

DEPARTMENT OF ~~LICENSING AND REGULATORY AFFAIRS~~ **LABOR AND
ECONOMIC OPPORTUNITY**

DIRECTOR'S OFFICE

GENERAL INDUSTRY AND CONSTRUCTION SAFETY AND HEALTH
STANDARD

These rules ~~become effective~~ **take effect** immediately upon filing with the secretary of state unless adopted under section 33, 44, or 45a(~~69~~) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the director of the department of ~~licensing and regulatory affairs~~ **labor and economic opportunity** by sections 14, 16, 19, 21, and 24 of the Michigan occupational safety and health act, 1974 PA 154, MCL 408.1014, 408.1016, 408.1019, 408.1021, and 408.1024, and Executive Reorganization Order Nos. 1996-1, 1996-2, 2003-1, 2008-4, and 2011-4, **2019-3**, MCL 330.3101, 445.2001, 445.2011, 445.2025, and 445.2030, **and 125.1998**)

R 325.52101 of the Michigan Administrative Code is amended, as follows:

PART 432. HAZARDOUS WASTE OPERATIONS AND EMERGENCY RESPONSE

R 325.52101 Scope, application, adoption, and availability of standards.

Rule 1. (1) These rules prescribe the requirements for safety and health programs, training, medical surveillance, control methods, sanitation, and personal protective equipment for employees who are involved in hazardous waste operations and response to chemical emergencies.

(2) The following federal Occupational Safety and Health Administration (OSHA) regulations are adopted by reference in these rules:

(a) 29 CFR 1910.120, "Hazardous waste operations and emergency response," as amended ~~February 8, 2013~~ **May 14, 2019**.

(b) 29 CFR 1910.120, appendix A "Personal protective equipment test methods," as in effect as of the effective date of these rules.

(c) 29 CFR 1910.120, appendix B "General description and discussion of the levels of protection and protective gear," as amended ~~August 22, 1994~~ **May 14, 2019**.

(d) 29 CFR 1910.120, appendix C "Compliance guidelines," as in effect as of the effective date of these rules.

(e) 29 CFR 1910.120, appendix D "References," as in effect as of the effective date of these rules.

(f) 29 CFR 1910.120, appendix E "Training Curriculum Guidelines," as amended February 8, 2013.

(3) A reference to the "Threshold Limit Values and Biological Exposure Indices for 1987-88," dated 1987, means "Threshold Limit Values and Biological Exposure Indices

for 1990-1991,” 1990 edition. The ACGIH publication is available from the American Conference of Governmental Industrial Hygienist, 1330 Kemper Meadow Drive, Cincinnati, Ohio 45240-4148, or via the internet at the following website:

www.acgih.org, at a cost, as of the time of adoption of these rules, of \$25.00.

(4) A reference to 29 CFR 1910.1200, means Occupational Health Standard Part 430. “Hazard Communication.”

(5) A reference to 29 CFR part 1910, subpart G, means General Industry Safety and Health Standard Part 380. “Occupational Noise Exposure in General Industry.”

(6) A reference to 29 CFR part 1910, subpart Z, means General Industry Safety and Health Standard Part 301. “Air Contaminants for General Industry.”

(7) A reference to 29 CFR 1910.134, means ~~Occupational~~**General Industry and Construction Safety and Health** Standard Part 451. “Respiratory Protection.”

(8) A reference to 29 CFR part 1910, subpart I, means all of the following:

(a) Construction Safety and Health Standard Part 6. “Personal Protective Equipment.”

(b) General Industry Safety and Health Standard Part 33. “Personal Protective Equipment.”

(c) General Industry Safety and Health Standard Part 433. “Personal Protective Equipment.”

(9) A reference to 29 CFR 1910.38, 1910.156, 1910.165, and part 1910, subpart L, means all of the following:

(a) Construction Safety Standard Part 18. “Fire Protection and Prevention.”

(b) General Industry Safety and Health Standard Part 6. “Fire Exits.”

(c) General Industry Safety Standard Part 73. “Fire Brigades.”

(10) A reference to 29 CFR 1910.141, means General Industry Safety and Health Standard Part 474. “Sanitation.”

(11) A reference to 29 CFR 1910.1020, means General Industry and Construction Safety and Health Standard Part 470. “Employee Medical Records and Trade Secrets.”

(12) A reference to 29 CFR part 1926, subpart P, means Construction Safety Standard Part 9. “Excavation, Trenching, And Shoring.”

(13) The adopted federal regulations have the same force and effect as a rule promulgated under the Michigan occupational safety and health act, 1974 PA 154, MCL 408.1001 to 408.1094.

(14) The OSHA regulations 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.

(15) The regulations adopted in these rules are available for inspection at the Department of ~~Licensing and Regulatory Affairs~~**Labor and Economic Opportunity, MIOSHA Regulatory Services Section Standards and FOIA Section**, 530 West Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143.

(16) The regulations adopted in these rules may be obtained from the publisher or the Department of ~~Licensing and Regulatory Affairs~~**Labor and Economic Opportunity, MIOSHA Regulatory Services Section Standards and FOIA Section**, 530 West Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143, at the cost charged in this rule, plus \$20.00 for shipping and handling.

(17) The following Michigan ~~Occupational Safety and Health Administration~~**occupational safety and health administration** (MIOSHA) standards are

referenced in these rules. Up to 5 copies of these standards may be obtained at no charge from the Michigan Department of ~~Licensing and Regulatory Affairs~~ **Labor and Economic Opportunity**, MIOSHA ~~Regulatory Services Section~~ **Standards and FOIA Section**, 530 West Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143 or via the internet at the following website: www.michigan.gov/mioshastandards. For quantities greater ~~then~~ **than** 5, the cost, as of the time of adoption of these rules, is 4 cents per page.

(a) Construction Safety Standard Part 9. “Excavation, Trenching, And Shoring-;” R 408.40901 to R 408.40953.

(b) Construction Safety Standard Part 18. “Fire Protection and Prevention-;” R 408.41801 to R 408.41884.

(c) Construction Safety and Health Standard Part 6. “Personal Protective Equipment-;” R 408.40601 to R 408.40660.

(d) General Industry Safety Standard Part 73. “Fire Brigades-;” R 408.17301 to R 408.17322.

(e) General Industry Safety and Health Standard Part 6. “Fire Exits-;” R 408.10601 to R 408.10697.

(f) General Industry Safety and Health Standard Part 33. “Personal Protective Equipment-;” R 408.13301 to R 408.13398.

(g) General Industry Safety and Health Standard Part 301. “Air Contaminants for General Industry-;” R 325.51101 to R 325.51107**8**.

(h) General Industry Safety and Health Standard Part 380. “Occupational Noise Exposure in General Industry-;” R 325.60101 to R 325.60128.

(i) General Industry Safety and Health Standard Part 433. “Personal Protective Equipment-;” R 325.60001 to R 325.60013.

(j) General Industry Safety and Health Standard Part 474. “Sanitation-;” R 325.47401 to R 325.47425.

(k) General Industry and Construction Safety and Health Standard Part 470. “Employee Medical Records and Trade Secrets-;” R 325.3451 to R 325.3476.

(l) Occupational Health Standard Part 430. “Hazard Communication-;” R 325.77001 to R 325.77004.

(m) ~~Occupational~~ **General Industry and Construction Safety and Health Standard** Part 451. “Respiratory Protection-;” R 325.60051 to R 325.60052.