950's, this view of the Capitol – the one most familiar to Michigan citizens – was missing. During the building's recent restoration (1989-1992), this drawing was commissioned to recreate the architect's original rendering of the east (front) elevation.

(Michigan Capitol Committee)

Michigan Register

Published pursuant to § 24.208 of
The Michigan Compiled Laws

Issue No. 7— 2015
(This issue, published May 1, 2015, contains
documents filed from April 1, 2015 to April 15, 2015)

Compiled and Published by the
Office of Regulatory Reinvention

© 2015 by Office of Regulatory Reinvention, State of Michigan
All rights reserved.
Printed in the United States of America

Michigan Register (ISSN 0892-3124). Published twice per month, with a cumulative index, by the Office of Regulatory Reinvention, pursuant to §24.208 of the Michigan Compiled Laws. Subscription $400.00 per year, postpaid to points in the U.S. First class postage paid at Lansing, Michigan. Direct all mail concerning subscriptions to Office of Regulatory Reinvention, Romney Building – Second Floor, 611 W. Ottawa, Lansing, MI 48909

Mike Zimmer, Director, Licensing and Regulatory Affairs; **Deidre O'Berry**, Administrative Rules Specialist for Operations and Publications.

Rick Snyder, Governor

Brian Calley, Lieutenant Governor

PREFACE

PUBLICATION AND CONTENTS OF THE MICHIGAN REGISTER

The Office of Regulatory Reform publishes the *Michigan Register*.

While several statutory provisions address the publication and contents of the *Michigan Register*, two are of particular importance.

24.208 Michigan register; publication; cumulative index; contents; public subscription; fee; synopsis of proposed rule or guideline; transmitting copies to office of regulatory reform.

Sec. 8.

(1) The office of regulatory reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

(a) Executive orders and executive reorganization orders.

(b) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills signed into law by the governor during the calendar year and the corresponding public act numbers.

(c) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills vetoed by the governor during the calendar year.

(d) Proposed administrative rules.

(e) Notices of public hearings on proposed administrative rules.

(f) Administrative rules filed with the secretary of state.

(g) Emergency rules filed with the secretary of state.

(h) Notice of proposed and adopted agency guidelines.

(i) Other official information considered necessary or appropriate by the office of regulatory reform.

(j) Attorney general opinions.

(k) All of the items listed in section 7(m) after final approval by the certificate of need commission under section 22215 of the public health code, 1978 PA 368, MCL 333.22215.

(2) The office of regulatory reform shall publish a cumulative index for the Michigan register.

(3) The Michigan register shall be available for public subscription at a fee reasonably calculated to cover publication and distribution costs.

(4) If publication of an agency's proposed rule or guideline or an item described in subsection (1)(k) would be unreasonably expensive or lengthy, the office of regulatory reform may publish a brief synopsis of the proposed rule or guideline or item described in subsection (1)(k), including information on how to obtain a complete copy of the proposed rule or guideline or item described in subsection (1)(k) from the agency at no cost.

(5) An agency shall electronically transmit a copy of the proposed rules and notice of public hearing to the office of regulatory reform for publication in the Michigan register.

4.1203 Michigan register fund; creation; administration; expenditures; disposition of money received from sale of Michigan register and amounts paid by state agencies; use of fund; price of Michigan register; availability of text on internet; copyright or other proprietary interest; fee prohibited; definition.

Sec. 203.

(1) The Michigan register fund is created in the state treasury and shall be administered by the office of regulatory reform. The fund shall be expended only as provided in this section.

(2) The money received from the sale of the Michigan register, along with those amounts paid by state agencies pursuant to section 57 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.257, shall be deposited with the state treasurer and credited to the Michigan register fund.

(3) The Michigan register fund shall be used to pay the costs of preparing, printing, and distributing the Michigan register.

(4) The department of management and budget shall sell copies of the Michigan register at a price determined by the office of regulatory reform not to exceed the cost of preparation, printing, and distribution.

(5) Notwithstanding section 204, beginning January 1, 2001, the office of regulatory reform shall make the text of the Michigan register available to the public on the internet.

(6) The information described in subsection (5) that is maintained by the office of regulatory reform shall be made available in the shortest feasible time after the information is available. The information described in subsection (5) that is not maintained by the office of regulatory reform shall be made available in the shortest feasible time after it is made available to the office of regulatory reform.

(7) Subsection (5) does not alter or relinquish any copyright or other proprietary interest or entitlement of this state relating to any of the information made available under subsection (5).

(8) The office of regulatory reform shall not charge a fee for providing the Michigan register on the internet as provided in subsection (5).

(9) As used in this section, “Michigan register” means that term as defined in section 5 of the administrative procedures act of 1969, 1969 PA 306, MCL 24.205.

CITATION TO THE MICHIGAN REGISTER

The *Michigan Register* is cited by year and issue number. For example, 2001 MR 1 refers to the year of issue (2001) and the issue number (1).

CLOSING DATES AND PUBLICATION SCHEDULE

The deadlines for submitting documents to the Office of Regulatory Reinvention for publication in the *Michigan Register* are the first and fifteenth days of each calendar month, unless the submission day falls on a Saturday, Sunday, or legal holiday, in which event the deadline is extended to include the next day which is not a Saturday, Sunday, or legal holiday. Documents filed or received after 5:00 p.m. on the closing date of a filing period will appear in the succeeding issue of the *Michigan Register*.

The Office of Regulatory Reinvention is not responsible for the editing and proofreading of documents submitted for publication.

Documents submitted for publication should be delivered or mailed in an electronic format to the following address: MICHIGAN REGISTER, Office of Regulatory Reinvention, Ottawa Building – Second Floor, 611 W. Ottawa Street, Lansing, MI 48909.

RELATIONSHIP TO THE MICHIGAN ADMINISTRATIVE CODE

The *Michigan Administrative Code* (1979 edition), which contains all permanent administrative rules in effect as of December 1979, was, during the period 1980-83, updated each calendar quarter with the publication of a paperback supplement. An annual supplement contained those permanent rules, which had appeared in the 4 quarterly supplements covering that year.

Quarterly supplements to the Code were discontinued in January 1984, and replaced by the monthly publication of permanent rules and emergency rules in the *Michigan Register*. Annual supplements have included the full text of those permanent rules that appear in the twelve monthly issues of the *Register* during a given calendar year. Emergency rules published in an issue of the *Register* are noted in the annual supplement to the Code.

SUBSCRIPTIONS AND DISTRIBUTION

The *Michigan Register*, a publication of the State of Michigan, is available for public subscription at a cost of $400.00 per year. Submit subscription requests to: Office of Regulatory Reinvention, Ottawa Building – Second Floor, 611 W. Ottawa Street, Lansing, MI 48909. Checks Payable: State of Michigan. Any questions should be directed to the Office of Regulatory Reinvention (517) 335-8658.

INTERNET ACCESS

The *Michigan Register* can be viewed free of charge on the Internet web site of the Office of Regulatory Reinvention: www.michigan.gov/orr.

Issue 2000-3 and all subsequent editions of the *Michigan Register* can be viewed on the Office of Regulatory Reinvention Internet web site. The electronic version of the *Register* can be navigated using the blue highlighted links found in the Contents section. Clicking on a highlighted title will take the reader to related text, clicking on a highlighted header above the text will return the reader to the Contents section.

Mike Zimmer, Director
Licensing and Regulatory Affairs

2015 PUBLICATION SCHEDULE

Issue No.	Closing Date for Filing or Submission Of Documents (5 p.m.)	Publication Date
1	January 15, 2015	February 1, 2015
2	February 1, 2015	February 15, 2015
3	February 15, 2015	March 1, 2015
4	March 1, 2015	March 15, 2015
5	March 15, 2015	April 1, 2015
6	April 1, 2015	April 15, 2015
7	April 15, 2015	May 1, 2015
8	May 1, 2015	May 15, 2015
9	May 15, 2015	June 1, 2015
10	June 1, 2015	June 15, 2015
11	June 15, 2015	July 1, 2015
12	July 1, 2015	July 15, 2015
13	July 15, 2015	August 1, 2015
14	August 1, 2015	August 15, 2015
15	August 15, 2015	September 1, 2015
16	September 1, 2015	September 15, 2015
17	September 15, 2015	October 1, 2015
18	October 1, 2015	October 15, 2015
19	October 15, 2015	November 1, 2015
20	November 1, 2015	November 15, 2015
21	November 15, 2015	December 1, 2015
22	December 1, 2015	December 15, 2015
23	December 15, 2015	January 1, 2016
24	January 1, 2016	January 15, 2016

CONTENTS

ADMINISTRATIVE RULES FILED WITH SECRETARY OF STATE

Department of Licensing and Regulatory Affairs
Director's Office (2014-016)
Part 303 Methylenedianiline (MDA) OH 2-22

Department of Licensing and Regulatory Affairs
Director's Office (2014-062)
Part 18 Fire protection and Prevention CS 23-40

Department of Licensing and Regulatory Affairs
Director's Office (2014-063)
Part 27 Blasting and Use of Explosive CS 41-43

Department of Licensing and Regulatory Affairs
Director's Office (2014-068)
Part 59 Helicopters GI 44-45

Department of Licensing and Regulatory Affairs
Director's Office (2014-089)
Part 45 Fall Protection CS 46-48

Department of Licensing and Regulatory Affairs
Director's Office (2014-093)
Part 40 Safety Related Word Practices GI 49-57

Department of Licensing and Regulatory Affairs
Director's Office (2014-150)
Part 62 Plastic Molding GI 58-61

PROPOSED ADMINISTRATIVE RULES, NOTICES OF PUBLIC HEARINGS

Department of Community Health
Crime Victims Services Commission (2015-005)
Crime Victims 63-64
Public Hearing 65-65

MICHIGAN ADMINISTRATIVE CODE TABLE

Table (2015 Session) 67-77

CUMULATIVE INDEX

Cumulative Index (2015) 78-80

BILLS SIGNED INTO LAW OR VETOED

Appendix Table 1 (2015 Session) (Legislative Service Bureau Pages (1-2) 81-81

ADMINISTRATIVE RULES
FILED WITH THE SECRETARY OF STATE

MCL 24.208 states in part:

"Sec. 8. (1) The Office of Regulatory Reinvention shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(f) Administrative rules filed with the secretary of state."

ADMINISTRATIVE RULES

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

OCCUPATIONAL HEALTH STANDARDS

Filed with the Secretary of State April 7, 2015

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 14 and 24 of 1974 PA 154, MCL 408.1014 and 408.1024; and Executive Reorganization Orders Nos. 1996-1, 1996-2, 2003-1, 2008-4, and 2011-4, MCL 330.3101, 445.2001, 445.2011, 445.,2025 and 445.2030.)

R 325.50051, R 325.50052, R 325.50054, R 325.50055, R 325.50056, R 325.50057, R 325.50058, R 325.50059, R 325.50060, R 325.50061, R 325.50062, R 325.50063, R 325.50064, R 325.50065, R 325.50066, R 325.50067, R 325.50068, R 325.50069, R 325.50070, R 325.50071, and R 325.50072 of the Michigan Administrative Code are amended and R 325.50051a, R 325.50053a, R 325.50056a, R 325.50056b, R 325.50056c, R 325.50056d, R 325.50056e, R 325.50059a, R 325.50059b, R 325.50060a, R 325.50060b, R 325.50061a, R 325.50061b, R 325.50061c, R 325.50062a, R 325.50062b, R 325.50063a, R 325.50063b, R 325.50064a, R 325.50064b, R 325.50067a, R 325.50067b, R 325.50067c, R 325.50069a, R 325.50070a, R 325.50072a. R 325.50072b, R 325.50072c, R 325.50072d, R 325.50072e, R 325.50072f, and R 325.50072g are added to the Code, and R 325.50075 and R 325.50076 of the Code are rescinded, as follows:

PART 303. METHYLENEDIANILINE (MDA)

R 325.50051 Scope and application.

Rule 1. (1) These rules apply to all occupational exposures to methylenedianiline (MDA), chemical abstracts service registry no. 101-77-9, except as provided in subrules (2) to (6) of this rule. This application includes construction, alteration, repair, maintenance, and renovation activities that involve MDA. These rules also apply to the transportation, disposal, storage, containment, and spill cleanup of MDA at construction sites.

(2) Except as provided in subrule (7) of this rule and in R 325.50056c, these rules do not apply to the processing, use, and handling of products that contain MDA if initial monitoring indicates that the product is not capable of releasing MDA in excess of the action level under the expected conditions of processing, use, and handling that will cause the greatest possible release and if dermal exposure to MDA, as defined in R 325.50052(6), cannot occur.

(3) Except as provided in subrule (7) of this rule, these rules do not apply to the processing, use, and

handling of products that contain MDA if objective data are reasonably relied upon that demonstrate that the product is not capable of releasing MDA under the expected conditions of processing, use, and handling which will cause the greatest possible release and if dermal exposure to MDA cannot occur.

(4) Except for the requirements of R 325.50054 and the requirements of Occupational Health Standard Part 430 "Hazard Communication" as referenced in R 325.50051a, these rules do not apply to the storage, transportation, distribution, or sale of MDA in intact containers that are sealed in a manner that contains the MDA dusts, vapors, or liquids.

(5) Except as provided in subrule (7) of this rule, these rules do not apply to materials in any form that contain less than 0.1% MDA by weight or volume.

(6) Except as provided in subrule (7) of this rule, these rules do not apply to finished articles that contain MDA, as defined in R 325.50052(10).

(7) Where products that contain MDA are exempted pursuant to the provisions of subrules (2) to (6) of this rule, an employer shall maintain records of the initial monitoring results or objective data supporting that exemption and the basis for the employer's reliance on the data, as provided in the recordkeeping provisions of R 325.50072 to R 325.50072g.

R 325.50051a 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) Construction Safety Standard Part 18 "Fire Prevention and Prevention," R 408.41801 to R 408.41884.

(c) General Industry Safety Standard Part 6 "Fire Exits," R 408.10601 to R 408.10697.

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

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

(f) Occupational Health Standard Part 451 "Respiratory Protection," R 325.60051 to R 325.60052.

(g) Occupational Health Standard Part 470 "Employee Medical Records and Trade Secrets," R 325.3451 to R 325.3476.

(h) Occupational Health Standard Part 474 "Sanitation," Rule R 325.47401 to R 325.47425.

(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.

R 325.50052 Definitions.

Rule 2. (1) ""Act" means Michigan Occupational Safety and Health Act (MIOSHA) 1974, PA 154, MCL 408.1001 to 408.1094.

(2) "Action level" means a concentration of airborne MDA of 5 parts MDA per billion parts of air (5 ppb) as an 8-hour, time-weighted average.

(3) "Authorized person" means any person who is specifically authorized by an employer to enter a regulated area, or any 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 described in

R 325.50073 or any other person who is authorized by the act or the administrative rules issued under the act.

(4) "Container" means any of the following, but does not include a pipe or piping systems:

(a) A barrel.

(b) A bottle.

(c) A can.

(d) A cylinder.

(e) A drum.

(f) A reaction vessel.

(g) A storage tank.

(h) Commercial packaging.

(5) "Decontamination area" means a work area which is outside of, but as near as practical to, a regulated area, which consists of a storage area, a wash area, and a clean change area, and which is used for the decontamination of workers, materials, and equipment that are contaminated with MDA.

(6) "Dermal exposure to MDA" means any employee exposure that involves skin contact with either of the following non-airborne forms of MDA:

(a) Liquid, powdered, granular, or flaked mixtures that contain MDA in concentrations greater than 0.1% by weight or volume.

(b) Materials, other than finished articles, that contain MDA in concentrations greater than 0.1% by weight or volume.

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

(8) "Emergency" means an occurrence, such as an equipment failure, a rupture of containers, or the failure of control equipment, that results in an unexpected and potentially hazardous release of MDA.

(9) "Employee exposure" means exposure to MDA that would occur if the employees were not using respirators or protective work clothing and equipment.

(10) "Finished article containing MDA" means a manufactured item for which all of the following provisions apply:

(a) The item is formed to a specific shape or design during manufacture.

(b) The item has an end use function or functions that are dependent, in whole or part, upon the item's shape or design.

(c) If applicable, the item is an item that is fully cured by having been subjected to the conditions of time and temperature necessary to complete the desired chemical reaction.

(11) "Historical monitoring data" means monitoring data for construction work that meet all of the following conditions:

(a) The data upon which judgments are based are scientifically sound and are collected using methods that are sufficiently accurate and precise.

(b) The processes and work practices that were in use when the historical monitoring data were obtained are essentially the same as the processes and work practices to be used during the job for which initial monitoring will not be performed.

(c) The characteristics of the MDA-containing material being handled when the historical monitoring data were obtained are the same as the characteristics of the MDA-containing material on the job for which initial monitoring will not be performed.

(d) The environmental conditions that were prevailing when the historical monitoring data were obtained are the same as the environmental conditions on the job for which initial monitoring will not be performed.

(e) Other data that are relevant to the operations, materials, processing, or employee exposures covered by the exemptions from monitoring specified in R 325.50056 are substantially similar. The data shall be scientifically sound, the characteristics of the MDA-containing material shall be similar, and the environmental conditions shall be comparable.

(12) “Methylenedianiline” or “MDA” means the chemical, 4,4'-diaminodiphenylmethane, chemical abstract service registry number 101-77-9, in the form of a vapor, liquid, or solid. This definition also includes the salts of MDA.

(13) “Regulated areas” means areas in a workplace where airborne concentrations of MDA exceed, or can reasonably be expected to exceed, the permissible exposure limits or where dermal exposure to MDA can occur.

(14) “STEL” means short-term exposure limit as determined by a 15-minute sample period.

R 325.50053a Communication among employers on construction worksites.

Rule 3a. On multi-employer worksites, an employer performing work involving the application of MDA or materials containing MDA, for which establishment of 1 or more regulated areas is required, shall inform other employers on the site of the nature of the employer's work with MDA, and of the existence of, and requirements pertaining to, regulated areas.

R 325.50054 Emergency conditions; written plan; alerts.

Rule 4. (1) An employer shall develop a written plan to effectively handle emergency situations for each workplace where there is a possibility of an emergency. The plan for a construction site shall identify emergency escape routes for employees and be in place before construction operations begin. An employer shall implement appropriate portions of the plan in the event of an emergency. The emergency plan shall provide for all of the following:

(a) Plans and procedures to equip employees who are engaged in correcting emergency conditions with the appropriate personal protective equipment and clothing as required in R 325.50060 to R 325.50061c until the emergency is abated.

(b) Procedures for alerting and evacuating affected employees.

(c) Procedures for fire protection and prevention shall comply with the requirements of Construction Safety Standard Part 18 “Fire Prevention and Prevention,” and General Industry Safety Standard Part 6 “Fire Exits,” as referenced in R 325.50051a.

(2) If there is a possibility of employee exposure to MDA due to an emergency, then an employer shall develop means to promptly alert employees of the possibility of direct exposure. If an emergency occurs, an employer shall immediately evacuate affected employees who are not engaged in correcting emergency conditions. An employer shall develop and implement means for alerting other employees who may be exposed as a result of the emergency.

EXPOSURE MONITORING

R 325.50055 Exposure monitoring generally.

Rule 5. (1) Determinations of employee exposure shall be made from breathing zone air samples that are representative of each employee's exposure to airborne MDA over an 8-hour period. Determinations of employee exposure to the STEL shall be made from breathing zone air samples collected over a 15-minute sampling period.

(2) Representative employee exposure shall be determined on the basis of 1 or more samples that represent full-shift exposure for each shift, for each job classification, and in each work area where exposure to MDA may occur.

(3) If an employer can document that exposure levels are equivalent for similar operations in different work shifts, the employer shall only be required to determine representative employee exposure for that operation during 1 shift.

(4) Monitoring shall be accurate, to a 95% confidence level, to within plus or minus 25% of true value for airborne concentrations of MDA.

R 325.50056 Initial monitoring.

Rule 6. (1) Each employer who has a workplace or work operation that is subject to these rules shall perform initial monitoring to accurately determine an employee's exposure to airborne concentrations of MDA.

(2) Construction employers are not required to perform initial monitoring if either of the following provisions apply:

(a) An employer can demonstrate, using objective data, that the MDA-containing product or material being handled cannot cause exposure above the action level even under a worst-case release condition.

(b) An employer has historical monitoring data or other data which demonstrate that exposures on a particular job will be below the action level.

R 325.50056a Periodic monitoring and monitoring frequency.

Rule 6a. (1) If the monitoring required by the provisions of R 325.50056 shows an employee's exposure to be at or above the action level, but at or below the PELs, an employer shall repeat the representative monitoring for the employee at least once every 6 months.

(2) If the monitoring required by the provisions of R 325.50056 shows an employee's exposure to be above the PELs, an employer shall repeat the representative monitoring for the employee at least once every 3 months.

(3) An employer may alter the monitoring schedule from once every 3 months to once every 6 months for any employee for whom 2 consecutive measurements, taken not less than 7 days apart, indicate that the employee exposure has decreased to or below the TWA PEL, but at or above the action level.

(4) A construction employer who conducts MDA operations within a regulated area may forego periodic monitoring if all employees wear supplied-air respirators while working in the regulated area.

R 325.50056b Termination of monitoring.

Rule 6b. Both of the following provisions apply to the termination of monitoring:

(a) If the initial monitoring required by the provisions of R 325.50056 shows that an employee's exposure is below the action level, the employer may discontinue the monitoring for that employee, except as otherwise required by the provisions of R 325.50056c.

(b) If the periodic monitoring required by the provisions of R 325.50056a (1) and (2), shows that an employee's exposures, as indicated by not less than 2 consecutive measurements taken not less than 7 days apart, are below the action level, the employer may discontinue the monitoring for that employee, except as otherwise required by the provisions of R 325.50056c.

R 325.50056c Additional monitoring.

Rule 6c. An employer shall perform the exposure monitoring required by the provisions of R 325.50056 to R 325.50056a(3) when there has been a change in the production process, chemicals present, control equipment, personnel, or work practices that may result in new or additional exposures to MDA or when the employer has any reason to suspect a change that may result in new or additional exposures.

R 325.50056d Employee notification of monitoring results for general industry employers.
Rule 6d. (1) An employer shall, within 15 working days after the receipt of the results of any monitoring performed pursuant to these rules, notify each employee of these results, in writing, either individually or by posting of results in an appropriate location that is accessible to affected employees.
(2) The written notification required by subrule (1) of this rule shall contain the corrective action being taken by the employer to reduce the employee exposure to or below the PELs, wherever the PELs are exceeded.

R 325.50056e Employee notification of monitoring results for construction employers.
Rule 6e. (1) The employer shall, as soon as possible but no later than 5 working days after the receipt of the results of any monitoring performed pursuant to 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 employees.
(2) The written notification required by subrule (1) of this rule shall contain the corrective action being taken by the employer or any other protective measures which have been implemented to reduce the employee exposure to or below the PELs, wherever the PELs are exceeded.

R 325.50057 Visual monitoring.
Rule 7. An employer shall make routine inspections of employee hands, faces, and forearms that may have been exposed to MDA. Other potential dermal exposures that are reported by the employee shall be referred to the appropriate medical personnel for observation. If an employer determines that an employee has been exposed to MDA, the employer shall do all of the following:
(a) Determine the source of exposure.
(b) Implement protective measures to correct the hazard.
(c) Maintain records of the corrective actions in accordance with the provisions of R 325.50072 to R 325.50072g.

R 325.50058 Regulated areas.
Rule 8. (1) An employer shall establish a regulated area where either of the following conditions exists:
(a) Airborne concentrations of MDA exceed, or can reasonably be expected to exceed, the permissible exposure limits.
(b) Employees are subject to dermal exposure to MDA.
(2) Regulated areas shall be demarcated from the rest of the workplace in a manner that minimizes the number of persons that might be exposed.
(3) Access to regulated areas shall be limited to authorized persons.
(4) Each person who enters a regulated area shall be supplied with, and required to use, the appropriate personal protective clothing and equipment in accordance with the provisions of R 325.50060 to R 325.50061c.
(5) An employer shall ensure that employees do not eat, drink, smoke, chew tobacco or gum, or apply cosmetics in a regulated area.

METHODS OF COMPLIANCE

R 325.50059 Engineering controls and work practices for general industry employers.
Rule 9. (1) An employer shall institute engineering controls and work practices to reduce and maintain employee exposure to MDA 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 (2) of this

rule or R 325.50060 apply.

(2) If 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 achievable by the controls and practices and shall supplement them by the use of respiratory protection devices that are in compliance with the requirements of R 325.50060 to R 325.50060b.

R 325.50059a Engineering controls and work practices and respirators for construction employers.

Rule 9a. (1) An employer shall use 1 or any combination of the following control methods to achieve compliance with the permissible exposure limits as prescribed in R 325.50053:

(a) Local exhaust ventilation equipped with HEPA filter dust collection systems.

(b) General ventilation systems.

(c) Use of work practices.

(d) Other engineering controls such as isolation and enclosure that the director can show to be feasible.

(2) If 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 achievable by the controls and practices and shall supplement them by the use of respiratory protection devices that are in compliance with the requirements of R 325.50060 to R 325.50060b.

(3) Both respiratory protection and feasible engineering and work practice controls shall be used to reduce worker exposure to or below the PEL when workers are engaged in the spray application of MDA materials.

(4) Compressed air shall not be used to remove MDA material unless it is used in conjunction with an enclosed ventilation system that is designed to capture the dust cloud.

R 325.50059b Compliance program.

Rule 9b. (1) An employer shall establish and implement a written compliance program to reduce employee exposure to or below the PELs by means of engineering and work practice controls, as required by R 325.50059 and R 325.50059a, and through the use of respiratory protection where permitted by these rules. The program shall include a schedule for periodic maintenance, such as leak detection, and shall include a written plan for emergency situations as specified in the provisions of R 325.50054.

(2) Upon request, the written program shall be furnished, for examination and copying, to the director, affected employees, and designated employee representatives. An employer shall review and, as necessary, update the written program at least once every 12 months to make certain the program reflects the current status of compliance activities.

(3) An employer shall not use employee rotation as a means of complying with the PELs specified in R 325.50053.

RESPIRATORY PROTECTION

R 325.50060 Respiratory protection.

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

(a) Periods necessary to install or implement feasible engineering and work practice controls.

(b) Work operations for which an employer establishes that engineering and work practice controls are

not feasible, such as maintenance and repair activities and spray-application processes
(c) Work operations for which feasible engineering and work practice controls are not yet sufficient to reduce exposure to or below the PEL.
(d) Emergencies.

R 325.50060a *Respirator program*.
Rule 10a. An employer shall implement a respiratory protection program in accordance with Occupational Health Standard Part 451 "Respiratory Protection," as referenced in R 325.50051a, which covers each employee required by these rules to use a respirator.

R 325.50060b *Respirator selection.*
Rule 10b. (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," specified in paragraph (d)(3)(i)(A) of 29 CFR 1910.134. as referenced in R 325.50051a,
(b) Provide HEPA filters for powered and non-powered air-purifying respirators.
(c) For escape, provide employees with 1 of the following respirator options:
(i) Any self-contained breathing apparatus with a full facepiece.
(ii) Hood operated in the positive-pressure.
(iii) Continuous-flow mode, or a full facepiece air-purifying respirator.
(d) Provide a combination HEPA filter and organic vapor canister or cartridge with air-purifying respirators when MDA is in liquid form or used as part of a process requiring heat.
(2) An employer shall give an employee who cannot use a negative-pressure respirator the option of using a positive-pressure respirator, or a supplied-air respirator operated in the continuous-flow or pressure-demand mode.

PROTECTIVE WORK CLOTHING AND EQUIPMENT

R 325.50061 Protective work clothing and equipment use.
Rule 11. (1) An employer shall provide, at no cost to the employee, and ensure that the employee uses, appropriate protective work clothing and equipment, such as any of the following:
(a) Aprons, coveralls, or other full-body work clothing.
(b) Gloves, head covers, and foot covers.
(c) Face shields and chemical goggles.
(d) Other appropriate protective equipment that is in compliance with the provisions of General Industry Safety Standard Part 33 "Personal Protective Equipment," and Construction Safety Standard Part 6 "Personal Protective Equipment," as referenced in R 325.50051a.
(2) An employer shall provide the appropriate protective work clothing and equipment listed in subrule (1) of this rule if any of the following conditions are present:
(a) The airborne concentration of MDA exceeds the PELs.
(b) An employee is subject to dermal exposure to MDA.
(c) Liquids that contain MDA can be splashed or sprayed into an employee's eyes.

R 325.50061a Removal and storage of protective work clothing and equipment.
Rule 11a. All of the following provisions pertain to the removal and storage of protective work clothing and equipment:
(a) At the end of an employee's work shift, an employer shall ensure that the employee removes MDA-

contaminated protective work clothing and equipment, which is not routinely removed throughout the day, in change rooms that are provided in accordance with the provisions of R 325.50062 to R 325.50063b.

(b) An employer shall ensure that an employee, during his or her workshift, removes all other MDA-contaminated protective work clothing or equipment before leaving a regulated area.

(c) An employer shall ensure that an employee does not take MDA-contaminated work clothing or equipment out of the change room, except for an employee who is authorized to do so for the purpose of laundering, maintenance, or disposal.

(d) MDA-contaminated work clothing or equipment shall be placed and stored in closed containers that prevent the dispersion of MDA outside the container.

(e) Containers of MDA-contaminated protective work clothing or equipment that are to be taken out of change rooms or the workplace for cleaning, maintenance, or disposal shall bear labels that warn of the hazards of MDA.

R 325.50061b Cleaning and replacing protective work clothing and equipment.

Rule 11b. All of the following provisions pertain to cleaning and replacing protective work clothing and equipment:

(a) An employer shall provide employees with clean protective work clothing and equipment. An employer shall ensure that protective work clothing or equipment that is required by this rule is cleaned, laundered, repaired, or replaced at intervals appropriate to maintain its effectiveness.

(b) An employer shall prohibit the removal of MDA from protective work clothing or equipment by blowing, shaking, or any method that allows MDA to reenter the workplace.

(c) An employer shall ensure that laundering of MDA-contaminated clothing is done in a manner that prevents the release of MDA in the workplace.

(d) An employer who gives MDA-contaminated clothing to another person for laundering shall inform the person of the requirements that will prevent the release of MDA.

(e) An employer shall inform any person who launders or cleans protective clothing or equipment that is contaminated with MDA of the potentially harmful effects of exposure to MDA.

(f) MDA-contaminated clothing shall be transported in properly labeled, sealed, impermeable bags or containers.

R 325.50061c Visual examination for construction employers.

Rule 11c. (1) An employer shall ensure that employees' work clothing is examined periodically for rips or tears that may occur during performance of work.

(2) When rips or tears are detected, the protective equipment or clothing shall be repaired and replaced immediately.

HYGIENE FACILITIES AND PRACTICES

R 325.50062 Change rooms for general industry.

Rule 12. (1) This rule establishes hygiene facilities and practice requirements that are applicable to all general industry employers.

(2) An employer shall provide clean change rooms for employees who must wear protective clothing or who must use protective equipment because of their exposure to MDA.

(3) Change rooms shall be equipped with separate storage for protective clothing and equipment and for street clothes and the separate storage shall prevent MDA contamination of street clothes.

R 325.50062a Showers for general industry.

Rule 12a. (1) An employer shall ensure that employees shower at the end of a workshift if the employees work in areas where there is the potential for exposure above the action level that results from airborne MDA particulates or vapors.

(2) All of the following provisions pertain to showers and hygiene practices:

(a) Shower facilities that are required by this subrule shall be in compliance with the provisions of Occupational Health Standard Part 474 "Sanitation," as referenced in R 325.50051a.

(b) An employer shall ensure that employees who are required to shower pursuant to the provisions of this subrule do not leave the workplace wearing any protective clothing or equipment worn during the workshift.

(c) Where dermal exposure to MDA occurs, an employer shall ensure that materials that are spilled or deposited on the skin are removed as soon as possible by methods that do not facilitate the dermal absorption of MDA.

R 325.50062b Lunch facilities for general industry.

Rule 12b. (1) If food or beverages are consumed at the worksite and employees are exposed to MDA at or above the PEL or are subject to dermal exposure to MDA, an employer shall provide a readily accessible lunch area.

(2) Lunch areas which are located within the workplace and in which there is the potential for airborne exposure to MDA at or above the PEL shall have a positive-pressure, temperature-controlled, filtered air supply.

(3) Lunch areas shall not be located in areas within the workplace where the potential for dermal exposure to MDA exists.

(4) An employer shall ensure that employees who have been subjected to dermal exposure to MDA or who have been exposed to MDA above the PEL wash their hands and faces with soap and water before eating, drinking, smoking, or applying cosmetics.

(5) An employer shall ensure that employees who are exposed to MDA do not enter lunch facilities with MDA-contaminated protective work clothing or equipment.

R 325.50063 Hygiene facilities and practices for construction industry.

Rule 13. (1) This rule applies to the construction industry only.

(2) An employer shall comply with either of the following provisions:

(a) An employer shall provide decontamination areas for employees who are required to work in regulated areas or who are required to wear protective clothing pursuant to the provisions of R 325.50061(1).

(b) An employer may allow employees who are working in a small-scale, short-duration operation to clean or dispose of their protective clothing before leaving the area where the work was performed.

(3) An employer shall ensure that change areas are equipped with separate storage facilities for protective clothing and street clothing in accordance with the provisions of Occupational Health Standard Part 474 "Sanitation," as referenced in R 325.50051a.

(4) An equipment area shall be supplied with impermeable, labeled bags and containers for the containment and disposal of contaminated protective clothing and equipment.

R 325.50063a Showers for construction industry.

Rule 13a. (1) Where feasible, shower facilities shall be provided that are in compliance with the provisions of Occupational Health Standard Part 474 "Sanitation," as referenced in R 325.50051a, if the possibility of employee exposure to airborne levels of MDA in excess of the permissible exposure limit

exists.

(2) Where dermal exposure to MDA occurs, an employer shall ensure that materials that are spilled or deposited on the skin are removed as soon as possible by methods that do not facilitate the dermal absorption of MDA.

R 325.50063b Lunch facilities for construction industry.

Rule 13b. (1) If food or beverages are consumed at the worksite and if employees are exposed to MDA, an employer shall provide a clean lunch area where MDA levels are below the action level and where dermal exposure to MDA cannot occur.

(2) An employer shall ensure that employees wash their hands and faces with soap and water before eating, drinking, smoking, or applying cosmetics.

(3) An employer shall ensure that employees do not enter lunch facilities with contaminated protective work clothing or equipment.

HAZARD COMMUNICATION

R 325.50064 Communication of hazards to employees.

Rule 14. (1) Chemical manufacturers, importers, distributors and employers shall comply with all requirements of Occupational Health Standard Part 430 "Hazard Communication," referenced in R 325.50051a, for MDA.

(2) In classifying the hazards of MDA a minimum of the following hazard classifications shall be addressed:

(a) Cancer.

(b) Liver effects.

(c) Skin sensitization.

(3) Employers shall include MDA in the hazard communication program established to comply with requirements of Occupational Health Standard Part 430 "Hazard Communication." Employers shall ensure that each employee has access to labels on containers of MDA and to safety data sheets, and is trained in accordance with the requirements of R 325.50064b and Occupational Health Standard Part 430 "Hazard Communication," as referenced in R 325.50051a.

R 325.50064a. Signs and labels.

Rule 14a. (1) Both of the following provisions pertain to signs and labels:

(a) An employer shall post and maintain legible signs that demarcate regulated areas and entrances or accessways to regulated areas that bear the following legend:

DANGER MDA MAY CAUSE CANCER CAUSES DAMAGE TO THE LIVER RESPIRATORY PROTECTION AND PROTECTIVE CLOTHING MAY BE REQUIRED IN THIS AREA AUTHORIZED PERSONNEL ONLY

(b) Prior to June 1, 2016, employers may use the following legend in lieu of that specified in subrule (1)(a) of this rule:

DANGER MDA MAY CAUSE CANCER LIVER TOXIN AUTHORIZED PERSONNEL ONLY RESPIRATORS AND PROTECTIVE CLOTHING MAY BE REQUIRED TO BE WORN IN THIS AREA

(2) An employer shall ensure that labels or other appropriate forms of warning are provided for containers of MDA within the workplace. The labels shall be in compliance with the requirements of Occupational Health Standard Part 430 "Hazard Communication," as referenced in R 325.50051a and shall include at least the following information for pure MDA and mixtures containing MDA:

DANGER CONTAINS MDA MAY CAUSE CANCER CAUSES DAMAGE TO THE LIVER

(a) Labels. Prior to June 1, 2015, employers may include the following information workplace labels in lieu of the labeling requirements in subrule (2) of this rule:
(i) For pure MDA

DANGER CONTAINS MDA MAY CAUSE CANCER LIVER TOXIN

(ii) For mixtures containing MDA

DANGER CONTAINS MDA CONTAINS MATERIALS WHICH MAY CAUSE CANCER LIVER TOXIN

(3) In meeting the obligation to provide safety data sheets, employers shall make appropriate use of the information found in Appendices A and B.

R 325.50064b Employee information and training.
Rule 14b. (1) All of the following provisions pertain to employee information and training:
(a) An employer shall provide employees with information and training on MDA, in accordance with the provisions of Occupational Health Standard Part 430 "Hazard Communication," as referenced in R 325.50051a, at the time of their initial assignment of work that will involve exposure to MDA and at least annually thereafter.
(b) An employer shall inform employees of all of the following:
(i) An explanation of the contents of these rules, including appendices A and B, and inform employees where a copy of these rules is available for inspection.

(ii) The medical surveillance program that is required by the provisions of R 325.50066 to R 325.50071 and an explanation of the information contained in Appendix C.
(iii) The medical removal provision required by the provisions of R 325.50070 to R 325.50071.
(c) An employer shall make readily available to all affected employees, without cost, all written materials that relate to the employee training program, including a copy of these rules and appendices.
(d) An employer shall provide to the director, upon request, all of the information and training materials that relate to the employee information and training program required by the provisions of this subrule.
(2) An construction industry employer shall maintain all employee training records for 1 year beyond the last date of employment.

HOUSEKEEPING

R 325.50065 Housekeeping provisions.
Rule 15. All of the following provisions pertain to housekeeping:
(a) All surfaces shall be maintained as free as practical of the visible accumulation of MDA.
(b) An employer shall institute a program for detecting MDA leaks, spills, and discharges, including regular visual inspection of operations in which liquid or solid MDA is used.
(c) All leaks shall be repaired and liquid or dust spills cleaned up promptly.
(d) Surfaces that are contaminated with MDA shall not be cleaned using compressed air.
(e) Shoveling, dry sweeping, and other methods of dry clean-up of MDA may be used only where HEPA-filtered vacuuming and wet cleaning are not feasible or practical.
(f) Waste, scrap, debris, bags, containers, equipment, and clothing contaminated with MDA shall be collected and disposed of in a manner to prevent the reentry of MDA into the workplace.

MEDICAL SURVEILLANCE AND EXAMINATIONS

R 325.50066 Medical surveillance.
Rule 16. (1) An employer shall establish and make available a medical surveillance program for all of the following:
(a) Employees who are exposed at or above the action level for 30 or more days per year.
(b) Employees who are subject to dermal exposure to MDA for 15 or more days per year.
(c) Employees who have been exposed to MDA in an emergency situation.
(d) Employees whom the employer, based on results from compliance with the provisions of R 325.50057, has reason to believe are being dermally exposed.
(e) Employees who show signs or symptoms of MDA exposure.
(2) An employer shall ensure that all medical examinations and procedures are performed by, or under the supervision of, a licensed physician, at a reasonable time and place, and provided without cost to the employee.

R 325.50067 Initial examinations.
Rule 17. (1) Prior to the time of initial assignment, an employer shall provide each employee who is specified by the provisions of R 325.50066(1) with an initial medical examination that includes all of the following elements:
(a) A detailed history that includes all of the following information:
(i) Past work exposure to MDA or any other toxic substances.
(ii) A history of drugs, alcohol, tobacco, and medications that are routinely taken, including the

duration and quantity.

(iii) A history of dermatitis, chemical skin sensitization, or previous hepatic disease.

(b) A physical examination that includes all normal components of a routine physical examination and an examination of the skin and an examination for signs of liver disease.

(c) Laboratory tests, including liver function tests and urinalysis.

(d) Additional tests as necessary in the opinion of the physician.

(2) An initial medical examination is not required if adequate records show that an employee has been examined in accordance with the requirements of subrule (1) of this rule before the date of initial assignment.

R 325.50067a Periodic examinations.

Rule 17a. (1) An employer shall provide each employee who is specified in the provisions of R 325.50066(1) with a periodic medical examination at least annually following the initial examination. A periodic examination shall include all of the following elements:

(a) A brief history of any new exposure to potential liver toxins; changes in drug, tobacco, or alcohol intake; and the appearance of physical signs that relate to the liver and the skin.

(b) The appropriate tests and examinations, including liver function tests and skin examinations.

(c) Appropriate additional tests or examinations as deemed necessary by the physician.

(2) If, in the physician's opinion, the results of liver function tests indicate an abnormality, an employee shall be removed from further MDA exposure in accordance with the provisions of R 325.50070 and R 325.50070a. Repeat liver function tests shall be conducted as recommended by the physician.

R 325.50067b Emergency examinations.

Rule 17b. If an employer determines that an employee has been exposed to a potentially hazardous amount of MDA in an emergency situation as addressed by the provisions of R 325.50054, the employer shall provide medical examinations in accordance with the provisions of R 325.50067a. If the results of liver function testing indicate an abnormality, the employee shall be removed in accordance with the provisions of R 325.50070 and R 325.50070a. Repeat liver function tests shall be conducted on the advice of the physician. If the results of the tests are normal, tests shall be repeated 2 to 3 weeks from the initial testing. If the results of the second set of tests are normal and if the physician advises that additional testing is not required, then additional testing is not required.

R 325.50067c Additional examinations.

Rule 17c. If an employee develops signs and symptoms that are associated with exposure to MDA, an employer shall provide the employee with an additional medical examination, including a liver function test. Repeat liver function tests shall be conducted on the advice of the physician. If the results of the tests are normal, tests shall be repeated 2 to 3 weeks from the initial testing. If the results of the second set of tests are normal and if the physician advises that additional testing is not required, then additional testing is not required.

R 325.50068 Multiple physician review.

Rule 18. (1) If an employer selects the initial physician who conducts any medical examination or consultation provided to an employee pursuant to these rules, and if the employee has signs or symptoms of occupational exposure to MDA, which could include an abnormal liver function test, and if the employee disagrees with the opinion of the examining physician, and if the opinion could affect the employee's job status, the employee may designate an appropriate, mutually acceptable second physician to do both of the following:

(a) Review any findings, determinations, or recommendations of the initial physician.

(b) Conduct such examinations, consultations, and laboratory tests as the second physician deems necessary to facilitate the review.

(2) An employer shall promptly notify an employee of the right to seek a second medical opinion after each occasion that an initial physician conducts a medical examination or consultation pursuant to the provisions of these rules. The employer may condition its participation in, and payment for, the multiple physician review mechanism upon the employee doing both of the following within 15 days after receipt of the foregoing notification or receipt of the initial physician's written opinion, whichever is later:

(a) Informing the employer that he or she intends to seek a second medical opinion.

(b) Initiating steps to make an appointment with a second physician.

(3) If the findings, determinations, or recommendations of the second physician differ from those of the initial physician, then the employer and the employee shall ensure that efforts are made for the 2 physicians to resolve any disagreement.

(4) If the 2 physicians have been unable to quickly resolve their disagreement, then the employer and the employee, through their respective physicians, shall designate a third physician to do both of the following:

(a) Review any findings, determinations, or recommendations of the previous physicians.

(b) Conduct such examinations, consultations, laboratory tests, and discussions with the previous physicians as the third physician deems necessary to resolve the disagreement of the previous physicians.

(5) An employer shall act consistent with the findings, determinations, and recommendations of the third physician, unless the employer and the employee reach an agreement that is otherwise consistent with the recommendations of at least 1 of the 3 physicians.

R 325.50069 Information provided to physician.

Rule 19. (1) An employer shall provide all of the following information to the examining physician:

(a) A copy of these rules and appendices.

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

(c) The employee's current actual or representative MDA exposure level.

(d) A description of any personal protective equipment that is used or to be used.

(e) Information from previous employment-related medical examinations of the affected employee.

(2) An employer shall provide the information required by the provisions of subrule (1) of this rule to a second physician upon a request either by the second physician or by the employee.

R 325.50069a Physician's written opinion.

Rule 19a. (1) For each medical examination that is conducted pursuant to the provisions of these rules, an employer shall obtain, and provide the employee with a copy of, the examining physician's written opinion within 15 days of receipt of the opinion. The written opinion shall include all of the following:

(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 the employee at increased risk of material impairment of health from exposure to MDA.

(c) The physician's recommended limitations upon the employee's exposure to MDA or upon the employee's use of protective clothing or equipment and respirators.

(d) A statement that the employee has been informed by the physician of the results of the medical examination and any medical conditions resulting from MDA exposure that require further explanation or treatment.

(2) The written opinion obtained by the employer shall not reveal specific findings or diagnoses

unrelated to occupational exposures.

MEDICAL REMOVAL

R 325.50070 Medical removal.

Rule 20. (1) After any medical examination specified by the provisions of R 325.50067 to R 325.50067c, an employee shall be removed from work environments in which exposure to MDA is at or above the action level or where dermal exposure to MDA may occur in either of the following situations:

(a) When the employee exhibits signs or symptoms, or both, indicative of acute exposure to MDA.

(b) When the examining physician determines that an employee's abnormal liver function tests are not associated with MDA exposure, but that the abnormalities may be exacerbated as a result of occupational exposure to MDA.

(2) An employer shall remove an employee from work environments in which exposure to MDA is at or above the action level or where dermal exposure to MDA may occur if there is a final medical determination or opinion that the employee has a detected medical condition that places the employee at increased risk of material impairment to health from exposure to MDA.

(3) For the purposes of this rule, the phrase "final medical determination" means the outcome of the physician review mechanism that is used pursuant to the medical surveillance provisions of these rules.

(4) Where a final medical determination results in any recommended special protective measures for an employee or a limitation on an employee's exposure to MDA, the employer shall implement, and act consistent with, the recommendation.

R 325.50070a Returning employee to former job status.

Rule 20a. (1) An employer shall return an employee to his or her former job status in either of the following situations:

(a) Upon the advice of the physician or when the employee no longer shows signs or symptoms of exposure to MDA.

(b) When a subsequent final medical determination results in a medical finding, determination, or opinion that the employee no longer has a detected medical condition that places the employee at increased risk of material impairment to health from exposure to MDA.

(2) For the purposes of these rules, the requirement that an employer return an employee to his or her former job status is not intended to expand upon or restrict any rights an employee has or would have had, absent temporary medical removal, to a specific job classification or position under the terms of a collective bargaining agreement.

(3) An employer shall remove any limitations placed on an employee, or end any special protective measures provided to an employee, pursuant to a final medical determination when a subsequent final medical determination indicates that the limitations or special protective measures are no longer necessary.

(4) Where the physician review mechanism that is used pursuant to the medical surveillance provisions of these rules has not yet resulted in a final medical determination with respect to an employee, an employer shall act as follows:

(a) The employer may remove the employee from exposure to MDA, provide special protective measures to the employee, or place limitations upon the employee consistent with the medical findings, determinations, or recommendations of any of the physicians who have reviewed the employee's health status.

(b) The employer may return the employee to his or her former job status and end any special protective

measures provided to the employee consistent with the medical findings, determinations, or recommendations of any of the physicians who have reviewed the employee's health status, with the 2 following exceptions:

(i) If the initial removal, special protection, or limitation of the employee resulted from a final medical determination that differed from the findings, determinations, or recommendations of the initial physician.

(ii) If the employee has been on removal status for the preceding 6 months as a result of exposure to MDA, then the employer shall await a final medical determination.

R 325.50071 Medical removal protection benefits.

Rule 21. (1) An employer shall provide to an employee up to 6 months of medical removal protection benefits on each occasion that an employee is removed from exposure to MDA or is otherwise limited pursuant to these rules.

(2) For the purposes of this rule, the requirement that an employer provide medical removal protection benefits means that the employer shall maintain the earnings, seniority, and other employment rights and benefits of an employee as though the employee had not been removed from normal exposure to MDA or otherwise limited.

(3) During the period of time that an employee is removed from normal exposure to MDA or otherwise limited, the employer may condition the provision of medical removal protection benefits upon the employee's participation in follow-up medical surveillance made available pursuant to these rules.

(4) If a removed employee files a claim for workers' compensation payments for a MDA-related disability, then an employer shall continue to provide medical removal protection benefits pending disposition of the claim. To the extent that an award is made to the employee for earnings lost during the period of removal, the employer's medical removal protection obligation shall be reduced by such amount. The employer shall receive no credit for workers' compensation payments received by the employee for treatment-related expenses.

(5) 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 funded or employer-funded compensation program or receives income from non-MDA-related employment with any employer that is made possible by virtue of the employee's removal.

(6) In the case of employees who do not recover within the 6 months of removal, an employer shall take all of the following measures with respect to any employee who is medically removed from exposure to MDA:

(a) The employer shall make available to the employee a medical examination pursuant to the provisions of these rules to obtain a final medical determination with respect to the employee.

(b) The employer shall assure that the final medical determination obtained indicates whether or not the employee may be returned to his or her former job status. If return is not recommended, the final medical determination shall specify what measures should be taken to protect the employee's health.

(c) If the final medical determination has not yet been obtained or, once obtained, indicates that the employee may not yet be returned to his or her former job status, the employer shall continue to provide medical removal protection benefits to the employee until either the employee is returned to former job status or a final medical determination is made that the employee is incapable of ever safely returning to his or her former job status.

(d) If the employer acts pursuant to a final medical determination that permits the return of the employee to his or her former job status despite what would otherwise be an abnormal liver function test, later questions concerning removing the employee again shall be decided pursuant to a final medical

determination. The employer need not automatically remove such an employee pursuant to the MDA removal criteria provided by these rules.

(7) If an employer, although not required by these rules to do so, removes an employee from exposure to MDA or otherwise places limitations on an employee due to the effects of MDA exposure on the employee's medical condition, the employer shall provide medical removal protection benefits to the employee equal to that required by the provisions of subrules (1) and (2) of this rule.

RECORDKEEPING

R 325.50072 Recordkeeping.

Rule 22. (1) This subrule applies to general industry employers only. If, as a result of the initial monitoring, the processing, use, or handling of products that are made from or contain MDA is exempted from other requirements of these rules pursuant to the provisions of R 325.50051(2), an employer shall establish and maintain an accurate record of the monitoring relied on in support of the exemption.

(2) This subrule applies to construction industry employers only. If an employer has relied on objective data that demonstrate that products made from or containing MDA are not capable of releasing MDA or do not present a dermal exposure problem under the expected conditions of processing, use, or handling to exempt such operations from the initial monitoring requirements of R 325.50056, then the employer shall establish and maintain an accurate record of the objective data that was reasonably relied upon in support of the exemption.

(3) The record required pursuant to the provisions of subrule (1) or (2) of this rule shall be maintained for the duration of the employer's reliance on the record and shall include all of the following information:

(a) The product that qualifies for exemption.

(b) The source of the monitoring data; for example, was monitoring performed by the employer or a private contractor.

(c) The testing protocol, results of testing, and analysis of the material for the release of MDA.

(d) A description of the operation that was exempted and an explanation of how the data support the exemption.

(e) Other data that are relevant to the operations, materials, processing, or employee exposures covered by the exemption.

R 325.50072a. Accurate record of objective data for general industry.

Rule 22a. (1) This subrule applies to general industry employees only. If the processing, use, or handling of products made from or containing MDA are exempted from other requirements of these rules as provided in R 325.50051, the employer shall establish and maintain an accurate record of objective data that were relied upon in support of the exemption.

(2) The record shall be maintained for the duration of the employer's reliance upon the data.

(3) The record shall include all of the following information:

(a) The product that qualifies for exemption.

(b) The source of the objective data.

(c) The testing protocol.

(d) The results of testing and analysis of the material for the release of MDA.

(e) A description of the operation that was exempted and an explanation of how the data supports the exemption.

(f) Other data that are relevant to the operations, materials, processing, or employee exposures covered

by the exemption.

R 325.50072b. Historical monitoring data for construction industry.

Rule 22b. (1) This subrule applies to construction industry employees only. If an employer has relied on historical monitoring data to demonstrate that exposures on a particular job will be below the action level and exempt such operations from the initial monitoring required by the provisions of R 325.50056, then the employer shall establish and maintain an accurate record of the historical monitoring data that were reasonably relied upon in support of the exemption. The record shall be maintained for the duration of the employer's reliance upon the data. The record shall include all of the following information:

(a) Documentation that the data upon which judgments are based are scientifically sound and were collected using methods that are sufficiently accurate and precise.

(b) Evidence that the processes and work practices that were in use when the data were obtained are essentially the same as those to be used for the job for which initial monitoring will not be performed.

(c) Evidence that the characteristics of the MDA-containing material being used when the historical data were obtained are the same as those on the job for which initial monitoring will not be performed.

(d) Evidence that the environmental conditions prevailing when the historical monitoring data were obtained are the same as those on the job for which initial monitoring will not be performed.

(e) Other data that are relevant to the operations, materials, processing, or employee exposures covered by the exemption.

(2) The employer shall maintain the record referenced in subrule (1) of this rule for the duration of the employer's reliance upon such historical monitoring data.

(3) An employer may use the services of a competent organization, such as an industry trade association and an employee association, to maintain the records required by these rules.

R 325.50072c Exposure measurements.

Rule 22c. (1) An employer shall establish and maintain an accurate record of all exposure monitoring measurements required by the provisions of R 325.50055 to R 325.50057.

(2) The records shall be maintained for not less than 30 years and access to the records shall be provided in accordance with the provisions of Occupational Health Standard Part 470 “Employee Medical Records and Trade Secrets,” as referenced in R 325.50051a.

(3) The record shall include all of the following information:

(a) The dates, number, duration, and results of each of the samples taken.

(b) A description of the procedure that was used to determine representative employee exposures.

(c) Identification of the sampling and analytical methods that were used.

(d) A description of the type of respiratory and other protective devices that were worn, if any.

(e) The name, social security number, job classification, and exposure levels of the employees whose exposures are represented.

R 325.50072d Medical surveillance recordkeeping.

Rule 22d. (1) An employer shall establish and maintain, in accordance with the provisions of Occupational Health Standard Part 470 “Employee Medical Records and Trade Secrets,” as referenced in R 325.50051a, accurate medical surveillance records for each employee who is subject to the medical surveillance required by the provisions of R 325.50066 to R 325.50070.

(2) The records shall include all of the following information:

(a) The name, social security number, and description of the duties of an employee.

(b) The employer's copy of the physician's written opinion on the initial, periodic, and any special examinations, including the results of the medical examination and all tests, opinions, and

recommendations.
(c) The results of any airborne exposure monitoring that was performed for an employee and the representative exposure levels supplied to the physician.
(d) Any employee medical complaints that are related to exposure to MDA.
(e) Information that is provided to the physician as required by the provisions of R 325.50069(1).

R 325.50072e Medical records for construction industry.
Rule 22e. This rule applies only to a construction industry employers. An employer shall ensure that the medical surveillance records include all of the following information:
(a) Are maintained for 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 325.50051a.
(b) A copy of the employee's medical removal and return to work status.

R 325.50072f Medical records for general industry.
Rule 22f. (1) This rule applies only to a general industry employers. An employer shall keep, or assure that the examining physician keeps, all of the following medical records:
(a) A copy of these rules and appendices, except that the employer may keep 1 copy of these rules and appendices for all employees if the employer references these rules and appendices in the medical surveillance record of each employee.
(b) A copy of the information that is provided to the physician as required by the provisions of R 325.50069(1).
(c) A description of the laboratory procedures and a copy of any standards or guidelines that were used to interpret the test results or references to the information.
(d) A copy of the employee's medical and work history that is related to exposure to MDA.
(2) The employer shall maintain the record referenced in subrule (1) of this rule for at least 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 325.50051a.
(3) An employer shall establish and maintain an accurate record for each employee who is removed from current exposure to MDA pursuant to the provisions of R 325.50070 to R 325.50070a.
(4) An employer shall maintain each medical removal record for not less than the duration of the employee's employment plus 30 years.
(5) Each record shall include all of the following information:
(a) The name and social security number of the employee.
(b) The date of each occasion that the employee was removed from current exposure to MDA and the corresponding date on which the employee was returned to his or her former job status.
(c) A brief explanation of how each removal was or is being accomplished.
(d) A statement that indicates the reason for the removal.

R 325.50072g Availability.
Rule 22g. (1) An employer shall make records available for examination and copying in accordance with the provisions of Occupational Health Standard Part 470 "Employee Medical Records and Trade Secrets," as referenced in R 325.50051a, and the following provisions:
(a) Any record that is required by this rule shall be available, upon request, to the director.
(b) Any employee exposure monitoring record that is required by this rule shall be provided, upon request, to the employee and a designated employee representative.
(c) Any employee medical record that is required by this rule shall be provided, upon request, to the

subject employee and a designated employee representative.

(2) An employer shall comply with the requirements of Occupational Health Standard Part 470 "Employee Medical Records and Trade Secrets," as referenced in R 325.50051a, that involve the transfer of records.

R 325.50075 Rescinded.

R 325.50076 Rescinded.

ADMINISTRATIVE RULES

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

CONSTRUCTION SAFETY STANDARDS

Filed with the Secretary of State on April 7, 2015

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 19 and 21 of 1974 PA 154, MCL 408.1019 and 408.1021, and Executive Reorganization Order Nos. 1996-2, 2003-1, 2008-4, and 2011-4, MCL 445.2001, 445.2011, 445.2025, and 445.2030)

R 408.41802, R 408.41836, R 408.41837, R 408.41838, R 408.41841, R 408.41851, R 408.41852, R 408.41853, R 408.41854, R 408.41855, R 408.41861, R 408.41862, R 408.41863, R 408.41864, R 408.41865, R 408.41866, R 408.41867, R 408.41868, R 408.41869, R 408.41874, R 408.41875, R 408.41877, and R 408.41884, of the Michigan Administrative Code are amended, R 408.41861a, R 408.41861b, R 408.41861c, R 408.41861d, and R 408.41877a, are added, and R 408.41871, R 408.41872, R 408.41876, R 408.41878, R 408.41879, R 408.41881, R 408.41882, and R 408.41883, are rescinded, as follows:

PART 18. FIRE PROTECTION AND PREVENTION

R 408.41802 Adopted and referenced standards.

Rule 1802. (1) The following standards are adopted by reference in these rules and are available from The National Fire Protection Association, (NFPA) 1 Batterymarch Park, Quincy, Massachusetts, 02169-7471, USA; telephone number: 617-770-3000; or via the internet at web-site: www.nfpa.org, at a cost as of the time of adoption of these rules as stated in this subrule.

(a) NFPA 13 “Installation Of Sprinkler System” 1991 edition. Cost $27.00.

(b) NFPA 14 “Standard For The Installation Of Standpipe, Private Hydrants And Hose Systems”, 2000 edition. Cost $39.00.

(c) NFPA 25 “Inspection, Testing, And Maintenance Of Water-Based Fire Protection Systems”, 1998 edition. Cost $50.50.

(d) NFPA 251 “Standard Methods Of Fire Testing Of Building Construction And Materials,” 1990 edition. Cost $27.00.

(e) NFPA 30 “Flammable And Combustible Liquids Code,” 1996 edition. Cost $27.00.

(f) NFPA 385 “Standard For Tank Vehicles For Flammable And Combustible Liquids,” 1990 edition. Cost $27.00.

(g) NFPA 10A “Maintenance and Use of Portable Fire Extinguishers,” 1970 edition. Cost $29.00.

(h) NFPA 80 “Standard for Fire Doors and Windows,” 1970 edition. Cost $29.00.

(2) 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 web-site: http://global.ihs.com; at a cost as of the time of adoption of these rules, as stated in this subrule.

(a) Compressed Gas Association (CGA) Standard CGA C7 "Guide To The Preparation Of Precautionary Labeling And Marking Of Compressed Gas Containers," 2000 edition. Cost $892.00.

(b) American Society for Testing and Materials (ASTM) Standard ASTM D56 "Standard Test Method for Flash Point by Tag Closed Cup Tester," 1969 edition. Cost: $58.00.

(c) ASTM D93 "Standard Test Methods for Flash Point by Pensky-Martens Closed Cup Tester," 1969 edition. Cost $67.00.

(3) The provisions of the Department of Transportation Title 49 C.F.R. Part 178, "Shipping Container Specifications," is adopted by reference in these rules and is available via the internet at web-site: www.ecfr.gov; which is free, as of the time of adoption of these rules.

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

(5) Copies of the standards adopted in these rules may be obtained from the publisher or may be obtained from the Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 7150 Harris Drive, 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 (MIOSHA) are referenced in these rules. Up to 5 copies of this standard 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, 48908-8143, 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 22 'Signals, Signs, Tags and Barricades,' R 480.42201 to R 408.42242.

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

R 408.41836 Definitions; A to C.

Rule 1836. (1) "Approved" means equipment that has been listed or approved by a nationally recognized testing laboratory, such as Factory Mutual Engineering Corporation, or Underwriters' Laboratories, Inc., or federal agencies such as Bureau of Mines, or U.S. Coast Guard, which issue approvals for the equipment.

(2) "Closed container" means a container that is sealed by means of a lid or other device so that neither liquid nor vapor will escape from it at ordinary temperatures.

(3) "Combustion" means any chemical process that involves oxidation sufficient to produce light or heat.

(4) "Container" means all vessels, such as tanks, cylinders, or drums, used for transportation or storing liquefied petroleum gases.

(5) "Container in use" means a container connected for use.

R 408.41837 Definitions; F.

Rule 1837. (1) "Fire alarm signaling system" means an alerting signal that is clearly audible throughout all areas and which would immediately alert employees in case of an emergency.

(2) “Fire brigade” means an organized group of employees that are knowledgeable, trained, and skilled in the safe evacuation of employees during emergency situations and in assisting in fire fighting operations.

(3) "Fire fighting equipment" means any of the following:

(a) Portable extinguishers.

(b) Fixed fire equipment.

(c) Water barrels and pails.

(d) Standpipes.

(e) Fire hose.

(f) Fire alarms.

(4) "Fire protection" means to provide fire fighting equipment, training, and evacuation plans.

(5) "Fire resistance" means that quality of a material that renders it so resistant to fire that, for a specified time and under conditions of a standard heat intensity, the material will not fail structurally and will not permit the side away from the fire to become hotter than a specified temperature. For purposes of this part, fire resistance shall be determined by the fire test of building construction and materials, as prescribed in The National Fire Protection Association Standard NFPA 251, "Standard Methods Of Fire Testing Of Building Construction And Materials," 1990 edition, which is adopted by reference in R 408.41802.

(6) "Fixed fire equipment" means a fire extinguishing system that is permanently mounted and portable portions of a system, such as a hose and nozzle attached to a fixed supply of extinguishing agent.

(7) "Flammable" means to ignite easily and burn intensely or means to have a rapid rate of flame spread.

(8) "Flammable liquid" means any liquid having a vapor pressure not exceeding 40 pounds per square inch (absolute) at 100 ºF (37.8 ºC) and having a flashpoint at or below 199.4 ºF (93 ºC). Flammable liquids are divided into the following categories:

(a) Category 1 shall include liquids having flashpoints below 73.4 ºF (23 ºC) and having a boiling point at or below 95 ºF (35 ºC).

(b) Category 2 shall include liquids having flashpoints below 73.4 ºF (23 ºC) and having a boiling point above 95 ºF (35 ºC).

(c) Category 3 shall include liquids having flashpoints at or above 73.4 ºF (23 ºC) and at or below 140 ºF (60 ºC).

(d) Category 4 shall include liquids having flashpoints above 140 ºF (60 ºC) and at or below 199.4 ºF (93 ºC).

(9) "Flash point of the liquid” means the temperature at which it gives off vapor sufficient to form an ignitable mixture with the air near the surface of the liquid within the vessel used as determined by appropriate test procedure and apparatus as follows:

(a) The flashpoint of liquids having a viscosity less than 45 Saybolt Universal Second(s) at 100 ºF (37.8 ºC) and a flashpoint below 175 ºF (79.4 ºC) shall be determined in accordance with ASTM D56 “Standard Test Method for Flash Point by Tag Closed Cup Tester,” 1969 edition, as adopted by reference in R 408.41802, or an equivalent method as defined in Construction Safety Standard Part 42 “Hazard Communication,” Appendix B, as referenced in R 408.41802.

(b) The flashpoints of liquids having a viscosity of 45 Saybolt Universal Second(s) or more at 175 ºF (79.4 ºC) or higher shall be determined in accordance with ASTM D93 “Standard Test Methods for Flash Point by Pensky-Martens Closed Cup Tester,” 1969 edition, as adopted by reference in R 408.41802, or an equivalent method as defined in Construction Safety Standard Part 42 “Hazard Communication,” Appendix B, as referenced in R 408.41802.

R 408.41838 Definitions; L to V.

Rule 1838. (1) "Liquefied petroleum gas," "L.P.G.," or "L.P. gas" means any material that is composed predominately of any of the following hydrocarbons or mixtures of hydrocarbons:

(a) Propane.

(b) Propylene.

(c) Butane.

(d) Isobutene.

(e) Butylene.

(2) "Means of egress" means a continuous path of travel from any part within a building to the open air outside at ground level.

(3) "Portable tank" means a closed container that has a liquid capacity of more than 60 United States gallons, which is not intended for fixed installation.

(4) "Safety can" means an approved metal or nonmetallic closed container that has a capacity of not more than 5 gallons, that has a flash-arresting screen, spring-closing lid and spout cover, and that is designed so that it will safely relieve internal pressure when exposed to fire.

(5) "Temporary building" means a structure erected or placed for a period not longer than the project construction time.

(6) "Temporary heating device" means a heating unit to provide heat for a period not longer than the project construction time.

(7) "Vapor pressure" means the pressure, measured in pounds per square inch (absolute), exerted by a volatile liquid.

R 408.41841 Employer responsibility.

Rule 1841. (1) An employer shall be responsible for the development of a fire protection program to be followed throughout all phases of the construction and demolition work, and the employer shall provide the firefighting equipment as specified in these rules. As fire hazards occur, there shall be no delay in providing the necessary equipment.

(2) The fire protection portion of the program shall include all of the following:

(a) Establishing and maintaining a means of egress from all areas of the building occupied by employees to provide free and unobstructed egress from all parts of the building or structure at all times when the building or structure is occupied. A lock or fastening that prevents free escape from the inside of any building shall not be installed, except in mental, penal, or corrective institutions where supervisory personnel is continually on duty and effective provisions are made to remove occupants in case of fire or other emergency.

(b) Posting fire rules or, by other means, informing the employees of the evacuation signal, escape routes, and emergency phone numbers. Exits shall be marked by a readily visible sign. Access to exits shall be marked by readily visible signs in all cases where the exit or way to reach the exit is not immediately visible to the occupants.

(c) A requirement that means of egress shall be continually maintained free of all obstructions or impediments to full instant use in the case of fire or other emergency.

(3) The fire prevention portion of the program shall include both of the following:

(a) A housekeeping policy designed to keep a means of egress free from the accumulation of stored materials and debris and to reduce the likelihood of fire.

(b) A policy for the storage of combustible and flammable liquids and materials and for the use of proper heating equipment as prescribed in this part.

(4) The employer shall provide fire fighting equipment and meet all of the applicable requirements of this part as to location, accessibility, inspection, testing, and maintenance. The employer shall immediately replace defective equipment.

(5) As warranted by the project, the employer shall provide a trained and equipped firefighting organization, Fire Brigade, to assure adequate protection to life.

(6) Fire walls and exit stairways, required for the completed buildings, shall be given construction priority. Fire doors, with automatic closing devices, shall be hung on openings as soon as practicable.

(7) Fire cutoffs shall be retained in buildings undergoing alterations or demolition until operations necessitate their removal.

FIRE PROTECTION

R 408.41851 Portable fire extinguishing equipment; selection and installation.

Rule 1851. (1) All portable fire extinguishers shall bear an approved label of a nationally recognized testing laboratory.

A fire extinguisher or extinguishing device that contains an active agent or propellant that has thermal decomposition products that have a level of vapor toxicity equal to or greater than any of the following listed materials shall not be used, installed for use, or allowed to remain installed for use:

(a) Carbon tetrachloride, CCL4.

(b) Chlorobromomethane, CH2 BrCL.

(c) Azeotropic chlormethane, CM7.

(d) Dibromodifluoromethane, CBr2F2.

(e) 1, 2-dibromo-2-chloro-1, 1, 2-trifluoroethane, Cbr-F2, CBrCLf.

(f) 1, 2-dibromo-2, 2-difluoroethane, CH2BrCbrF2.

(g) Methylbromide, CH3Br.

(h) Ethylene dibromide, CH2BrCH2Br.

(i) Hydrogen bromide, HBr.

(j) Methylene bromide, CH2Br2.

(k) Bromodifluoromethane, CHBrF2.

(2) A fire extinguisher, rated not less than 2A, shall be provided for each 3,000 square feet of the protected building area, or major fraction thereof. Travel distance from any point of the protected area to the nearest fire extinguisher shall not exceed 100 feet.

(3) One or more fire extinguishers, rated not less than 2A, shall be provided on each floor. In multistory buildings, at least 1 fire extinguisher shall be located adjacent to stairway.

(4) Fire fighting equipment shall be located where it will be readily seen and accessible along normal paths of travel in the protected area.

(5) One 55-gallon open drum of water and 2 fire pails may be substituted for a fire extinguisher that has a 2A rating. Extinguishers and water drums, subject to freezing, shall be protected from freezing.

(6) A 1/2 inch or larger interior diameter garden hose that is not more than 100 feet in length and that is equipped with a nozzle may be substituted for a 2A fire extinguisher if it is capable of reaching all points in the area that would be covered by the replaced extinguisher and is capable of discharging not less than 5 gallons per minute with a horizontal hose stream of not less than 30 feet. The hose line shall be mounted on a rack or reel. Not more than 1/2 of the total number of required fire extinguishers may be replaced by the hose.

(7) In addition to the requirements of this rule, fire extinguishers shall be supplied as follows:

(a) Not less than 1 portable fire extinguisher that has a rating of not less than 20 BC units shall be located as follows:

(i) Outside of, but not more than 10 feet from, a door opening to a room used for the storage of more than 60 gallons of flammable liquids.
(ii) Not less than 25 feet, nor more than 75 feet, from an outside storage area.
(iii) On each tank truck or other vehicle used to transport or dispense flammable liquids.
(iv) A fire extinguisher, rated not less than 10B, shall be provided within 50 feet of wherever more than 5 gallons of flammable or combustible liquids or 5 pounds of flammable gas are being used on the jobsite. This requirement does not apply to the integral fuel tanks of motor vehicles.
(b) Each service or fueling area shall have at least 1 portable fire extinguisher which has not less than a 20 BC unit rating and which is located within 75 feet of each pump, dispenser, underground fill opening, and lubricating or service area.
(c) Storage locations for liquefied petroleum gas (L.P.G.) shall be provided with at least 1 approved portable fire extinguisher that has a rating of not less than 20 BC.
(d) Each site of a hazardous process shall be provided with a portable fire extinguisher of an appropriate size and type. Other means for safety or control may be provided if approved or required by the process.
(8) Table 1 may be used in selecting and providing an extinguisher.
(9) Table 1 reads as follows:

TABLE 1		
HAZARD	DESCRIPTION	EXTINGUISHER TYPE AND CONTENTS
Class "A" Fire	Combustible Material	Loaded stream, Multipurpose dry chemical, Pressure-operated water, Water pump tanks, Water mist, Halon 1211.
Class "B" Fire	Flammable Liquids, Gas, Or Grease	Carbon dioxide, Dry chemical, Foam, Loaded stream, Multipurpose dry chemical, Halon 1211.
Class "C" Fire	Electrical Equipment	Carbon dioxide with plastic horn only, Dry chemical, Multipurpose dry chemical, Water mist, Halon 1211.
Class "D" Fire	Combustible Metal	Extinguishing agent listed for use on a specific combustible metal hazard.

R 408.41852 Portable fire extinguishers.
Rule 1852. Portable fire extinguishers shall be inspected periodically and maintained in accordance with NFPA 10A “Maintenance and Use of Portable Fire Extinguishers,” 1970 edition, as adopted by reference in R 408.41802.

R 408.41853 Fixed fire equipment.
Rule 1853. (1) Sprinkler protection shall be as follows:

(a) If the facility being constructed includes the installation of automatic sprinkler protection, the installation shall closely follow the construction and be placed in service as soon as applicable laws permit following completion of each story.

(b) In all structures in which standpipes are required, or where standpipes exist in structures being altered, they shall be brought up as soon as applicable laws permit, and shall be maintained as construction progresses in such a manner that they are always ready for fire protection use. The standpipes shall be provided with Siamese fire department connections on the outside of the structure, at the street level, which shall be conspicuously marked.

(2) During demolition or alterations, an existing sprinkler or standpipe system shall be maintained in service in any portion of a structure that is not subject to demolition or alteration. The operation of a sprinkler control valve shall be permitted only by a properly authorized person. Modification of a sprinkler system to permit alterations or additional demolition shall be expedited so that the automatic protection may be returned to service as quickly as possible. Sprinkler control valves shall be checked daily at the close of work to ascertain whether the protection is in service. When the sprinkler or standpipe system is out of service for other than routine maintenance, the local fire department and the building manager or designated representative shall be notified. A sign shall be posted on each fire department connection that is out of service and the balance of the service shall be tested and resealed in operable condition, where required, and both the fire department and the building manager or designated representative shall be advised that the system is again in service.

(3) A standpipe and hose system shall have not less than 1 outlet per story.

(4) An automatic sprinkler system shall be installed and maintained as prescribed in The National Fire Protection Association Standards NFPA 13 "Installation of Sprinkler Systems," 1991 edition; NFPA 14 "Standard For The Installation Of Standpipe, Private Hydrants And Hose Systems," 2000 edition; and NFPA 25 "Inspection, Testing, And Maintenance Of Water-Based Fire Protection Systems," 1998 edition. The standards are adopted by reference in R 408.41802.

R 408.41854 Water supply.

Rule 1854. (1) An employer shall make available temporary or permanent water supply, of sufficient volume, duration, and pressure, required to properly operate the firefighting equipment – as soon as combustible materials accumulate.

(2) Where an underground water main is to provide water for fire protection equipment, the main shall be installed, completed, and made available for use as soon as practicable.

R 408.41855 Fire hose and connections.

Rule 1855. (1) One-hundred feet or less of 1-1/2 inch hose, with a nozzle capable of discharging water at 25 gallons or more per minute supplied from an approved standpipe system may be substituted for a fire extinguisher rated not more than 2A in the designated area provided that the hose line can reach all points in the area.

(2) The employer shall contact the local fire fighting organization to assure that fire hose connections on the jobsite are compatible with their fire fighting equipment. If a connection is not compatible, the employer shall install an adapter, or equivalent, to permit connection of local fire fighting equipment.

(3) During demolition involving combustible materials, charged hose lines, supplied by hydrants, water tank trucks with pumps, or equivalent, shall be made available.

FIRE PREVENTION

R 408.41861 Ignition hazards.

Rule 1861. (1) Internal combustion engine powered equipment shall be so located that the exhaust piping is at a distance away from flammable and combustible materials to prevent ignition. When the exhaust is piped to outside the building under construction, a clearance of not less than 6 inches shall be maintained between the piping and flammable and combustible material.

(2) Smoking shall be prohibited within 25 feet of flammable material. The area shall be posted with a sign "No Smoking or Open Flame." The sign shall be as prescribed in the Construction Safety Standard Part 22 “Signals, Signs, Tags and Barricades,” as referenced in R 408.41802.

(3) Electrical wiring equipment and portable battery-powered lighting equipment used in connection with the storage, handling, or use of flammable material shall be of the type approved for the hazardous location.

(4) The nozzle of an air, inert gas, and steam line or hose, when used in the cleaning or ventilation of tanks and vessels that contain flammable gases or vapors, shall be bonded to the tank or vessel shell.

(5) When a hazardous concentration of flammable gas or vapor exists in the area outside of the tank or vessel, the external bonding connection shall be made to the tank or vessel with the non-sparking device. The final bonding connection shall be made outside the hazardous concentration.

R 408.41861a Location of containers.

Rule 1861a. (1) Containers shall be in a suitable ventilated enclosure or otherwise protected against tampering.

(2) The quantity of flammable liquids kept in the vicinity of spraying operations shall be the minimum required for operations and should ordinarily not exceed a supply for 1 day or 1 shift.

(3) Bulk storage of portable containers of flammable liquids shall be in a separate, constructed building detached from other important buildings or cut off in a standard manner.

(4) Containers shall be upright upon firm foundations or otherwise firmly secured.

(5) The possible effect on the outlet piping of settling shall be guarded against by a flexible connection or special fitting.

(6) LP-gas containers with a water capacity per container of more than 125 gallons shall be located a minimum of 10 feet from the nearest building or group of buildings when in use.

R 408.41861b Temporary buildings.

Rule 1861b. (1) A temporary building shall not be erected where it will adversely affect a means of egress.

(2) Temporary buildings, when located within another building or structure, shall be of either noncombustible construction or of combustible construction having a fire resistance of not less than 1 hour.

(3) Temporary buildings, located other than inside another building and not used for the storage, handling, or use of flammable or combustible liquids, flammable gases, explosives, or blasting agents, or similar hazardous occupancies, shall be located at a distance of not less than 10 feet from another building or structure.

(4) Groups of temporary buildings not exceeding 2,000 square feet in aggregate, shall, for the purposes of these rules, be considered a single temporary building.

R 408.41861c Open yard storage.

Rule 1861c. (1) Combustible materials shall be piled with due regard to the stability of piles and in no case higher than 20 feet.

(2) Driveways between and around combustible storage piles shall be at least 15 feet wide and maintained free from accumulation of rubbish, equipment, or other articles or materials.

(3) Driveways shall be so spaced that a maximum grid system unit of 50 feet by 150 feet is produced.
(4) The entire storage site shall be kept free from accumulation of unnecessary combustible materials. Weeds and grass shall be kept down and a regular procedure provided for the periodic cleanup of the entire area.
(5) When there is a danger of an underground fire, that land shall not be used for combustible or flammable storage.
(6) Method of piling shall be solid wherever possible and in orderly and regular piles. No combustible material shall be stored outdoors within 10 feet of a building or structure.
(7) Portable fire extinguishing equipment suitable for the fire hazard involved shall be provided at convenient, conspicuously accessible locations in the yard area. Portable fire extinguishers rated not less than 2A shall be placed so that maximum travel distance to the nearest unit shall not exceed 100 feet.

R 408.41861d Indoor storage.
Rule 1861d. (1) Storage shall not obstruct, or adversely affect, means of exit.
(2) All materials shall be stored, handled, and piled with due regard to their fire characteristics.
(3) Noncompatible materials that may create a fire hazard shall be segregated by a barrier having a fire resistance of at least 1 hour.
(4) Material shall be piled to minimize the spread of fire internally and to permit convenient access for firefighting. Stable piling shall be maintained at all times. Aisle space shall be maintained to safely accommodate the widest vehicle that may be used within the building for firefighting purposes.
(5) Clearance of at least 36 inches shall be maintained between the top level of the stored material and the sprinkler deflectors.
(6) Clearance shall be maintained around lights and heating units to prevent ignition of combustible materials.
(7) A clearance of 24 inches shall be maintained around the path of travel of fire doors unless a barricade is provided in which case no clearance is needed.
(8) Material shall not be stored within 36 inches of a fire door opening.

FLAMMABLE LIQUIDS

R 408.41862 Transportation of flammable liquids.
Rule 1862. (1) Only approved containers and portable tanks shall be used for storage and handling of flammable liquids.
(2) Approved safety cans or department of transportation approved containers shall be used for the handling and use of flammable liquids in quantities of 5 gallons or less, except that this does not apply to those flammable liquid materials that are highly viscid (extremely hard to pour), which may be used and handled in original shipping containers.
(3) For quantities of 1 gallon or less, the original container may be used for storage, use, and handling of flammable liquids.

R 408.41863 Inside storage.
Rule 1863. (1) Not more than 25 gallons of flammable liquid shall be stored within a room outside of an approved wood or metal cabinet. For storage of liquefied petroleum gas, see R 408.41877.
(2) Not more than 60 gallons of category 1, 2, and/or 3 flammable liquids or 120 gallons of category 4 flammable liquids shall be stored in any 1 storage cabinet. Not more than 3 such cabinets shall be located in a single storage area. Quantities in excess of this shall be stored in an inside storage room as prescribed in R 408.41864

(3) A wood cabinet, when used to store flammable liquids, shall have the bottom, back, sides, and top constructed of not less than 1-inch exterior plywood which shall not break down or delaminate under fire test conditions. All joints shall be rabbeted and secured in 2 directions by flathead wood screws. When more than 1 door is provided, there shall be a rabbeted overlap of not less than 1 inch. Steel hinges shall be mounted so that the holding capacity is not lost due to loosening or burnout of the screws. The cabinet shall be painted inside and out with a fire-retardant paint.

(4) A cabinet used to store flammable liquids shall be labeled with conspicuous lettering,

"Flammable Keep Away from Open Flames"

as prescribed in the Construction Safety Standard Part 22 “Signals, Signs, Tags and Barricades,” as referenced in R 408.41802.

(5) A flammable liquid shall not be stored in a building in an area used as a means of egress.

R 408.41864 Inside storage room.

Rule 1864. (1) An inside storage room shall be constructed to meet the required fire resistance rating for its use. The construction shall meet the test specifications in The National Fire Protection Association Standard NFPA 251 "Standard Methods of Fire Testing of Building Construction and Materials," 1990 edition, which is adopted by reference in R 408.41802.

(2) Openings from an inside storage room to another room or building shall be provided with noncombustible liquid-tight raised sills or ramps at least 4 inches in height or else the floor in the storage area shall be at least 4 inches below the surrounding floor. Openings shall be provided with approved self-closing fire doors.

(3) If wood shelving, racks, dunnage, or floor overlay is used in the room, it shall be not less than 1 inch nominal thickness.

(4) Where other portions of the building or other buildings are exposed, windows shall be protected in accordance with NFPA 80 “Standard for Fire Doors and Windows,” 1970 edition, for Class E or F openings, as adopted in R 408.41802.

(5) A material that will react with water to create a fire hazard shall not be stored in the same room with a flammable liquid.

(6) Quantities of flammable liquids stored in an inside storage room shall be limited in accordance with the criteria prescribed in table 3.

(7) Every inside storage room shall be provided with either a gravity or a mechanical exhausting system and meet all of the following provisions:

(a) A switch located outside of the door of the inside storage room shall control the mechanical exhausting system and any lighting fixtures.

(b) An electric pilot light shall be installed adjacent to the switch if category 1, 2, or 3 flammable liquids are dispensed within the room.

(c) The exhausting system shall commence not more than 12 inches above the floor and be designed to provide for a complete change of air within the room not less than 6 times per hour when flammable liquids are stored in the room.

(d) Where gravity ventilation is provided, the fresh air intake, as well as the exhausting outlet from the room, shall be on the exterior of the building in which the room is located.

(8) An inside storage room shall have at least 1 aisle which shall be not less than 3 feet in width and which shall be maintained free of obstructions.

(9) Containers that have more than a 30-gallon capacity shall not be stacked one upon another.

(10) Table 3 reads as follows:

TABLE 3

INSIDE STORAGE ROOM			
Fixed Fire Protection Provided	Fire Resistance Rating of Room	Maximum Size Of Storage Area	Total Allowable Quantities Gallons/Square Foot/Floor Area
Yes	2 hours	500 square feet	10
No	2 hours	500 square feet	4
Yes	1 hour	150 square feet	5
No	1 hour	150 square feet	2
NOTE: Fire protection system shall be sprinkler, water spray, carbon dioxide, or other system approved by a nationally recognized testing laboratory for this purpose.			

R 408.41865 Outside storage.

Rule 1865. (1) Containers of flammable liquids with not more than 60 gallons in each container shall not be stored in excess of 1,100 gallons in any outside storage area.

(2) Portable tanks stored outside shall not be closer than 20 feet from any building. Two or more portable tanks, grouped together, having a combined capacity in excess of 2,200 gallons, shall be separated by a 5-foot clear area. Individual portable tanks exceeding 1,100 gallons shall be separated by a 5-foot clear area. Piles or groups of containers shall be separated by a 5-foot clearance.

(3) Within 200 feet of each portable tank, there shall be a 12-foot wide access way to permit approach of fire control apparatus.

(4) A flammable liquid in an outdoor storage area shall be stored not less than 20 feet from a building.

(5) Within 200 feet of each pile or group of flammable containers, a 12-foot wide access way shall be maintained to permit the approach of fire control equipment.

(6) An outside storage area for flammable liquids shall be graded in a manner to divert a possible spill away from a building or other hazard, or shall be surrounded by a curb or earth dike not less than 12 inches high.

When a curb or dike is used, provisions shall be made to drain off accumulations of water or a spill of a flammable liquid in such a manner that the spill cannot create a hazard for an employee.

The drains shall terminate in a location that will not create another hazard.

(7) An outside storage area for flammable liquid shall be kept free of weeds, papers, debris, and other combustibles not necessary to the storage.

(8) An above ground tank or loading operation shall not be installed closer than 25 feet plus 1 inch per 1,000 volts, measured horizontally, from the center line of electric power lines, or under an electric power line, except that service entrance and service lines may be closer than 25 feet but not over the tanks or loading area. This prohibition shall not apply to a fuel oil tank with up to a 275-gallon individual capacity or a 550-gallon aggregate capacity that is used for heating purposes.

(9) A flammable or combustible liquid outdoor storage area shall not occupy any area used as a means of egress.
(10) Underground tanks shall not be abandoned.

R 408.41866 Portable tanks and emergency venting.
Rule 1866. (1) A portable tank that has a capacity of 660 gallons or less of flammable liquid shall be in compliance with emergency venting and other devices, as required by chapters III, IV, and V of The National Fire Protection Association Standard NFPA 30, "Flammable and Combustible Liquids Code," 1996 edition, which is adopted by reference in R 408.41802.
(2) A portable tank that has a capacity of more than 660 gallons of flammable or combustible liquid shall have emergency venting and other devices, as required by chapters II and III of The National Fire Protection Association Standard NFPA 30, "Flammable and Combustible Liquids Code," 1996 edition, which is adopted by reference in R 408.41802.
(3) An employer shall contact the Michigan department of licensing and regulatory affairs, bureau of fire services, storage tank division, for additional rules concerning the installation, use, and storage of liquefied petroleum gases. The storage tank division can be reached at 3101 Technology Blvd, Suite H, Lansing, Michigan, 48910; telephone number: 517.335.7211 or via the internet at website: www.michigan.gov/storagetanks

R 408.41867 Dispensing.
Rule 1867. (1) An area where a flammable liquid is transferred at 1 time, in a quantity of more than 5 gallons from 1 tank or container to another tank or container, shall be separate from other operations or a building by a distance of 25 feet or by a wall not less than 5 feet high having a fire resistance of not less than 1 hour.
(2) Provisions shall be made to neutralize spills of flammable liquids. Natural or mechanical ventilation shall be capable of maintaining vapor below 10% of the lower explosive limit.
(3) Transfer of a category 1, 2, or 3 flammable liquid from 1 container to another shall be done only when the containers are electrically bonded.
(4) A flammable liquid shall be transferred from or drawn into containers by 1 of the following:
(a) Through a closed piping system.
(b) From a safety can.
(c) By a device drawing through the top from a closed container or portable tank, by gravity or a pump, through a self-closing valve. Air pressure shall not be used.
(5) A dispensing device, hose, and nozzle for category 1, 2, or 3 flammable liquids shall be an approved type.
(6) The dispensing units shall be protected from collision damage.

R 408.41868 Handling at point of use.
Rule 1868. (1) Not more than 1 day's supply, but not to exceed 25 gallons of flammable liquid, shall be permitted to stand outside a cabinet at a place of usage.
(2) A category 1, 2, or 3 flammable liquid shall not be used where there is an open flame or source of ignition within 50 feet of the liquid, unless conditions warrant greater clearance.
(3) Leakage or spillage of a flammable liquid shall be disposed of without creating another hazard.
(4) Natural or mechanical ventilation capable of maintaining the vapor below 10% of the lower explosive limit shall be provided and used when a flammable liquid is used or handled.
(5) Category 1, 2, or 3 flammable liquids shall be kept in closed containers when not in use.

R 408.41869 Service and refueling areas.

Rule 1869. (1) A tank truck shall be designed, constructed, and maintained as prescribed in The National Fire Protection Association Standard NFPA 385 "Standard For Tank Vehicles For Flammable and Combustible Liquids," 1990 edition, which is adopted by reference in R 408.41802.

(2) The dispensing hose shall be an approved type.

(3) The dispensing nozzle shall be an approved automatic-closing type without a latch-open device.

(4) An emergency switch that is clearly identified and accessible shall be available to shut off all power to all dispensing devices in an emergency and shall be in a location that is remote from the dispensing device.

(5) Sources of ignition, such as smoking, open flame, cutting and welding, frictional heat, sparks, and heating equipment, shall not be permitted within 25 feet in any direction of where an internal combustion engine is fueled or where a flammable liquid is dispensed.

(6) A warning sign prohibiting smoking shall be posted as prescribed in Construction Safety Standard Part 22 “Signals, Signs, Tags, and Barricades,” as referenced in R 408.41802.

(7) The motor of any equipment being fueled shall be shut off during the fueling operation.

(8) Flammable liquids shall be stored in approved closed containers, in tanks located underground, or in aboveground portable tanks.

LIQUEFIED PETROLEUM GAS

R 408.41871 Rescinded.

R 408.41872 Rescinded.

R 408.41874 L.P. gas appliances.

Rule 1874. (1) LP-Gas consuming appliances shall be approved types.

(2) Any appliance that was originally manufactured for operation with a gaseous fuel other than LP-Gas, and is in good condition, may be used with LP-Gas only after it is properly converted, adapted, and tested for performance with LP-Gas before the appliance is placed in use.

R 408.41875 L.P. containers and equipment.

Rule 1875. (1) Containers in use shall be in compliance with all of the following provisions:

(a) Each system shall have containers, valves, connectors, manifold valve assemblies, and regulators of an approved type.

(b) Filling of fuel containers for trucks or motor vehicles from bulk storage containers shall be performed not less than 10 feet from the nearest masonry-walled building, or not less than 25 feet from the nearest building or other construction and, in any event, not less than 25 feet from any building opening.

(c) Filling of portable containers or containers mounted on skids from storage containers shall be performed not less than 50 feet from the nearest building.

(d) All of the following provisions apply to multiple container systems:

(i) Valves in the assembly of multiple container systems shall be arranged so that replacement of containers can be made without shutting off the flow of gas in the system. This provision shall not be construed as requiring an automatic changeover device.

(ii) Heaters shall be equipped with an approved regulator in the supply line between the fuel cylinder and the heater unit. Cylinder connectors shall be provided with an excess flow valve to minimize the flow of gas in the event the fuel line becomes ruptured.

(iii) Regulators and low-pressure relief devices shall be rigidly attached to the cylinder valves, cylinders, supporting standards, the building walls, or otherwise rigidly secured, and shall be so installed or protected from the elements.

(2) When damage to LP-Gas systems from vehicular traffic is a possibility, the employer shall ensure that precautions against such damage are taken.

(3) Piping, pipe and tubing fittings, and valves used to supply utilization equipment within the scope of this standard shall be acceptable for services as approved by the manufacture of the equipment.

(4) Welding is prohibited on containers.

(5) Valves, fittings, and accessories connected directly to the container, including primary shut off valves, shall have a rated working pressure of at least 250 p.s.i.g. and shall be of material and design suitable for LP-Gas service.

(6) Connections to containers, except safety relief connections, liquid level gauging devices, and plugged openings, shall have shutoff valves located as close to the container as practicable.

(7) All cylinders shall meet the provisions of the Department of Transportation Title 49 C.F.R. Part 178, "Shipping Container Specifications," as adopted in R 408.41802.

(8) When operational requirements make portable use of containers necessary, and their location outside of buildings or structures is impracticable, containers and equipment shall be permitted to be used inside of buildings or structures in accordance with R 408.41884 (12), (13), and (16), and the following rules:

(a) Systems utilizing containers having a water capacity greater than 2 1/2 pounds, nominal 1 pound LP-Gas capacity, shall be equipped with excess flow valves. Such excess flow valves shall be either integral with the container valves or in the connections to the container valve outlets.

(b) Regulators shall be either directly connected to the container valves or to manifolds connected to the container valves. The regulator shall be suitable for use with LP -Gas. Manifolds and fittings connecting containers to pressure regulator inlets shall be designed for not less than 250 p.s.i.g. service pressure.

(c) Valves on containers having water capacity greater than 50 pounds, nominal 20 pounds LP-Gas capacity, shall be protected from damage while in use or storage.

(d) Aluminum piping or tubing shall not be used.

(e) Hose shall be designed for a working pressure of at least 250 p.s.i.g. Design, construction, and performance of hose, and hose connections shall have their suitability determined by listing by a nationally recognized testing agency. The hose length shall be as short as practicable. Hoses shall be long enough to permit compliance with spacing provisions of this rule and R 408.41884 (6), (7), (8), (12), (13), and (16), without kinking or straining, or causing hose to be so close to a burner as to be damaged by heat.

(f) Containers having a water capacity greater than 2 1/2 pounds, nominal 1 pound LP-Gas capacity, connected for use shall stand on a firm and substantially level surface and, when necessary, shall be secured in an upright position.

(g) The maximum water capacity of individual containers shall be 245 pounds (nominal 100 pounds L.P. gas capacity).

R 408.41876 Rescinded.

R 408.41877 Storage of LPG containers.

Rule 1877. (1) This rule applies to the storage of portable containers whether filled or empty if they have been in service.

(2) Storage of L.P. gas within buildings is prohibited.

(3) Storage outside of buildings, for containers awaiting use, shall be located away from the nearest building or group of buildings as specified in table 4.
(4) Table 4 reads as follows:

TABLE 4

QUANTITY OF L.P. GAS STORED	DISTANCE (FEET) FROM A BUILDING
500 lbs. or less	0
501 to 6,000 lbs.	10
6,001 to 10,000 lbs.	20
over 10,000 lbs.	25

(5) Containers shall be stored within a suitable ventilated enclosure or otherwise protected against tampering, and located as specified in table 4.
(6) When L.P. gas and 1 or more other gases are stored or used in the same area, the containers shall be marked to identify their content. Marking shall be in compliance with The Compressed Gas Association Standard CGA C7 "Guide To The Preparation Of Precautionary Labeling And Marking Of Compressed Gas Containers," 2000 edition, which is adopted by reference in R 408.41802.

R 408.41877a Systems utilizing containers other than DOT containers.
Rule 1877a. (1) This rule apply specifically to systems utilizing storage containers other than those constructed in accordance with DOT specifications. R 408.41875(4) applies to this rule unless otherwise noted in R 408.41875(4).
(2) Storage containers shall be designed and classified in accordance with Table 5.

TABLE 5			
Container Type	For gases with vapor press. Not to exceed lb. per sq. in. gage at 100 deg. F. (37.8 deg. C.)	MINIMUM DESIGN PRESSURE OF CONTAINER, LB. PER SQ. IN. GAGE	
		1949 and earlier editions of ASME Code (Par. U-68, U-69)	1949 edition of ASME Code (Par. U-200, U-201); 1950, 1952, 1956, 1959, 1962, 1965, and 1968 (Division 1) editions of ASME Code; All editions of API-ASME Code(3)
80(1)	80(1)	80 (1)	100 (1)
100	100	100	125
125	125	125	156
150	150	150	187
175	175	175	219
200(2)	215	200	250
Footnote(1) New storage containers of the 80 type have not been authorized since Dec. 31, 1947.			
Footnote(2) Container type may be increased by increments of 25. The minimum design pressure of containers shall per 100 percent of the container type designation when constructed under 1949 or earlier editions of the ASME Code (Par. U-68 and U-69). The minimum design pressure of containers shall be 125 percent of the container type designation when constructed under: (1) the 1949 ASME Code (Par. U-200 and U-201), (2) 1950, 1952, 1956, 1959, 1962, 1965, and 1968 (Division 1) editions of the ASME Code, and (3) all editions of the API-ASME Code.			
Footnote(3) Construction of containers under the API-ASME Code is not authorized after July 1, 1961.			

(3) Containers with foundations attached, portable or semiportable b containers with suitable steel "runners" or "skids" and popularly known in the industry as "skid tanks," shall be designed, installed, and used in accordance with these rules subject to the following provisions:

(a) If they are to be used at a given general location for a temporary period not to exceed 6 months they need not have fire-resisting foundations or saddles but shall have adequate ferrous metal supports.

(b) They shall not be located with the outside bottom of the container shell more than 5 feet, 1.52 m, above the surface of the ground unless fire-resisting supports are provided.

(c) The bottom of the skids shall not be less than 2 inches, 5.08 cm, or more than 12 inches, 30.48 cm, below the outside bottom of the container shell.

(d) Flanges, nozzles, valves, fittings, and the like, having communication with the interior of the container, shall be protected against physical damage.

(e) When not permanently located on fire-resisting foundations, piping connections shall be sufficiently flexible to minimize the possibility of breakage or leakage of connections if the container settles, moves, or is otherwise displaced.

(f) Skids, or lugs for attachment of skids, shall be secured to the container in accordance with the code or rules under which the container is designed and built, with a minimum factor of safety of 4, to withstand loading in any direction equal to 4 times the weight of the container and attachments when filled to the maximum permissible loaded weight.

(4) Field welding where necessary shall be made only on saddle plates or brackets that were applied by the manufacturer of the tank.

R 408.41878 Rescinded.

R 408.41879 Rescinded.

R 408.41881 Rescinded.

R 408.41882 Rescinded.

R 408.41883 Rescinded.

TEMPORARY HEATING DEVICES

R 408.41884 Heating devices.

Rule 1884. (1) Fresh air shall be supplied in sufficient quantities to maintain the health and safety of workmen. Where natural means of fresh air supply is inadequate, mechanical ventilation shall be provided.

(2) When heaters are used in confined spaces, special care shall be taken to provide sufficient ventilation in order to ensure proper combustion, maintain the health and safety of workmen, and limit temperature rise in the area.

(3) A temporary heating device shall not be located less than 50 feet from a point where a flammable liquid is used or dispensed.

(4) A temporary heating device that is set on a combustible floor shall be separated from the floor by an insulating material or 1 inch of concrete. The insulating material shall extend not less than 2 feet beyond the heater in all directions.

(5) A temporary heating device shall be located not less than 10 feet from a combustible covering, such as, but not limited to, canvas or tarpaulins, unless the covering is fastened to prevent its dislodgement due to wind action.

(6) A temporary heating device using L.P. gas, other than in an integral heater-container unit, shall be located not less than 6 feet from any L.P. gas container.

(7) Integral heaters may be used if designed and installed so as to prevent direct or radiant heat application to the container.

(8) Blower-and radiant-type units shall not be directed toward any L.P. gas container that is less than 20 feet away.

(9) If 2 or more heater units are located within the same unpartitioned area, then the containers of each unit shall be separated from the containers of any such other unit by not less than 20 feet.

(10) If containers are manifolded together and serve 1 heater on the same floor, then the total water capacity of the containers shall not be more than 735 pounds (nominal 300 pounds L.P. gas capacity). If more than 1 such manifold is used they shall be separated by not less than 20 feet.

(11) Heating devices, including portable heaters and salamanders using a liquid flammable fuel such as, but not limited to, fuel oil or kerosene, shall be equipped with an approved automatic shutoff safety control device which will, in the event of flame failure, shut off the flow of fuel to the main burner and pilot if used. The device shall not be relit while the combustion chamber is hot.

(12) Portable heaters including salamanders shall be equipped with an approved automatic device to shut off the flow of gas to the main burner, and pilot if used, in the event of flame failure. Such heaters, having inputs above 50,000 British thermal unit's (B.T.U.) per hour, shall be equipped with either a pilot, that is lighted and proved before the main burner can be turned on, or an electric ignition system.

NOTE: The provisions of this rule do not apply to tar kettles, hand torches, melting pots, or portable heaters of less than 7,500 British thermal unit's (B.T.U.), if used with 2 1/2 pound containers.

(13) A temporary heating device shall be installed horizontally level.

(14) A solid fuel salamander shall not be used in a building or on a scaffold.

(15) L.P. gas containers valves, connectors, regulators and manifolds, piping, and tubing shall not be used as structural supports for heaters and shall be located to minimize exposure to high temperatures or physical damage.

(16) A heating device, including a temporary heating device, designed for barometric or gravity oil feed shall be used only with an integral tank.

(17) Heaters specifically designed and approved for use with separate supply tanks may be connected for gravity feed, or an automatic pump, from a supply tank.

(18) Heating equipment of an approved type may be installed in the lubrication or service area where there is no dispensing or transferring of category 1, 2, or 3 flammable liquids, provided the bottom of the heating unit is at least 18 inches above the floor and is protected from physical damage.

(19) Heating equipment installed in lubrication or service areas, where category 1, 2, or 3 flammable liquids are dispensed, shall be of an approved type for garages and shall be installed at least 8 feet above the floor.

ADMINISTRATIVE RULES

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

CONSTRUCTION SAFETY STANDARDS

Filed with the Secretary of State on April 7, 2015

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 19 and 21 of 1974 PA 154, MCL 408.1019 and 408.1021, and Executive Reorganization Order Nos. 1996-2, 2003-1, 2008-4, and 2011-4, MCL 445.2001, 445.2011, 445.2025, and 445.2030)

R 408.42701 of the Michigan Administrative Code is amended, R 408.42705 and R 408.442710 are added, and R 408.42724, R 408.42725, R 408.42726, R 408.42727, R 408.42728, R 408.42731, R 408.42732, R 408.42733, R 408.42734, R 408.42735, R 408.42737, R 408.42741, R 408.42742, R 408.42743, R 408.42744, R 408.42751, R 408.42752, R 408.42753, R 408.42754, R 408.42755, R 408.42757, R 408.42758, R 408.42759, R 408.42761, R 408.42762, R 408.42763, R 408.42799 are rescinded, as follows:

PART 27. BLASTING AND USE OF EXPLOSIVES

R 408.42701 Scope.
Rule 2701. This part provides for the training and qualifications of employees and for the storage, transport, and use of blasting materials for construction operations. This part also provides for the protection of other employees while working within a blast area.

R 408.42705 Adoption of standards by reference.
Rule 2705. (1) The federal occupational safety and health administration (OSHA) regulations from the Code of Federal Regulations 1926 Subpart U "Blasting and Use of Explosives," 29 C.F.R. §1926.900 to 29 C.F.R. §1926.914 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.

R 408.42710 Availability of adopted rules.
Rule 2710. (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 Regulatory Services 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 Regulatory Services Section, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan, 48909-8143, at the cost charged in this rule, plus $20.00 for shipping and handling.

R 408.42724 Rescinded.

R 408.42725 Rescinded.

R 408.42726 Rescinded.

R 408.42727 Rescinded.

R 408.42728 Rescinded.

R 408.42731 Rescinded.

R 408.42732 Rescinded.

R 408.42733 Rescinded.

R 408.42734 Rescinded.

R 408.42735 Rescinded.

R 408.42737 Rescinded.

R 408.42741 Rescinded.

R 408.42742 Rescinded.

R 408.42743 Rescinded.

R 408.42744 Rescinded.

R 408.42751 Rescinded.

R 408.42752 Rescinded.

R 408.42753 Rescinded.

R 408.42754 Rescinded.

R 408.42755 Rescinded.

R 408.42757 Rescinded.

R 408.42758 Rescinded.

R 408.42759 Rescinded.

R 408.42761 Rescinded.

R 408.42762 Rescinded.

R 408.42763 Rescinded.

R 408.42799 Rescinded.

ADMINISTRATIVE RULES

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

GENERAL INDUSTRY SAFETY STANDARDS

Filed with the Secretary of State on April 7, 2015

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

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

R 408.15915, R 408.15922, and R 408.15923 of the Michigan Administrative Code is amended, and R 408.15903 is added, and R 408.15911 is rescinded, as follows:

PART 59. HELICOPTERS

R 408.15903 MIOSHA referenced standard.

Rule 5903. The Michigan occupational safety and health (MIOSHA) standard General Industry Safety Standard Part 33 “Personal Protective Equipment,” R 408.13301 to R 408.13398, is referenced in these rules. Up to 5 copies of is standard may be obtained at no charge from the Michigan Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 7150 Harris Drive, 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.

R 408.15911 Rescinded.

R 408.15915 Personal protective equipment; loose clothing.

Rule 5915. (1) Except during an emergency operation, eye protection, as prescribed in General Industry Safety Standard Part 33 “Personal Protective Equipment,” as referenced in R 408.15903, shall be provided and used by a ground crew employee while working on an operation covered by these rules when there is exposure to rotor wash.

(2) Except during an emergency operation, head protection shall be provided and used as prescribed in General Industry Safety Standard Part 33 “Personal Protective Equipment,” as referenced in R 408.15903, and shall be secured by a chin strap by a ground crew employee working on an operation covered by this part when lifting or landing a load.

(3) Loose fitting clothing likely to flap in rotor downwash, and thus be snagged on the hoist line, shall not be worn.

R 408.15922 Providing and training ground employees; checking size, weight, and connection of load; tag line, pressed sleeve, hoist wire, or other gear; static charge; rated capacity of load line.

Rule 5922. (1) Ground employees shall be provided, and they shall be properly trained to ensure that helicopter loading and unloading operations can be performed safely.

(2) The size and weight of loads, and the manner in which loads are connected to the helicopter, shall be checked by the pilot in command. A lift shall not be made if the helicopter pilot in command determines that the lift cannot be made safely.

(3) A load shall be properly slung. A tag line shall be of a length that does not permit it being drawn up into the rotors. A pressed sleeve, swedged eye, or equivalent means shall be used for a freely suspended load to prevent a hand splice from spinning open or a cable clamp from loosening.

(4) A hoist wire or other gear, except for a pulling line or conductor that is allowed to "pay out" from a container or roll off a reel, shall not be attached to any fixed ground structure or allowed to foul on any fixed structure.

(5) The static charge on the suspended load shall be dissipated with a grounding device before ground personnel touch the suspended load, unless protective rubber gloves are being worn when touching the load

(6) A load line shall have a working load rating of not less than the rated capacity of the helicopter.

R 408.15923 Cargo hooks.

Rule 5923. (1) An electrically operated cargo hook shall have the electrical activating device so designed and installed as to prevent inadvertent operation.

(2) A cargo hook shall be equipped with an emergency mechanical control for releasing the load.

(3) The employer shall ensure that a hook is tested prior to operation each day by a competent person to determine that the electrical and mechanical releases function properly.

ADMINISTRATIVE RULES

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

CONSTRUCTION SAFETY STANDARDS

Filed with the Secretary of State on April 6, 2015

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 19 and 21 of 1974 PA 154, MCL 408.1019 and 408.1021, and Executive Reorganization Order Nos. 1996-2, 2003-1, 2008-4, and 2011-4, MCL 445.2001, 445.2011, 445.2025, and 445.2030)

R 408.44501 and R 408.44502 of the Michigan Administrative Code are amended, as follows:

PART 45. FALL PROTECTION

R 408.44501 Scope

Rule 4501. (1) The rules in this part set forth the minimum requirements and criteria for fall protection in construction workplaces, their applications, and definitions that are applicable to these rules.

(2) These rules do not apply where an employee is making an inspection, an investigation, or an assessment of workplace conditions before the actual start of construction work or after all construction work has been completed.

(3) The following provisions of the occupational safety and health administration (OSHA) regulations, except as amended in these rules, are adopted by reference in these rules:

(a) 29 C.F.R. § 1926.500 "Scope, Application, and definitions applicable to this subpart."

(b) 29 C.F.R. § 1926.501 "Duty to have fall protection."

(c) 29 C.F.R. § 1926.502 "Fall protection systems criteria and practices."

(d) 29 C.F.R. § 1926.503 "Training requirements."

(4) All of the following provisions are amendments to the OSHA regulations adopted by reference in these rules and are referenced in R 408.44502:

(a) Additional performance requirements for personal climbing equipment, lineman's body belts, safety straps, and lanyards are contained in Construction Safety Standard Part 16. "Power Transmission and Distribution."

(b) The specifications for fall protection requirements for an employee working on certain types of derricks are contained in Construction Safety Standard Part 10. "Lifting and Digging Equipment," and Construction Safety Standard Part 32. "Aerial Work Platforms."

(c) The specifications for fall protection requirements for an employee working on ladders and the performance requirements for stairways, stair rail systems, and handrails are contained in Construction Safety Standard Part 11. "Fixed and Portable Ladders" and Construction Safety Standard Part 21 "Guarding of Walking and Working Areas."

(d) The specifications for fall protection requirements for an employee working on a scaffold; performance requirements for a guardrail system; or for the performance requirements for falling object protection used on scaffolds are contained Construction Safety Standard Part 12. "Scaffolds and Scaffold Platforms."

(e) The specifications for fall protection requirements for an employee working on or in certain types of equipment used in tunneling operations are contained in Construction Safety Standard Part 14. "Tunnels, Shafts, Caissons, and Cofferdams."

(f) The specifications for fall protection requirements for an employee working from aerial lifts, on poles, towers, or similar structures while engaged in the construction of electric transmission or distribution lines or equipment are contained in Construction Safety Standard Part 32. "Aerial Work Platforms."

(g) The specifications for fall protection requirements for an employee performing steel erection work on buildings are contained in Construction Safety Standard Part 26. "Steel Erection."

R 408.44502. Adopted and referenced standards.

Rule 4502. (1) The following federal occupational safety and health administration (OSHA) regulations are adopted by reference in these rules:

(a) 29 C.F.R. § 1926.500 "Scope, Application, and definitions applicable to this subpart," effective July 10, 2014.

(b) 29 C.F.R. § 1926.501 "Duty to have fall protection," effective January 26, 1995.

(c) 29 C.F.R. § 1926.502 "Fall protection systems criteria and practices," effective January 26, 1995.

(d) 29 C.F.R. § 1926.503 "Training requirements," effective January 26, 1995.

(2) The standards adopted in subrule (1) of this rule 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.

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

(4) The standards adopted in these rules may be obtained from the publisher or may be obtained from the Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan, 48909-8143, plus $20.00 for shipping and handling.

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

(a) Construction Safety Standard Part 10. "Lifting and Digging Equipment," R 408.41001 to R 408.41099a.

(b) Construction Safety Standard Part 11. "Fixed and Portable Ladders," R 408.41101 to R 408.41140.

(c) Construction Safety Standard Part 12. "Scaffolds and Scaffold Platforms," R 408.41201 to R 408.41264.

(d) Construction Safety Standard Part 14. "Tunnels, Shafts, Caissons, and Cofferdams," R 408.41401 to R 408.41483.

(e) Construction Safety Standard Part 16. "Power Transmission and Distribution," R 408.41601 to R 408.41658.

(f) Construction Safety Standard Part 21. “Guarding of Walking and Working Areas,” R 408.42101 to R 408.42160.
(g) Construction Safety Standard Part 26. “Steel Erection,” R 408.42601 to R 408.42656.
(h) Construction Safety Standard Part 32. “Aerial Work Platforms,” R 408.43201 to R 408.43220.

ADMINISTRATIVE RULES

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

GENERAL INDUSTRY SAFETY STANDARDS

Filed with the Secretary of State on April 6, 2015

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

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

R 408.14001, R 408.14002, R 408.14004, R 408.14005, R 408.14008, and R 408.14009 of the Michigan Administrative Code are amended, and R 408.14001a and R 408.14001b of the Code are added, as follows:

PART 40. SAFETY-RELATED WORK PRACTICES

GENERAL PROVISIONS

R 408.14001 Scope.

Rule 4001. (1) The provisions of these rules regulate electrical safety-related work practices for both qualified persons, that is, those who have training in avoiding the electrical hazards of working on or near exposed energized parts, and unqualified persons, that is, those who have little or no such training, who work on, near, or with any of the following installations:

(a) Installations of electric conductors and equipment within or on buildings or other structures and on other premises such as yards, carnival, parking, and other lots, and industrial substations.

(b) Installations of conductors that connect to the supply of electricity.

(c) Installations of other outside conductors on the premises.

(d) Installations of optical fiber cable where such installations are made together with electric conductors. See R 408.14002 for training requirements that apply to qualified and unqualified persons.

(2) The provisions of these rules also regulate work that is performed by unqualified persons on, near, or with the installations listed in subrule (3)(a) to (d) of this rule.

(3) The provisions of these rules do not apply to work that is performed by qualified persons on, or directly associated with, any of the following installations:

(a) Installations for the generation, control, transformation, transmission, and distribution of electric energy, including communication and metering, that are located in buildings used for such purposes or located outdoors. Work on, or directly associated with, installations of utilization equipment that is used for a purpose other than generating, transmitting, or distributing electric energy, such as installations which are in office buildings, warehouses, garages, machine shops, or recreational buildings

or which are other utilization installations that are not an integral part of a generating installation, substation, or control center, is regulated pursuant to the provisions of subrule (1)(a) of this rule. Work on, or directly associated with, generation, transmission, or distribution installations includes any of the following:

(i) Work performed directly on such installations, such as repairing overhead or underground distribution lines or repairing a feed-water pump for the boiler in a generating plant.

(ii) Work that is directly associated with such installations, such as line-clearance tree trimming and replacing utility poles. See the definition of "line-clearance tree trimming" in R 408.14001b.

(iii) Work on electric utilization circuits in a generating plant provided if both of the following provisions apply:

(A) Such circuits are commingled with installations of power generation equipment or circuits.

(B) The generation equipment or circuits present greater electrical hazards than those posed by the utilization equipment or circuits, such as exposure to higher voltages or lack of overcurrent protection.

(b) Installations of communication equipment to the extent that the work is regulated by the provisions of General Industry Safety Standard Part 50 "Telecommunications," as referenced in R 408.14001a.

(c) Installations in ships, watercraft, railway rolling stock, aircraft, or automotive vehicles other than mobile homes and recreational vehicles.

(d) Installations of railways for the generation, transformation, transmission, or distribution of power that is used exclusively for operating rolling stock or installations of railways used exclusively for signaling and communication purposes.

(5) For work on or directly associated with utilization installations, an employer who complies with the work practices of General Industry Safety Standard Part 86 "Electric Power Generation, Transmission, and Distribution," as referenced in R 408.14001a, will be deemed to be in compliance with R 408.14005 and R 408.14009. However, the requirements of R 408.14002, R 408.14003, R 408.14004, and R 408.14007 apply to all work on or directly associated with utilization installations, regardless of whether the work is performed by qualified or unqualified persons.

R 408.14001a Referenced standards.

Rule 4001a. 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 Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 7150 Harris Drive, P.O. Box 30643, Lansing, MI, 48909-8143 or via the internet at website: www.michigan.gov/mioshastandards. 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) General Industry Safety Standard Part 37 "Accident Prevention Signs and Tags," R 408.13701 to R 408.13736.

(c) General Industry Safety Standard Part 39 "Design Safety Standards for Electrical Systems," R 408.13901 to R 408.13905.

(d) General Industry Safety Standard Part 50 "Telecommunications," R 408.15001 to R 408.15004.

(e) General Industry Safety Standard Part 86 "Electric Power Generation, Transmission, and Distribution," R 408.18601 to R 408.18605.

R 408.14001b Definition.

Rule 4001b. "Line-clearance tree trimmer," means an employee who, through related training or on-the- job experience, or both, is familiar with the special techniques and hazards involved in line-clearance tree trimming.

Note 1: An employee who is regularly assigned to a line-clearance tree-trimming crew and who is undergoing on-the-job training and who, in the course of such training, has demonstrated an ability to perform duties safely at his or her level of training and who is under the direct supervision of a line-clearance tree trimmer is considered to be a line-clearance tree trimmer for the performance of those duties.

Note 2: A line-clearance tree trimmer is not considered to be a "qualified employee" unless he or she has the training required for a qualified employee according to General Industry Safety Standard Part 86 "Electric Power Generation, Transmission, and Distribution," as referenced in R 408.14001a. However, according to General Industry Safety Standard Part 86 "Electric Power Generation, Transmission, and Distribution," a line-clearance tree trimmer is considered to be a "qualified employee". Tree trimming performed by these "qualified employees" shall not be subject to the electrical safety-related work practice requirements contained in these rules. Also see R 408.14002 for information regarding the training an employee must have to be considered a qualified employee under these rules.

R 408.14002 Training requirements.

Rule 4002. (1) The training requirements contained in this rule apply to employees who face a risk of electric shock that is not reduced to a safe level by the electrical installation requirements of General Industry Safety Standard Part 39 "Design Safety Standards for Electrical Systems," as referenced in R 408.14001a.

(2) Employees who are in occupations that are listed in table 1 face such a risk of electric shock and are required to be trained. Other employees who also may reasonably be expected to face a comparable risk of injury due to electric shock or other electrical hazards shall also be trained.

(3) Employees shall be trained in, and familiar with, the safety-related work practices required by these rules that pertain to their respective job assignments.

(4) Employees who are regulated by the provisions of subrules (1) to (3) of this rule, but who are not qualified persons, shall also be trained in, and familiar with, any electrically related safety practices which are not specifically addressed by these rules, but which are necessary for employee safety.

(5) Qualified persons, that is, those who are permitted to work on or near exposed energized parts, shall, at a minimum, be trained in, and familiar with, all of the following:

(a) The skills and techniques necessary to distinguish exposed live parts from other parts of electric equipment.

(b) The skills and techniques necessary to determine the nominal voltage of exposed live parts.

(c) The clearance distances specified in R 408.14005 and the corresponding voltages to which the qualified person will be exposed.

For the purposes of these rules, a person shall have the training that is required by the provisions of this subrule to be considered a qualified person. Qualified persons whose work on energized equipment involves either direct contact or contact by means of tools or materials shall also have the training that is needed to meet the requirements of R 408.14005(2).

(6) The training that is required by this rule shall be classroom or on-the-job training. The degree of training provided shall be determined by the risk to the employee.

(7) Table 1 reads as follows:

TABLE 1
TYPICAL OCCUPATIONAL CATEGORIES OF EMPLOYEES WHO FACE
A HIGHER THAN NORMAL RISK OF ELECTRICAL ACCIDENT

Occupation:
Blue collar supervisors*
Electrical and electronic engineers*
Electrical and electronic equipment assemblers*
Electrical and electronic technicians*
Electricians
Industrial machine operators*
Material handling equipment operators*
Mechanics and repairers*
Painters*
Riggers and roustabouts*
Stationary engineers*
Welders
*Workers in these groups do not need to be trained if their work or the work of those they supervise does not bring them or the employees they supervise close enough to exposed parts of electric circuits that operate at 50 volts or more to ground for a hazard to exist.

R 408.14004 Working on or near exposed de-energized parts.

Rule 4004. (1) This rule applies to work on exposed de-energized parts and to work that is near enough to exposed de-energized parts to expose an employee to any electrical hazard the parts present. Conductors and parts of electric equipment that have been de-energized, but have not been locked out in accordance with the provisions of subrule (2) of this rule, shall be treated as energized parts and the provisions of R 408.14005 apply to work on or near such parts.

(2) While any employee is exposed to contact with parts of fixed electrical equipment or circuits which have been de-energized, the circuits energizing the parts shall be locked out in accordance with the requirements of this rule. The requirements shall be followed in the order in which they are presented. As used in this section, "fixed electrical equipment" means equipment that is fastened in place or connected by permanent wiring methods. Lockout procedures that comply with current lockout requirements will also be deemed to comply with the requirements of this rule. Where lockout is required by this part, if a lock cannot be employed or if the employer can demonstrate that tagging procedures will provide safety equivalent to a lock, a tag may be used without a lock. In such cases a tag shall be in compliance with all of the following requirements:

(a) A tag shall be of a distinctive employer design that clearly prohibits unauthorized energizing of the circuits and removal of the tag.

(b) A tag shall not be used without an additional safety measure, such as the removal of an isolating circuit element, the blocking of a controlling switch, or the opening of an extra disconnecting device.

(c) All persons who have access to controlling devices shall be trained in, and familiar with, the employer's tagging procedures.

(d) Meet the requirements of General Industry Safety Standard Part 37 “Accident Prevention Signs and Tags,” as referenced in R 408.14001a.

(3) An employer shall maintain a copy of the procedures outlined in subrule (2) of this rule and shall make it available for inspection by employees and by the director of the department of licensing and regulatory affairs, and his or her authorized representatives. The written procedures may be in the form of a copy of the provisions of subrule (2) of this rule.

(4) Safe procedures for de-energizing circuits and equipment shall be determined before circuits or equipment are de-energized.

(5) The circuits and equipment to be worked on shall be disconnected from all electric energy sources. Control circuit devices, such as push buttons, selector switches, and interlocks, shall not be used as the sole means for de-energizing circuits or equipment. Interlocks for electric equipment shall not be used as a substitute for lockout.

(6) Stored electric energy which might endanger personnel shall be released. Capacitors shall be discharged and high-capacitance elements shall be short-circuited and grounded if the stored electric energy might endanger personnel. If the capacitors or associated equipment is handled in meeting this requirement, the capacitors and associated equipment shall be treated as energized.

(7) Stored nonelectrical energy in devices that could reenergize electric circuit parts shall be blocked or relieved to the extent that the circuit parts cannot be accidentally energized by the devices.

(8) A lock shall be placed on each disconnecting means that is used to de-energize circuits and equipment on which work is to be performed. The lock shall be attached to prevent a person from operating the disconnecting means unless undue force or tools are used.

(9) The requirements of this rule shall be met before any circuits or equipment can be considered to be de-energized and before any circuits or equipment can be worked on. A qualified person shall operate the equipment operating controls or otherwise verify that the equipment cannot be restarted. A qualified person shall use test equipment to test the circuit elements and electrical parts of equipment to which employees will be exposed and shall verify that the circuit elements and equipment parts are de-energized. The test shall also determine if any energized condition exists as a result of inadvertently induced voltage or unrelated voltage backfeed, even though specific parts of the circuit have been de-energized and presumed to be safe. If the circuit to be tested is more than 600 volts, nominal, the test equipment shall be checked for proper operation immediately before and immediately after this test.

(10) All of the following requirements shall be met, in the order presented, before circuits or equipment is reenergized, even temporarily:

(a) A qualified person shall conduct tests and visual inspections, as necessary, to verify that all tools, electrical jumpers, shorts, grounds, and other such devices have been removed so that the circuits and equipment can be safely energized.

(b) Employees who are exposed to the hazards associated with reenergizing the circuit or equipment shall be warned to stay clear of circuits and equipment.

(c) Each lock shall be removed by the employee who applied it or by an employee who is under his or her direct supervision. However, if the employee who applied the lock is absent from the workplace, then the lock, if removed, shall be removed by a qualified person who is designated to perform this task if both of the following provisions are complied with:

(i) The employer ensures that the employee who applied the lock is not available at the workplace.

(ii) The employer ensures that the employee who applied the lock is aware that the lock has been removed before he or she resumes work at that workplace.

(d) There shall be a visual determination that all employees are clear of the circuits and equipment.

R 408.14005 Working on or near exposed energized parts.

Rule 4005. (1) This rule applies to work performed on exposed energized parts that involve either direct contact or contact by means of tools or materials and to work that is performed near enough to

energized parts for employees to be exposed to any hazard the parts present.

(2) Only qualified persons may work on electric circuit parts or equipment that have not been de-energized under the procedures specified in R 408.14004. Such persons shall be trained to work safely on energized circuits and shall be familiar with the proper use of all of the following:

(a) Special precautionary techniques.

(b) Personal protective equipment.

(c) Insulating and shielding materials.

(d) Insulated tools.

(e) Testing equipment.

(3) If work is to be performed near overhead power lines the lines shall be de-energized and grounded or other protective measures shall be provided before work is started. If the lines are to be de-energized arrangements shall be made with the person or organization that operates or controls the electric circuits to de-energize and ground them. If protective measures are provided such as guarding, isolating or insulating these precautions shall prevent an employee from directly contacting such lines with any part of his or her body and from indirect contact through conductive materials tools or equipment. The work practices used by qualified persons who install insulating devices on overhead power transmission or distribution lines are not regulated by these rules. Unqualified persons are prohibited from performing this type of work.

(4) When an unqualified person is working in an elevated position near overhead lines, the person shall be located so that the person and the longest conductive object he or she may be using cannot come closer to any unguarded, energized overhead line than the following distances:

(a) For voltages to ground of 50 kilovolts (kV) or less - 10 feet (ft.) (305 centimeters (cm)).

(b) For voltages to ground of more than 50 kV - 10 ft. (305 cm), plus 4 inches (in.) (10 cm) for every 10kV over 50kV.

(5) When an unqualified person is working on the ground in the vicinity of overhead lines, the person shall not bring any conductive object closer to unguarded, energized overhead lines than the distances specified in subrule (4) of this rule. For voltages that are normally encountered with overhead power lines, objects which do not have an insulating rating for the voltage involved are considered to be conductive.

(6) When a qualified person is working in the vicinity of overhead power lines, whether in an elevated position or on the ground, the person shall not approach, or take any conductive object that does not have an approved insulating handle, closer to exposed energized parts than the distances shown in table 2, unless 1 of the following provisions is complied with:

(a) The person is insulated from the energized part by utilizing personal protective equipment that is in compliance with General Industry Safety Standard Part 33 “Personal Protective Equipment,” as referenced in R 408.14001a.

(b) The energized part is insulated from all other conductive objects at a different potential and from the person.

(c) The person is insulated from all conductive objects at a potential that is different from that of the energized part.

(7) Table 2 reads as follows:

TABLE 2

APPROACH DISTANCE FOR QUALIFIED EMPLOYEES
ALTERNATING CURRENT

Voltage Range (Phase to Phase) Distance	Minimum Approach
300 volts (V) and less	Avoid contact
More than 300 V, but not more than 750V	1 ft. 0 in. (30.5 cm)
More than 750V, but not more than 2kV	1 ft. 6 in. (46 cm)
More than 2kV, but not more than 15kV	2 ft. 0 in. (61 cm)
More than 15kV, but not more than 37kV	3 ft. 0 in. (91 cm)
More than 37kV, but not more than 87.5kV	3 ft. 6 in. (107 cm)
More than 87.5kV, but not more than 121kV	4 ft. 0 in. (122 cm)
More than 121kV, but not more than 140 kV	4 ft. 6 in. (137 cm)

(8) Any vehicle or mechanical equipment that is capable of having parts of its structure elevated near energized overhead power lines shall be operated so that a clearance of 10 ft. (305 cm) is maintained. If the voltage is more than 50kV, the clearance shall be increased 4 in. (10 cm) for every 10kV over that voltage. However, under any of the following conditions, the clearance may be reduced:

(a) If the vehicle is in transit with its structure lowered, the clearance may be reduced to 4 ft. (122 cm). If the voltage is more than 50kV, the clearance shall be increased 4 in. (10 cm) for every 10kV over that voltage.

(b) If insulating barriers are installed to prevent contact with the lines, and if the barriers are rated for the voltage of the line being guarded and are not a part of, or an attachment to, the vehicle or its raised structure, the clearance may be reduced to a distance within the designed working dimensions of the insulating barrier.

(c) If the equipment is an aerial lift that is insulated for the voltage involved, and if the work is performed by a qualified person, the clearance between the uninsulated portion of the aerial lift and the power line may be reduced to the distance specified in table 2.

(9) An employee who is standing on the ground shall not contact the vehicle or mechanical equipment or any of its attachments, unless either of the following provisions is complied with:

(a) The employee uses protective equipment that is rated for the voltage.

(b) The equipment is located so that uninsulated parts of that portion of its structure that provides a conductive path to an employee on the ground cannot come closer to the line than the distances permitted in table 2.

(10) If any vehicle or mechanical equipment that is capable of having parts of its structure elevated near energized overhead lines is intentionally grounded, employees working on the ground near the point of grounding shall not stand at the grounding location if there is a possibility of overhead line contact. Additional precautions, such as the use of barricades or insulation, shall be taken to protect employees from hazardous ground potentials, depending on earth resistivity and fault currents, which can develop within the first few feet or more outward from the grounding point.

(11) An employee shall not enter a space that contains exposed energized parts, unless illumination is provided to enable the employee to perform the work safely.

(12) Where lack of illumination or an obstruction precludes the observation of the work to be performed, an employee shall not perform tasks near exposed energized parts. An employee shall not reach blindly into areas which may contain energized parts.

R 408.14008 Electric power and lighting circuits.

Rule 4008. (1) Load-rated switches, circuit breakers, or other devices specifically designed as disconnecting means shall be used for the opening, reversing, or closing of circuits under load conditions. Cable connectors that are not of the load-break type, fuses, terminal lugs, and cable splice connections shall not be used for such purposes, except in an emergency.

(2) After a circuit is de-energized by a circuit protective device, the circuit shall not be manually reenergized until it has been determined that the equipment and circuit can be safely energized. The repetitive manual reclosing of circuit breakers or the reenergizing of circuits through replaced fuses is prohibited. When it can be determined from the design of the circuit and the overcurrent devices involved that the automatic operation of a device was caused by an overload rather than a fault condition, an examination of the circuit or connected equipment is not needed before the circuit is reenergized.

(3) Overcurrent protection of circuits and conductors shall not be modified, even on a temporary basis, beyond that permitted pursuant to the provisions of General Industry Safety Standard Part 39 “Design Safety Standards for Electrical Systems,” as referenced in R 408.14001a, which are the installation safety requirements for overcurrent protection.

(4) Only a qualified person shall perform testing work on electric circuits or equipment.

(5) Test instruments and equipment and all associated test leads, cables, power cords, probes, and connectors shall be visually inspected for external defects and damage before the instruments and equipment are used. If there is a defect or evidence of damage that might expose an employee to injury, the defective or damaged item shall be removed from service, and an employee shall not use the item until necessary repairs and tests to render the equipment safe have been made.

(6) Test instruments and equipment and their accessories shall be rated for the circuits and equipment to which they will be connected and shall be designed for the environment in which they will be used.

(7) Where flammable materials are present only occasionally, electric equipment that is capable of igniting the materials shall not be used, unless measures are taken to prevent hazardous conditions from developing. Such materials include flammable gases, vapors, or liquids, combustible dust, and ignitable fibers or flyings. Electrical installation requirements for locations where flammable materials are present on a regular basis are contained in the provisions of General Industry Safety Standard Part 39 “Design Safety Standards for Electrical Systems,” as referenced in R 408.14001a.

R 408.14009 Safeguards for personnel working in electrical hazard areas.

Rule 4009. (1) An employee who works in an area where there are recognized electrical hazards shall be provided with, and shall use, electrical protective equipment that is appropriate for the specific parts of the body to be protected and for the work to be performed. The appropriateness of the protective equipment shall be determined pursuant to the provisions of General Industry Safety Standard Part 33 “Personal Protective Equipment,” as referenced in R 408.14001a.

(2) Protective equipment shall be maintained in a safe, reliable condition and shall be periodically inspected or tested, as required by the provisions of General Industry Safety Standard Part 33 “Personal Protective Equipment,” as referenced in R 408.14001a.

(3) If the insulating capability of protective equipment may be subject to damage during use, the insulating material shall be protected. For example, an outer covering of leather is sometimes used for the protection of rubber insulating material.

(4) An employee shall wear nonconductive head protection pursuant to the provisions of General Industry Safety Standard Part 33 “Personal Protective Equipment,” as referenced in R 408.14001a, if there is a danger of head injury from electric shock or burns due to contact with exposed energized parts.

(5) An employee shall wear protective equipment for the eyes or face if there is a danger of injury to the eyes or face from electric arcs or flashes or from flying objects that result from electrical explosion.

(6) When working near exposed energized conductors or circuit parts, each employee shall use insulated tools or handling equipment if the tools or handling equipment might make contact with the conductors or parts. If the insulating capability of insulated tools or handling equipment is subject to damage, the insulating material shall be protected.

(7) Fuse-handling equipment that is insulated for the circuit voltage shall be used to remove or install fuses when the fuse terminals are energized.

(8) Ropes and handlines that are used near exposed energized parts shall be nonconductive.

(9) Protective shields, protective barriers, or insulating materials shall be used to protect each employee from shock, burns, or other electrically related injuries while that employee is working near exposed energized parts which might be accidentally contacted or where dangerous electric heating or arcing might occur. When normally enclosed energized parts are exposed for maintenance or repair, they shall be guarded to protect unqualified persons from contact with the energized parts.

(10) The following alerting techniques shall be used to warn and protect employees from hazards which could cause injury due to electric shock, burns, or the failure of electric equipment parts:

(a) Safety signs, safety symbols, or accident prevention tags shall be used where necessary to warn employees about electrical hazards which may endanger them, as required by the provisions of General Industry Safety Standard Part 37 “Accident Prevention Signs and Tags,” as referenced in R 408.14001a.

(b) Barricades shall be used in conjunction with safety signs where it is necessary to prevent or limit employee access to work areas that expose employees to uninsulated energized conductors or circuit parts. Conductive barricades shall not be used where they might cause an electrical contact hazard.

(c) If signs and barricades do not provide sufficient warning and protection from electrical hazards, an attendant shall be stationed to warn and protect employees.

ADMINISTRATIVE RULES

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

GENERAL INDUSTRY SAFETY STANDARDS

Filed with the Secretary of State on April 6, 2015

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

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

R 408.16204, R 408.16223, R 408.16227, R 408.16234, R 408.16237, and R 408.16251 of the Michigan Administrative Code are amended, and R 408.16202 is added, as follows:

PART 62. PLASTIC MOLDING

R 408.16202 Referenced standards.

Rule 6202. 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 Regulatory Services Section, 7150 Harris Drive, 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 2 “Floor and Wall Openings, Stairways, and Skylights,” R 408.10201 to R 408.10241.

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

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

(d) General Industry Safety Standard Part 27 “Woodworking Machinery,” R 408.12701 to R 408.12799.

(e) General Industry Safety Standard Part 85 “The Control of Hazardous Energy Sources,” R 408.18501 to R 408.18599.

R 408.16204 Definitions; B to E.

Rule 6204. (1) "Blow molding machine" means a plasticizer and a clamping unit that work in conjunction with each other so that the plasticizer produces molten plastic which is blown by air, gas, or liquid and the clamping unit performs the manufacture of hollow products.

(2) "Compression molding machine" means a machine that uses temperature-controlled–molds for pressing plastic material into the shape of a mold cavity.

(3) "Device" means a machine control that is designed and installed to perform either of the following functions:

(a) Prevent normal machine operation if the operator's hands are within the point of operation.

(b) Require the concurrent use of both hands of the operator to actuate the machine.

(4) "Dielectric sealing" means a process for bonding plastic films using high-frequency energy.

(5) "Expansion molding" means to make plastic shapes by expanding polystyrene beads with a heating medium within a mold.

(6) "Extrusion machine" means a plasticizer which is mounted on a base and which takes raw plastic material, changes it into a molten state, and extrudes it through a die into a predetermined shape.

R 408.16223 Platforms and ladders.

Rule 6223. (1) If it is necessary for an employee to mount a machine to perform assigned duties, a platform or ladder, or both, shall be provided and used. The floor of the platform shall have an open design or slip-resistant surface.

(2) A platform shall be as prescribed in General Industry Safety Standard Part 2 “Floor and Wall Openings, Stairways, and Skylights,” as referenced in R 408.16202.

(3) A fixed ladder shall be as prescribed in General Industry Safety Standard Part 3 “Fixed Ladders,” as referenced in R 408.16202.

(4) A portable ladder shall be as prescribed in General Industry Safety Standard Part 4 “Portable Ladders,” as referenced in R 408.16202.

R 408.16227 Lubrication and maintenance

Rule 6227. (1) Lubrication of a machine shall be accomplished by 1 of the following:

(a) Manually when the machine can be shut off and locked out.

(b) An automatic pressure or gravity feed system.

(c) An extension pipe leading to an area outside of the guards or away from any hazard.

(2) Each employee doing the work shall lock out the power source of the machine or equipment to be repaired or serviced if unexpected motion would cause injury. Any residual pressure which would be hazardous shall be relieved before and remain relieved during work by an employee doing the work.

R 408.16234 Injection molding machinery.

Rule 6234. (1) An injection molding machine, except for one with a movable table that is subject to the provisions of subrule (4) of this rule, shall be equipped with a safety gate that is designed and constructed to prevent an employee from reaching into the point of operation, except when the gate is open.

(2) A safety gate on an injection molding machine that was manufactured after August 28, 1973, shall be interlocked with electrical, mechanical, and hydraulic or pneumatic devices, except as noted in subrule (9) of this rule.

(3) An injection molding machine that was manufactured on or before August 28, 1973, shall have the safety gate interlocked by any 2 of the following:

(a) An electrical mold-closing control.

(b) Hydraulic or pneumatic valves that control mold closing.

(c) A mechanical device that prevents mold closing.

(4) An injection molding machine that uses a movable table to hold the lower mold shall be provided with a guard or device that is designed and constructed to deny an operator access to the point of operation during machine cycle.

(5) An injection molding machine shall be equipped with a fixed or an interlocked removable barrier that is designed and constructed to prevent an employee from reaching into the clamping mechanism.

(6) When purging an injection molding machine, an employee shall be protected from the purging splatter by a shield that is fixed, portable, or worn on the employee. The same guarding shall be used when servicing a heated runner manifold nozzle.

(7) An injection molding machine that uses an extruding machine that has an exposed feed screw shall have the screw guarded as prescribed by the provisions of R 408.16233(4).

(8) An electrically interlocked barrier shall be provided to cover the mold area opposite the operator on an injection molding machine that was manufactured after August 28, 1973. An injection molding machine that was manufactured on or before August 28, 1973, shall be provided with an interlocked or fixed barrier to cover the mold area opposite the operator.

(9) On injection molding machines that are powered by sources other than hydraulics or pneumatics, at least 1 additional electrical interlock shall also be provided. The interlock shall be independent of, and perform the same function as, the control specified in subrule (3)(a) of this rule.

(10) Mold changes on horizontal plastic injection molding machines may continue to be conducted using the procedures specified in subrule (11) of this rule through December 31, 2016. Effective January 1, 2017, employers engaged in mold changes on horizontal injection molding machines shall comply with General Industry Safety Standard Part 85 “The Control of Hazardous Energy Sources,” (Lockout/Tagout) (29 C.F.R. § 1910.147), as referenced in R 408.16202.

(11) An employer shall ensure that routine mold changes on a horizontal injection molding machine are conducted in accordance with either of the following if the machine has an interlocked safety gate that complies with subrule (2) of this rule and an electrically interlocked barrier covering the mold area opposite the operator:

(a) On a horizontal injection molding machine that has a functional mechanical safety device plus 2 independent interlocks on the operator's gate and an emergency or other stop which shuts off the motor or motors which activate the clamping mechanism, the person changing the mold shall activate the emergency or other stop and lock the operator's gate in the open position. An employer shall ensure that the interlocks are checked and found to be functional and properly adjusted before beginning the mold change.

(b) On a horizontal injection molding machine which has 2 independent interlocks on the rear barrier that shut off the motor or motors that activate the clamping mechanism, the person changing the mold shall lock the rear barrier in the open position. An employer shall ensure that the interlocks are checked and found to be functional and properly adjusted before beginning the mold change.

R 408.16237 Rotational molding.

Rule 6237. (1) A pinch point created where the revolving drive wheel of a rotational molding machine meets the driving surface shall be guarded.

(2) The perimeter of the patch of travel of the rotating molds shall be guarded by a standard barrier as prescribed in General Industry Safety Standard Part 2 “Floor and Wall Openings, Stairways, and Skylights,” as referenced in R 408.16202. Access into the area shall be by a gate or door. If the gate or door is interlocked to the power source, the guarding required in subrule (1) of this rule need not be installed. The interlocked gate or door on the standard barrier shall not be used as an operating control.

(3) Such a machine, having each movement of the mold manually controlled by an operator, may substitute a yellow line 4 inches wide for a standard barrier around the perimeter of the patch of travel of

the rotating molds, except the perimeter between the heating and cooling chambers. However, movement of the molds shall be preceded by automatic activation of a warning device, such as a flashing light, bell, horn, or siren for 5 seconds before the movement.

(4) The operating controls for a manually operated machine shall be so located that the operator cannot reach into the path of or be struck by the moving mold.

R 408.16251 Other machinery.

Rule 6251. Where woodworking machinery is used in the processing of plastics, the machinery shall be as prescribed in General Industry Safety Standard Part 27 “Woodworking Machinery,” as referenced in R 408.16202.

PROPOSED ADMINISTRATIVE RULES, NOTICES OF PUBLIC HEARINGS

MCL 24.242(3) states in part:

"… the agency shall submit a copy of the notice of public hearing to the Office of Regulatory Reform for publication in the Michigan register. An agency's notice shall be published in the Michigan register before the public hearing and the agency shall file a copy of the notice of public hearing with the Office of Regulatory Reform."

MCL 24.208 states in part:

"Sec. 8. (1) The Office of Regulatory Reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(d) Proposed administrative rules.

(e) Notices of public hearings on proposed administrative rules."

ADMINISTRATIVE RULES

DEPARTMENT OF COMMUNITY HEALTH

CRIME VICTIM'S SERVICES COMMISSION

GENERAL RULES

Proposed Draft January 29, 2015

Filed with the Secretary of State on

These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

(By authority conferred on the crime victims compensation board by section 3 of 1976 PA 223, **MCL 18.353** ~~of the Michigan Compiled Laws~~)

R 18.351 and R 18.365 of the Michigan Administrative Code are amended, as follows:

R 18.351 Definitions.

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

(a) "Accomplice" means any person who knowingly aids or assists another person in the commission of a crime, either before, during, or after the crime.

(b) "Act" means 1976 PA 223, MCL 18.351 to 18.368.

(c) "Civil infraction" has the meaning prescribed by section 6a of 1949 PA 300, MCL 257.6.

(d) "Closed session" means a meeting or part of a meeting of the commission that is closed to the public in order to protect certain rights of confidentiality.

(e) "Crime" means an act or omission forbidden by law that is not designated as a civil infraction and that is punishable, upon conviction, by imprisonment, a fine which is not a civil fine, or other penal discipline.

(f) "Criminally responsible" means legally accountable or legally answerable for a crime.

(g) "Dependent" means a person who receives at least 1/2 of his or her support from a deceased victim or claimant and includes a child of the victim born after his or her death.

(h) "Household" means persons who dwell together as a family under 1 roof and who are related by blood, marriage, or judicial decree.

(i) "Intimate personal privacy" means matters dealing with the mental or physical health of a person or the details or a crime involving sexual assault in any degree.

(j) "Legally incapacitated person" means a person, other than a minor, for whom a guardian has been appointed by a court.

(k) "Loss of support" means the cessation of a victim's earnings that were actually paid to or for a dependent prior to the victim's death and not reimbursed from insurance or public funds after the victim's death.

(l) " Meeting" means the convening of the commission at which **a majority of the board** ~~2 or more~~ members-are present for the purpose of deliberating toward or rendering a decision on a public policy.

(m) "Minor" means a person who is less than 18 years of age.

(n) "Other services necessary" means recognized medical treatment, convalescent aids, supplies, and other equipment needed by the victim because of physical incapacity sustained as a direct result of the crime.

(o) "Peace officer" means an employee of this state, or any political subdivision thereof, who is employed as a police officer, sheriff, firefighter, conservation officer, or similar officer exercising powers of a police officer.

(p) "Resident" means a person who is living in this state when the crime occurs. Resident does not include a person who resides in another state or foreign country and who is temporarily in this state for business, recreation, or personal matters.

(q) "Unreimbursed and unreimbursable expenses" means expenses for which the claimant has no means of payment other than the claimant's assets or through an award of the commission.

(r) "Writing" means any of the following:

(i) Handwriting.

(ii) Typewriting.

(iii) Printing.

(iv) Photostating.

(v) Photographing.

(vi) Photocopying.

(vii) Any other means of recording, including the recording of letters, words, pictures, sounds, symbols, or any combination thereof.

(viii) Maps.

(ix) Papers.

(x) Magnetic or punched cards.

(xi) Discs.

(xii) Drums.

(xiii) Any other means of recording or retaining meaningful contents.

(2) Terms defined in the act have the same meanings when used in these rules.

R 18.365 Appeals; application for full board review of claim or evidentiary hearing.

Rule 15. (1) When a board member to whom a claim is assigned is unable to decide a claim in favor of the claimant or denies the claim in whole or in part, the claimant shall be advised in writing that he or she has the option of a full board review of the claim or an evidentiary hearing before the full board.

(2) Within 30 days after receipt of the report of the decision of the ~~boad~~ **board** member, a claimant, a claimant's attorney, or a board member may make an application, in writing, to the board at its Lansing office for consideration of the decision by the full board or at an evidentiary hearing, if desired. The secretary of the board shall notify the claimant, the claimant's attorney, or the board member requesting the appeal of the date, time, and place that the appeal will be considered. Additional information that the claimant desires the board to consider must be submitted to the board in Lansing not less than 10 days prior to the hearing.

NOTICE OF PUBLIC HEARING

DEPARTMENT OF COMMUNITY HEALTH

CRIME VICTIMS SERVICE COMMISSION

Rule Set 2015-005-CH

NOTICE OF PUBLIC HEARING
May 29, 2015

The Michigan Department of Community Health Crime Victims Services Commission will hold a public hearing on Friday, May 29, 2015 at the offices of the Michigan Department of Community Health, 201 Townsend, Lansing, Michigan in the lst floor, Conference Center Room B at 10:00 a.m. The purpose of the hearing is to receive public comments from interested persons on proposed amendments to the rules governing majority vote of the Commission.

The rules are promulgated under the authority of the Crime Victims Compensation Board by section 3 of 1976 PA 223, MCL 18.353. These rules become effective immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of 1969 PA 306. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Hearing comments may be presented in person with written comments available at the time of presentation. Individuals may also submit written comments by e-mail to the address listed below. Written comments must be received by 4:00 p.m. on May 29, 2015. Copies of the proposed rules may also be obtained by mail or e-mail at the following address:

Department of Community Health
Office of Legal Affairs
201 Townsend St.
Lansing, Michigan 48913
Attention: Christine Dingee
E-mail address: dingeec1@michigan.gov
Phone: (517) 241-5794

All hearings are conducted in compliance with the 1990 Americans with Disabilities Act. Hearings are held in buildings that accommodate mobility-impaired individuals and accessible parking is available. A disabled individual who requires accommodations for effective participation in a hearing should call Christine Dingee at the above number, to make the necessary arrangements. To ensure availability of the accommodation, please call ten days in advance.

ORR # 2015-005-CH March 30, 2015

(2015 SESSION)

MCL 24.208 states in part:

"Sec. 8. (1) The Office of Regulatory Reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(i) Other official information considered necessary or appropriate by the Office of Regulatory Reform."

The following table cites administrative rules promulgated during the year 2000, and indicates the effect of these rules on the Michigan Administrative Code (1979 ed.).

MICHIGAN ADMINISTRATIVE CODE TABLE
(2015 RULE FILINGS)

R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
38.22	R	1	38.1673	R	1	225.10	R	1
38.23	R	1	38.1674	R	1	247.351	R	1
38.24	R	1	38.1675	R	1	247.403	R	1
38.25	R	1	38.1676	R	1	247.404	R	1
38.28	R	1	38.1677	R	1	247.405	R	1
38.71	R	1	38.1678	R	1	247.406	R	1
38.72	R	1	38.1679	R	1	247.741	R	1
38.73	R	1	38.1680	R	1	247.742	R	1
38.74	R	1	38.1681	R	1	247.748	R	1
38.75	R	1	38.1682	R	1	281.811	*	5
38.76	R	1	38.1683	R	1	285.900.1	R	3
38.77	R	1	38.1684	R	1	299.4101	*	5
38.78	R	1	38.1685	R	1	299.4102	*	5
38.79	R	1	38.1686	R	1	299.4103	*	5
38.80	R	1	38.2171	R	1	299.4104	*	5
38.81	R	1	38.2172	R	1	299.4105	*	5
38.82	R	1	38.2173	R	1	299.4106a	*	5
38.83	R	1	38.2174	R	1	299.4110	*	5
38.84	R	1	38.2175	R	1	299.4111	*	5
38.85	R	1	38.2176	R	1	299.4117	*	5
38.86	R	1	38.2177	R	1	299.4121	*	5
38.1371	R	1	38.2178	R	1	299.4128	*	5
38.1372	R	1	38.2179	R	1	299.4201	*	5
38.1373	R	1	38.2180	R	1	299.4203	*	5
38.1374	R	1	38.2181	R	1	299.4302	*	5
38.1375	R	1	38.2182	R	1	299.4307	*	5
38.1376	R	1	38.2183	R	1	299.4318	*	5
38.1377	R	1	38.2184	R	1	299.4420	*	5
38.1378	R	1	38.2185	R	1	299.4428	*	5
38.1379	R	1	38.2186	R	1	299.4430	*	5
38.1380	R	1	225.1	R	1	299.4440	*	5
38.1381	R	1	225.2	R	1	299.4701	*	5
38.1382	R	1	225.3	R	1	299.4702	*	5
38.1383	R	1	225.4	R	1	299.4703	*	5
38.1384	R	1	225.5	R	1	299.4706	*	5
38.1385	R	1	225.6	R	1	299.4707	*	5
38.1386	R	1	225.7	R	1	299.4708	*	5
38.1671	R	1	225.8	R	1	299.4709	*	5
38.1672	R	1	225.9	R	1	299.4710	*	5

(***** Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
299.4711	*	5	324.130	*	5	324.1405	A	5
299.4712	*	5	324.201	*	5	324.1406	A	5
299.4806	*	5	324.202	*	5	325.9571	R	1
299.4118a	A	5	324.203	*	5	325.9572	R	1
324.1	R	1	324.206	*	5	325.9573	R	1
324.2	R	1	324.210	*	5	325.9574	R	1
324.3	R	1	324.301	*	5	325.9575	R	1
324.21	R	1	324.302	*	5	325.9576	R	1
324.23	R	1	324.303	*	5	325.9577	R	1
324.24	R	1	324.407	*	5	325.9578	R	1
324.31	R	1	324.411	*	5	325.9579	R	1
324.32	R	1	324.102	*	5	325.9580	R	1
324.33	R	1	324.130	*	5	325.9581	R	1
324.41	R	1	324.201	*	5	325.9582	R	1
324.42	R	1	324.202	*	5	325.22346	R	1
324.43	R	1	324.203	*	5	325.22347	R	1
324.51	R	1	324.206	*	5	325.22348	R	1
324.52	R	1	324.210	*	5	325.22349	R	1
324.53	R	1	324.301	*	5	325.22350	R	1
324.54	R	1	324.302	*	5	325.22351	R	1
324.55	R	1	324.303	*	5	325.22352	R	1
324.56	R	1	324.407	*	5	325.22353	R	1
324.57	R	1	324.411	*	5	325.22354	R	1
324.58	R	1	324.413	*	5	325.22355	R	1
324.59	R	1	324.418	*	5	325.22356	R	1
324.59a	R	1	324.503	*	5	325.22357	R	1
324.59b	R	1	324.511	*	5	325.22358	R	1
324.59c	R	1	324.613	*	5	325.22359	R	1
324.59d	R	1	324.705	*	5	325.22360	R	1
324.59e	R	1	324.801	*	5	325.22361	R	1
324.61	R	1	324.1015	*	5	325.22362	R	1
324.62	R	1	324.1103	*	5	325.47401	A	4
324.63	R	1	324.1202	*	5	325.47403	A	4
324.64	R	1	324.1204	*	5	325.47405	A	4
324.65	R	1	324.1206	*	5	325.47407	A	4
324.71	R	1	324.1401	A	5	325.47408	A	4
324.72	R	1	324.1402	A	5	325.47409	A	4
324.75	R	1	324.1403	A	5	325.47410	A	4
324.102	*	5	324.1404	A	5	325.47411	A	4

(***** Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
325.47414	A	4	325.50059a	A	7	325.51508	*	4
325.47415	A	4	325.50059b	A	7	325.51509	*	4
325.47416	A	4	325.50060a	A	7	325.51510	*	4
325.47417	A	4	325.50060b	A	7	325.51511	*	4
325.47418	A	4	325.50061a	A	7	325.51513	*	4
325.47419	A	4	325.50061b	A	7	325.51516	*	4
325.47420	A	4	325.50061c	A	7	325.51517	*	4
325.47424	A	4	325.50062a	A	7	325.51519	*	4
325.47425	A	4	325.50062b	A	7	325.51520	*	4
OHR 4201	R	4	325.50063a	A	7	325.51521	*	4
OHR 4202	R	4	325.50063b	A	7	325.51522	*	4
325.50051	*	7	325.50064a	A	7	325.51523	*	4
325.50052	*	7	325.50064b	A	7	325.51524	*	4
325.50054	*	7	325.50067a	A	7	325.51525	*	4
325.50055	*	7	325.50067b	A	7	325.51526	*	4
325.50056	*	7	325.50067c	A	7	325.51501a	A	4
325.50057	*	7	325.50069a	A	7	325.51519a	A	4
325.50058	*	7	325.50070a	A	7	325.51504	R	4
325.50059	*	7	325.51152	*	4	325.51527	R	4
325.50060	*	7	325.51156	*	4	325.51902	*	4
325.50061	*	7	325.51158	*	4	325.51903	*	4
325.50062	*	7	325.51162	*	4	325.51904	*	4
325.50063	*	7	325.51163	*	4	325.51905	*	4
325.50064	*	7	325.51164	*	4	325.51906	*	4
325.50065	*	7	325.51166	*	4	325.51907	*	4
325.50066	*	7	325.51167	*	4	325.51908	*	4
325.50067	*	7	325.51169	*	4	325.51909	*	4
325.50068	*	7	325.51172	*	4	325.51910	*	4
325.50069	*	7	325.51173	*	4	325.51912	*	4
325.50070	*	7	325.51174	*	4	325.51913	*	4
325.50071	*	7	325.51175	*	4	325.51914	*	4
325.50072	*	7	325.51151a	A	4	325.51915	*	4
325.50051a	A	7	325.51156a	A	4	325.51916a	*	4
325.50053a	A	7	325.51168a	A	4	325.51916b	*	4
325.50056a	A	7	325.51177	R	4	325.51917	*	4
325.50056b	A	7	325.51501	*	4	325.51918	*	4
325.50056c	A	7	325.51502	*	4	325.51922	*	4
325.50056d	A	7	325.51505	*	4	325.51923	*	4
325.50056e	A	7	325.51507	*	4	325.51924	*	4

(***** Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
325.51925	*	4	333.103	*	1	338.3001	R	5
325.51926	*	4	333.105	*	1	338.3002	R	5
325.51928	*	4	333.109	*	1	338.3003	R	5
325.51929	*	4	333.111	*	1	338.3004	R	5
325.51930	*	4	333.113	*	1	338.3005	R	5
325.51931	*	4	333.117	*	1	338.3006	R	5
325.51931a	*	4	333.119	*	1	338.3007	R	5
325.51932	*	4	333.123	*	1	338.3801	R	6
325.51933	*	4	333.125	*	1	338.11109	R	6
325.51934	*	4	333.131	*	1	338.11115	R	6
325.51935	*	4	333.133	*	1	338.30310	R	5
325.51936	*	4	333.126	A	1	339.1701	R	1
325.51937	*	4	333.107	R	1	339.1705	R	1
325.51938	*	4	333.121	R	1	339.1709	R	1
325.51938a	*	4	333.127	R	1	339.1713	R	1
325.51939	*	4	338.1601	R	1	339.1721	R	1
325.51940	*	4	338.1602	R	1	339.1741	R	1
325.51941	*	4	338.1610	R	1	339.1743	R	1
325.51943	*	4	338.1611	R	1	339.1745	R	1
325.51944	*	4	338.1614	R	1	339.1747	R	1
325.51945	*	4	338.1616	R	1	339.1751	R	1
325.51946	*	4	338.1617	R	1	339.1755	R	1
325.51947	*	4	338.1618	R	1	339.1757	R	1
325.51948	*	4	338.1619	R	1	339.1759	R	1
325.51949	*	4	338.1620	R	1	339.1761	R	1
325.51950	*	4	338.1621	R	1	339.1763	R	1
325.51950a	*	4	338.1622	R	1	339.1765	R	1
325.51950b	*	4	338.1623	R	1	339.1767	R	1
325.51951	*	4	338.1624	R	1	339.1771	R	1
325.51952	*	4	338.1625	R	1	339.23102	*	5
325.51953	*	4	338.1626	R	1	339.23403	*	5
325.51955	*	4	338.1627	R	1	340.1883	R	1
325.51956	*	4	338.1628	R	1	340.1884	R	1
325.51957	*	4	338.1629	R	1	340.1885	R	1
325.51902a	A	4	338.1633	R	1	380.126	R	1
325.51924a	A	4	338.1634	R	1	380.127	R	1
325.51921	R	4	338.1635	R	1	380.128	R	1
325.51958	R	4	338.1636	R	1	380.129	R	1
333.101	*	1	338.1637	R	1	380.132	R	1

(***** Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
380.133	R	1	400.3160	*	6	408.14004	*	7
380.134	R	1	400.3161	*	6	408.14005	*	7
390.1202	R	1	400.3162	*	6	408.14008	*	7
390.1206	R	1	400.3163	*	6	408.14009	*	7
390.1207	R	1	400.3164	*	6	408.14001a	A	7
390.1209	R	1	400.3165	*	6	408.14001b	A	7
390.1210	R	1	400.3168	*	6	408.15915	*	7
390.1212	R	1	400.3169	*	6	408.15922	*	7
390.1213	R	1	400.3170	*	6	408.15923	*	7
390.1214	R	1	400.3171	*	6	408.15903	A	7
390.1251	R	1	400.3173	*	6	408.15911	R	7
400.901	R	1	400.3178	*	6	408.16204	*	7
400.902	R	1	400.3179	*	6	408.16223	*	7
400.903	R	1	400.3167	R	6	408.16227	*	7
400.905	R	1	400.3401	R	1	408.16234	*	7
400.906	R	1	400.3403	R	1	408.16237	*	7
400.907	R	1	400.3409	R	1	408.16251	*	7
400.908	R	1	400.3410	R	1	408.16202	A	7
400.909	R	1	400.3411	R	1	408.22951	R	1
400.910	R	1	400.3412	R	1	408.22952	R	1
400.911	R	1	400.3413	R	1	408.22953	R	1
400.912	R	1	400.3414	R	1	408.22954	R	1
400.913	R	1	400.3415	R	1	408.22955	R	1
400.914	R	1	400.3416	R	1	408.22956	R	1
400.915	R	1	400.3417	R	1	408.22957	R	1
400.916	R	1	400.3418	R	1	408.22958	R	1
400.917	R	1	400.3419	R	1	408.22959	R	1
400.918	R	1	400.3420	R	1	408.22960	R	1
400.919	R	1	400.3421	R	1	408.22961	R	1
400.920	R	1	400.3422	R	1	408.22962	R	1
400.921	R	1	400.3423	R	1	408.22963	R	1
400.922	R	1	408.6203	R	5	408.22964	R	1
400.941	R	1	408.6204	R	5	408.22965	R	1
400.3151	*	6	408.6206	R	5	408.22966	R	1
400.3155	*	6	408.6208	R	5	408.22967	R	1
400.3156	*	6	408.6209	R	5	408.22968	R	1
400.3157	*	6	408.6301	R	5	408.22969	R	1
400.3158	*	6	408.14001	*	7	408.22970	R	1
400.3159	*	6	408.14002	*	7	408.22971	R	1

(***** Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
408.40115	*	4	408.41861	*	7	408.42737	R	7
408.40120	*	4	408.41862	*	7	408.42741	R	7
408.40121	*	4	408.41863	*	7	408.42742	R	7
408.40122	*	4	408.41864	*	7	408.42743	R	7
408.40123	*	4	408.41865	*	7	408.42744	R	7
408.40128	*	4	408.41866	*	7	408.42751	R	7
408.40130	*	4	408.41867	*	7	408.42752	R	7
408.40131	*	4	408.41868	*	7	408.42753	R	7
408.40132	*	4	408.41869	*	7	408.42754	R	7
408.40133	*	4	408.41874	*	7	408.42755	R	7
408.40105	A	4	408.41875	*	7	408.42757	R	7
408.40601	*	6	408.41877	*	7	408.42758	R	7
408.40603	*	6	408.41884	*	7	408.42759	R	7
408.40617a	*	6	408.41861a	A	7	408.42761	R	7
408.40623	*	6	408.41861b	A	7	408.42762	R	7
408.40625	*	6	408.41861c	A	7	408.42763	R	7
408.40631	*	6	408.41861d	A	7	408.42799	R	7
408.40650	A	6	408.41877a	A	7	408.44501	*	7
408.40655	A	6	408.41871	R	7	408.44502	*	7
408.40660	A	6	408.41872	R	7	418.1	R	1
408.40709	*	4	408.41876	R	7	418.2	R	1
408.40713	*	4	408.41878	R	7	418.3	R	1
408.40721	*	4	408.41879	R	7	418.4	R	1
408.40722	*	4	408.41881	R	7	418.5	R	1
408.40723	*	4	408.41882	R	7	418.6	R	1
408.40731	*	4	408.41883	R	7	418.7	R	1
408.40751	*	4	408.42701	*	7	418.8	R	1
408.40761	*	4	408.42705	A	7	418.51	R	1
408.40762	*	4	408.42710	R	7	418.52	R	1
408.41802	*	7	408.42724	R	7	418.53	R	1
408.41836	*	7	408.42725	R	7	418.54	R	1
408.41837	*	7	408.42726	R	7	418.55	R	1
408.41838	*	7	408.42727	R	7	418.56	R	1
408.41841	*	7	408.42728	R	7	418.57	R	1
408.41851	*	7	408.42731	R	7	418.58	R	1
408.41852	*	7	408.42732	R	7	421.1101	R	1
408.41853	*	7	408.42733	R	7	421.1102	R	1
408.41854	*	7	408.42734	R	7	421.1103	R	1
408.41855	*	7	408.42735	R	7	421.1104	R	1

(***** Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
421.1105	R	1	460.17109	R	1	460.17513	R	1
421.1106	R	1	460.17111	R	1	460.17515	R	1
421.1107	R	1	460.17113	R	1	460.17601	R	1
421.1108	R	1	460.17115	R	1	460.17701	R	1
421.1109	R	1	460.17201	R	1	500.2101	R	1
421.1110	R	1	460.17203	R	1	500.2105	R	1
421.1201	R	1	460.17205	R	1	500.2106	R	1
421.1202	R	1	460.17207	R	1	500.2107	R	1
421.1203	R	1	460.17209	R	1	500.2109	R	1
421.1204	R	1	460.17301	R	1	500.2110	R	1
421.1205	R	1	460.17303	R	1	500.2111	R	1
421.1206	R	1	460.17305	R	1	500.2112	R	1
421.1207	R	1	460.17307	R	1	500.2113	R	1
421.1208	R	1	460.17309	R	1	500.2114	R	1
421.1209	R	1	460.17311	R	1	500.2115	R	1
421.1210	R	1	460.17313	R	1	500.2116	R	1
421.1211	R	1	460.17315	R	1	500.2117	R	1
421.1212	R	1	460.17317	R	1	500.2118	R	1
421.1213	R	1	460.17319	R	1	500.2119	R	1
421.1214	R	1	460.17321	R	1	500.2120	R	1
421.1301	R	1	460.17323	R	1	500.2121	R	1
421.1302	R	1	460.17325	R	1	500.2122	R	1
421.1304	R	1	460.17327	R	1	500.2123	R	1
421.1305	R	1	460.17329	R	1	500.2124	R	1
421.1306	R	1	460.17331	R	1	500.2125	R	1
421.1307	R	1	460.17333	R	1	500.2126	R	1
421.1308	R	1	460.17335	R	1	500.2127	R	1
421.1309	R	1	460.17337	R	1	500.2128	R	1
421.1310	R	1	460.17339	R	1	500.2129	R	1
421.1311	R	1	460.17341	R	1	500.2130	R	1
421.1313	R	1	460.17401	R	1	500.2131	R	1
421.1314	R	1	460.17403	R	1	500.2134	R	1
421.1315	R	1	460.17405	R	1	500.2136	R	1
421.1316	R	1	460.17501	R	1	500.2137	R	1
421.1317	R	1	460.17503	R	1	500.2138	R	1
460.17101	R	1	460.17505	R	1	554.1	R	5
460.17103	R	1	460.17507	R	1	554.2	R	5
460.17105	R	1	460.17509	R	1	554.3	R	5
460.17107	R	1	460.17511	R	1	554.4	R	5

(***** Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
554.5	R	5	792.10104	A	1	792.10213	*	1
554.6	R	5	792.10105	A	1	792.10215	*	1
554.21	R	5	792.10106	A	1	792.10219	*	1
554.22	R	5	792.10107	A	1	792.10221	*	1
554.23	R	5	792.10108	A	1	792.10223	*	1
554.24	R	5	792.10109	A	1	792.10225	*	1
554.25	R	5	792.10110	A	1	792.10227	*	1
554.26	R	5	792.10111	A	1	792.10229	*	1
554.27	R	5	792.10112	A	1	792.10231	*	1
554.28	R	5	792.10113	A	1	792.10233	*	1
554.29	R	5	792.10114	A	1	792.10237	*	1
554.31	R	5	792.10115	A	1	792.10239	*	1
554.32	R	5	792.10116	A	1	792.10241	*	1
554.33	R	5	792.10117	A	1	792.10243	*	1
554.34	R	5	792.10118	A	1	792.10247	*	1
554.35	R	5	792.10119	A	1	792.10251	*	1
554.41	R	5	792.10120	A	1	792.10253	*	1
554.42	R	5	792.10121	A	1	792.10255	*	1
554.51	R	5	792.10122	A	1	792.10257	*	1
554.52	R	5	792.10123	A	1	792.10259	*	1
554.53	R	5	792.10124	A	1	792.10261	*	1
554.61	R	5	792.10125	A	1	792.10263	*	1
554.62	R	5	792.10126	A	1	792.10265	*	1
554.63	R	5	792.10128	A	1	792.10269	*	1
554.64	R	5	792.10129	A	1	792.10271	*	1
554.65	R	5	792.10130	A	1	792.10273	*	1
554.66	R	5	792.10131	A	1	792.10275	*	1
554.67	R	5	792.10132	A	1	792.10277	*	1
554.68	R	5	792.10133	A	1	792.10279	*	1
554.69	R	5	792.10134	A	1	792.10283	*	1
554.70	R	5	792.10135	A	1	792.10287	*	1
554.71	R	5	792.10136	A	1	792.10289	*	1
791.3301	R	1	792.10137	A	1	792.10301	A	1
791.3305	R	1	792.10201	*	1	792.10302	A	1
791.3310	R	1	792.10203	*	1	792.10303	A	1
791.3315	R	1	792.10205	*	1	792.10304	A	1
792.10101	A	1	792.10207	*	1	792.10305	A	1
792.10102	A	1	792.10209	*	1	792.10306	A	1

(***** Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
792.10402	A	1	792.10441	A	1	792.10711	A	1
792.10403	A	1	792.10442	A	1	792.10712	A	1
792.10404	A	1	792.10443	A	1	792.10713	A	1
792.10405	A	1	792.10444	A	1	792.10714	A	1
792.10406	A	1	792.10445	A	1	792.10715	A	1
792.10407	A	1	792.10446	A	1	792.10801	A	1
792.10408	A	1	792.10447	A	1	792.10802	A	1
792.10409	A	1	792.10448	A	1	792.10803	A	1
792.10410	A	1	792.10501	A	1	792.10804	A	1
792.10411	A	1	792.10502	A	1	792.10805	A	1
792.10412	A	1	792.10503	A	1	792.10806	A	1
792.10413	A	1	792.10504	A	1	792.10807	A	1
792.10414	A	1	792.10505	A	1	792.10808	A	1
792.10415	A	1	792.10506	A	1	792.10809	A	1
792.10416	A	1	792.10507	A	1	792.10901	A	1
792.10417	A	1	792.10508	A	1	792.10902	A	1
792.10418	A	1	792.10509	A	1	792.10903	A	1
792.10419	A	1	792.10510	A	1	792.10904	A	1
792.10420	A	1	792.10511	A	1	792.10905	A	1
792.10421	A	1	792.10512	A	1	792.10906	A	1
792.10422	A	1	792.10601	A	1	792.10907	A	1
792.10423	A	1	792.10602	A	1	792.10908	A	1
792.10424	A	1	792.10603	A	1	792.10909	A	1
792.10425	A	1	792.10604	A	1	792.10910	A	1
792.10426	A	1	792.10605	A	1	792.10911	A	1
792.10427	A	1	792.10606	A	1	792.10912	A	1
792.10428	A	1	792.10607	A	1	792.11001	A	1
792.10429	A	1	792.10608	A	1	792.11002	A	1
792.10430	A	1	792.10609	A	1	792.11003	A	1
792.10431	A	1	792.10701	A	1	792.11004	A	1
792.10432	A	1	792.10702	A	1	792.11005	A	1
792.10433	A	1	792.10703	A	1	792.11006	A	1
792.10434	A	1	792.10704	A	1	792.11007	A	1
792.10435	A	1	792.10705	A	1	792.11008	A	1
792.10436	A	1	792.10706	A	1	792.11009	A	1
792.10437	A	1	792.10707	A	1	792.11010	A	1
792.10438	A	1	792.10708	A	1	792.11011	A	1
792.10439	A	1	792.10709	A	1	792.11012	A	1
792.10440	A	1	792.10710	A	1	792.11013	A	1

(***** Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue	R Number	Action	2015 MR Issue
792.11014	A	1	792.11208	A	1	792.11419	A	1
792.11015	A	1	792.11301	A	1	792.11420	A	1
792.11016	A	1	792.11302	A	1	792.11421	A	1
792.11017	A	1	792.11303	A	1	792.11422	A	1
792.11018	A	1	792.11304	A	1	792.11423	A	1
792.11019	A	1	792.11305	A	1	792.11424	A	1
792.11020	A	1	792.11306	A	1	792.11425	A	1
792.11021	A	1	792.11307	A	1	792.11426	A	1
792.11022	A	1	792.11309	A	1	792.11427	A	1
792.11023	A	1	792.11310	A	1	792.11428	A	1
792.11024	A	1	792.11311	A	1	792.11429	A	1
792.11025	A	1	792.11312	A	1	792.11430	A	1
792.11026	A	1	792.11313	A	1	792.11431	A	1
792.11027	A	1	792.11314	A	1	792.11432	A	1
792.11101	A	1	792.11315	A	1	792.11433	A	1
792.11102	A	1	792.11316	A	1	792.11501	A	1
792.11103	A	1	792.11317	A	1	792.11502	A	1
792.11104	A	1	792.11318	A	1	792.11503	A	1
792.11105	A	1	792.11319	A	1	792.11504	A	1
792.11106	A	1	792.11320	A	1	792.11505	A	1
792.11107	A	1	792.11321	A	1	792.11506	A	1
792.11108	A	1	792.11401	A	1	792.11507	A	1
792.11109	A	1	792.11402	A	1	792.11508	A	1
792.11110	A	1	792.11403	A	1	792.11509	A	1
792.11111	A	1	792.11404	A	1	792.11510	A	1
792.11112	A	1	792.11405	A	1	792.11511	A	1
792.11113	A	1	792.11406	A	1	792.11512	A	1
792.11114	A	1	792.11407	A	1	792.11513	A	1
792.11115	A	1	792.11408	A	1	792.11514	A	1
792.11116	A	1	792.11409	A	1	792.11515	A	1
792.11117	A	1	792.11410	A	1	792.11516	A	1
792.11118	A	1	792.11411	A	1	792.11517	A	1
792.11201	A	1	792.11412	A	1	792.11601	A	1
792.11202	A	1	792.11413	A	1	792.11602	A	1
792.11203	A	1	792.11414	A	1	792.11603	A	1
792.11204	A	1	792.11415	A	1	792.11604	A	1
792.11205	A	1	792.11416	A	1	792.11605	A	1
792.11206	A	1	792.11417	A	1	792.11606	A	1
792.11207	A	1	792.11418	A	1	792.11607	A	1

(***** Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

R Number	Action	2015 MR Issue
792.11608	A	1
792.11609	A	1
792.11610	A	1
792.11611	A	1
792.11701	A	1
792.11702	A	1
792.11703	A	1
792.11704	A	1
792.11705	A	1
792.11706	A	1
792.11707	A	1
792.11708	A	1
792.11709	A	1
792.11801	A	1
792.11802	A	1
792.11803	A	1
792.11901	A	1
792.11902	A	1
792.11903	A	1

(***** Amendment to Rule, **A** Added Rule, **N** New Rule, **R** Rescinded Rule)

CUMULATIVE INDEX

A

ARGICULTURE AND RURAL DEVELOPMENT, DEPARTMENT OF
Repeal
Regulation No 900 Hearing Procedures (2015-3)

ATTORNEY GENERAL, DEPARTMENT OF
Opinions
Expenditures from Michigan Natural Resource Trust Fund and Michigan Conservation and Recreation Legacy Fund for Dredging
OAG No. 7270 (2013-8)

C

COMMUNITY HEALTH, DEPARTMENT OF
Certificate of Need Review

Crime Victims (2015-7*)

E

EXECUTIVE OFFICE
Executive Reorganization
No. 1 (2015-1)
No. 2 (2015-2)
No. 3 (2015-2)
No. 4 (2015-2)
No. 5 (2015-3)
No. 6 (2015-3)
No. 7 (2015-3)

No. 8 (2015-4)
No. 9 (2015-5)

EDUCATION, DEPARTMENT OF
Youth Employment Standards (2015-5)

ENVIRONMENTAL QUALITY, DEPARTMENT OF
Inland Lakes and Streams (2015-5)
Oil and Gas Operations (2015-5)
Part 4 Emission Limitations and Prohibitions – Sulfur Bearing Compounds (2015-5*)
Solid Waste Management (2015-5)

I

INSURANCE AND FINANCE, DEPARTMENT OF
Captive Insurance Company Rules (2015-1*)

L

LICENSING AND REGULATORY AFFAIRS, DEPARTMENT OF
Corrections
Michigan Medical Marihuana (2015-1)
Payment of Wages and fringe Benefits (2015-1)

Repeal
Repeal PA 440 of 1976 (2015-5)

Administrative Appellate Procedures (2015-1)
Advertising Adjacent to Highways – Hearings (2015-1)
Administrator Certification Hearings (2015-1)
Administrative Hearings for the Suspension and Revocation of Michigan Teaching Certificates and School Administrators Certificates (2015-1)
Board of Pharmacy – Public Participation at Open Board Meetings (2015-5)
Board of Pharmacy – Radiopharmaceuticals (2015-5)
Certificate of Need Hearing Procedures (2015-1)
Community Status; Eligibility Criteria (2015-1)
Contested Case and Declaratory Ruling Procedures (2015-1)
Disciplinary Proceedings (2015-1)
Driveway, Banners, and Parades on and Over Highways (2015-1)
Due Process Procedures for Special Education Hearings (2015-1)
General Rules (2015-1)
Hearings, Appeals, and Declaratory Rulings (2015-1)
Hearings Emergency Medical Services Personnel Licensing (2015-1)
Hearings on Traffic Control Orders (2015-1)
Judges Retirement – General Hearing Rules (2015-1)
Michigan Administrative Hearing System Uniform Hearing Rules (2015-1)
Michigan Medical Marihuana (2015-1)
MSA Provider Hearings (2015-1)
Part 1 General Rules (2015-1)

Part 1 General Rules CS (2015-4)
Part 11 Recording and Reporting of Occupational Injuries and Illnesses (2015-5*)
Part 7. Disciplinary Proceedings (2015-1)
Part 7. Welding and Cutting CS (2015-4)
Part 18 Fire protection and Prevention CS (2015-7)
Part 27 Blasting and Use of Explosive CS (2015-7)
Part 33 Personal Protective Equipment GI (2015-2*)
Part 40 Safety Related Word Practices GI (2015-7)
Part 45 Fall Protection CS (2015-7)
Part 59 Helicopters GI (2015-7)
Part 62 Plastic Molding GI (2015-7)
Part 73 Fire Brigades GI (2015-4*)
Part 303 Methylenedianiline (MDA) OH (2015-7)
Part 304 Ethylene Oxide OH (2015-4)
Part 307 Acrylonitrile OH (2015-4)
Part 310 Lead in General Industry OH (2015-4)
Part 474 Sanitation OH (2015-4)
Practice and procedure Before the Commission (2015-1)
Public School Retirement – General Hearing Rules (2015-1)
Real Estate Appraisers – General Rules (2015-5)
Relocation Assistance (2015-1)
State Employees Retirement Board (2015-1)
State Employees Retirement Board - General Rules (2015-1)
State Police Retirement – General Hearing Rules (2015-1)
Teacher Certification Code (2015-1)
Wage and Fringe Benefit Hearings (2015-1)
Workers' Compensation health Care Services (2015-5*)

N

NATURAL RESOURCES, DEPARTMENT OF
Watercraft Rented to Public (2015-3*)

T

TREASURY, DEPARTMENT OF
Audit Standards for Exams. Under the UUPA (2015-2*)

ADMINISTRATIVE RULES
ENROLLED SENATE AND HOUSE BILLS
SIGNED INTO LAW OR VETOED
(2014 SESSION)

Mich. Const. Art. IV, §33 provides: "Every bill passed by the legislature shall be presented to the governor before it becomes law, and the governor shall have 14 days measured in hours and minutes from the time of presentation in which to consider it. If he approves, he shall within that time sign and file it with the secretary of state and it shall become law . . . If he does not approve, and the legislature has within that time finally adjourned the session at which the bill was passed, it shall not become law. If he disapproves . . . he shall return it within such 14-day period with his objections, to the house in which it originated."

Mich. Const. Art. IV, §27, further provides: "No act shall take effect until the expiration of 90 days from the end of the session at which it was passed, but the legislature may give immediate effect to acts by a two-thirds vote of the members elected to and serving in each house."

MCL 24.208 states in part:

"Sec. 8. (1) The Office of Regulatory Reform shall publish the Michigan register at least once each month. The Michigan register shall contain all of the following:

* * *

(b) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills signed into law by the governor during the calendar year and the corresponding public act numbers.

(c) On a cumulative basis, the numbers and subject matter of the enrolled senate and house bills vetoed by the governor during the calendar year."

2015 Michigan Public Acts Table

Legislative Service Bureau
Legal Division, Statutory Compiling and Law Publications Unit
124 W. Allegan, Lansing, MI 48909

April 21, 2015

Through PA 16 of 2015

PA No.	ENROLLED HB	ENROLLED SB	I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
1		0044	Yes	2/19	2/20	5/21/15 #	***Elections**; primary*; presidential primary election date; revise. ***(Sen. D. Robertson)***
2		0045	Yes	2/19	2/20	5/21/15 #	***Elections**; primary*; presidential primary election date; revise. ***(Sen. D. Robertson)***
3		0034	Yes	3/4	3/4	3/4/15	***Weapons**; licensing*; concealed pistol licensing boards; eliminate, and transfer duties to the department of state police and county clerks. ***(Sen. M. Green)***
4		0035	Yes	3/4	3/4	10/1/15 #	***Criminal procedure**; sentencing guidelines*; reference in sentencing guidelines; update. ***(Sen. M. Green)***
5	4110		Yes	3/10	3/10	3/10/15	***Appropriations**; supplemental*; omnibus school aid supplemental adjusting certain appropriations and fund sources; provide for. ***(Rep. A. Pscholka)***
6	4112		Yes	3/10	3/10	3/10/15	***Appropriations**; zero budget*; supplemental appropriations; provide for fiscal year 2014-2015. ***(Rep. A. Pscholka)***
7	4078		Yes	3/17	3/17	3/17/15	***Appropriations**; capital outlay*; Michigan natural resources trust fund; provide appropriations. ***(Rep. J. Bumstead)***

* - I.E. means Legislature voted to give the Act immediate effect.
** - Act takes effect on the 91st day after sine die adjournment of the Legislature.
*** - See Act for applicable effective date.
\+ - Line item veto.
++ - Pocket veto.
\# - Tie bar.

© 2015 by Legislative Council, State of Michigan. All rights reserved

PA No.	ENROLLED HB	ENROLLED SB	I.E.* Yes/No	Governor Approved	Filed Date	Effective Date	SUBJECT
8		0137	Yes	4/1	4/1	4/1/15	***Insurance**; health insurers*; amount of autism coverage fund revenues to be expended for university autism programs and autism family assistance services; increase. ***(Sen. D. Hildenbrand)***
9		0138	Yes	4/1	4/1	6/30/15	***Crime victims**; rights*; distribution of crime victim's rights funds; modify. ***(Sen. D. Hildenbrand)***
10	4051		Yes	4/9	4/9	4/9/15	***Taxation**; administration*; disclosure of certain tax-exempt property; provide for. ***(Rep. J. Farrington)***
11		0042	Yes	4/9	4/9	4/9/15	***Vehicles**; driver training*; certain requirements applicable to commercial learner's permit; amend to comply with federal regulations. ***(Sen. T. Casperson)***
12		0054	Yes	4/14	4/14	7/13/15	***Natural resources**; hunting*; use of unmanned vehicles or devices to interfere with or harass another individual who is hunting or fishing; prohibit. ***(Sen. T. Casperson)***
13		0055	Yes	4/14	4/14	7/13/15 #	***Natural resources**; hunting*; use of unmanned vehicles or device for taking game or fish; prohibit. ***(Sen. P. Pavlov)***
14	4119		Yes	4/14	4/14	4/14/15 #	***Civil procedure**; garnishment*; garnishment of periodic payments; revise procedure. ***(Rep. D. Garcia)***
15	4120		Yes	4/14	4/14	9/30/15 #	***Labor**; fair employment practices*; deductions from wages without written consent of employee; include certain reimbursements related to garnishment. ***(Rep. M. McCready)***
16		0053	Yes	4/14	4/14	7/13/15	***Weapons**; firearms*; exemption for retired federal law enforcement officers to carry a concealed pistol in pistol-free zones; provide for. ***(Sen. R. Jones)***

* - I.E. means Legislature voted to give the Act immediate effect.
** - Act takes effect on the 91st day after sine die adjournment of the Legislature.
*** - See Act for applicable effective date.
\+ - Line item veto.
++ - Pocket veto.
\# - Tie bar.

© 2015 by Legislative Council, State of Michigan. All rights reserved