

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

DIRECTOR'S OFFICE

~~OCCUPATIONAL HEALTH~~ **GENERAL INDUSTRY AND CONSTRUCTION  
SAFETY AND HEALTH STANDARDS**

Filed with the secretary of state on

These rules take effect immediately upon filing with the secretary of state unless adopted under section 33, 44, or 45a(6) 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 and 24 of **the Michigan occupational safety and health act**, 1974 PA 154, MCL 408.1014 and 408.1024, and Executive Reorganization Order Nos. 1996-1, 1996-2, 2003-1, 2008-4, and 2011-4, **and 2019-3**, MCL 330.3101, 445.2001, 445.2011, 445.2025 ~~and~~, 445.2030, **and 125.1998**)

R 325.60051 of the Michigan Administrative Code is amended, and R 325.60052 is rescinded, as follows:

**PART 451. RESPIRATORY PROTECTION**

R 325.60051 Scope and application.

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

(2) **The federal Occupational Safety and Health Administration's regulations on respiratory protection promulgated by the United States Department of Labor and codified at 29 CFR 1910.134, "Respiratory Protection," as amended on September 26, 2019, are adopted by reference in these rules.**

(3) **The adopted federal regulations shall 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.**

(4) **The OSHA regulations adopted by reference in subrule (2) of this rule are available from the United States Department of Labor, Occupational Safety and Health Administration, via the internet at website [www.osha.gov](http://www.osha.gov), at no charge as of the time of adoption of these rules.**

(5) **The standards adopted in subrule (2) of this rule are also available for inspection at the Department of Labor and Economic Opportunity, MIOSHA,**

Standards and FOIA Section, 530 W. Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143.

(6) Copies of the standards adopted in subrule (2) of this rule may be obtained from the publisher or may also be obtained from the Department of Labor and Economic Opportunity, MIOSHA, Standards and FOIA Section, 530 W. Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143, at the cost charged in this rule, plus \$20.00 for shipping and handling.

R 325.60052 Adoption by reference of federal standard ~~Rescinded~~.

~~Rule 2. (1) The federal occupational safety and health administration's regulations on respiratory protection promulgated by the United States department of labor and codified at 29 C.F.R. §1910.134, "Respiratory protection," as amended on June 8, 2011, are adopted by reference in these rules.~~

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

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

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

~~(5) Copies of the standards adopted in subrule (1) of this rule may be obtained from the publisher or may also be obtained from the Department of Licensing and Regulatory Affairs, MIOSHA Standards Section, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan, 48909-8143, at the cost charged in this rule, plus \$20.00 for shipping and handling.~~