



**DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY**

**CONSTRUCTION STANDARD**

Filed with the Secretary of State on July 11, 1972 (as amended August 9, 1974) (as amended June 1, 1981)  
(as amended May 14, 1982) (as amended February 14, 1991) (as amended September 3, 1996)  
**(as amended January 9, 2013)**

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, 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 408.42402, R 408.42403, R 408.42404, R 408.42405, R 408.42406, and R 408.42407  
of the Michigan Administrative Code are amended, as follows:

**PART 24. TAR KETTLES**

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**R 408.42401. Applicability.**

**Rule 2401.** (1) This part applies to all of the following:

- (a) Portable tar kettles.
- (b) Tankers and yard storage units.
- (c) Material handling.

(2) This part does not apply to a unit that is used for paving operations if the unit has a vessel which has a capacity of less than 15 gallons or a burner that has a firing rate of less than 5000 Btu's.

**R 408.42402. Tar kettle construction.**

**Rule 2402.** (1) A tar kettle vat for molten material shall be of welded construction and all other materials of the tar kettle, except tires, used in its construction shall be noncombustible. A tanker for molten material shall be braced and baffled to contain the load.

(2) A cover for a tar kettle vessel shall be hinged, close fitting and capable of smothering a fire inside the vessel, when in a closed position.

(3) A discharge valve from a tar kettle vessel shall be a quick closing type with standard pipe thread.

(4) Pipe, tubing, hose and conductors used for hot material from a tar kettle or tanker shall be supported when above ground or floor level.

Hose, tubing, pipe and conductors running horizontally shall be supported at intervals that will prevent

sagging. Connections shall be made with unions or couplings and shall be maintained free of leaks.

(5) Where a pump unit is mounted on a tar kettle and the fuel container is an integral part of the pump, the pump unit shall be shielded from the tar kettle by a barrier of rigid noncombustible material.

**R 408.42403. Loading and operating.**

**Rule 2403.** A tar kettle or tanker shall have a qualified experienced operator in attendance at all times that the kettle or tanker is being fired. The operator shall not leave the ground area or be at a distance from the kettle or tanker that would prevent the operator's immediate attention.

**R 408.42404. Controls.**

**Rule 2404.** (1) A tar kettle and tanker shall be equipped with a working temperature gauge.

(2) A yard storage unit or tanker purchased or constructed after August 9, 1974, shall have a level indicator to show the amount of the contents within the vessel.

**R 408.42405. Fuel.**

**Rule 2405.** If a fuel tank is located less than 10 feet from a tar kettle or tanker, the fuel tank shall be

shielded from the tar kettle or tanker by a barrier of rigid noncombustible material.

**R 408.42406. Fire precautions.**

**Rule 2406.** (1) One or more portable fire extinguishers of the dry powder type having a total capacity of not less than 40 pounds shall be located not less than 10 feet nor more than 25 feet from a tar kettle being fired. An extinguisher less than 10 pounds shall not be provided.

(2) A tar kettle shall not be placed less than 20 feet from combustible materials unless separated by a fire-resistant blanket.

(3) A tar kettle shall not be placed less than 10 feet from a structure that extends above the highest part of a kettle, piping excluded.

(4) A tar kettle shall not be placed in or upon a building except by permission of an authorized representative of the department.

**R 408.42407. Material handling.**

**Rule 2407.** (1) The rope pulley shall be secured to the thrustout or hoisting jack in a manner to support not less than 3 times the weight to be lifted. The pulley groove shall be the same size as the rope.

(2) Where a structural steel or wood beam thrustout is used, it shall be designed and installed in a manner to support not less than 3 times the weight being lifted and prevent tipping and twisting. A wood thrustout shall be set on edge.

(3) Where a counterweight is used, it shall be contained or secured in place to prevent slippage.

(4) Where a manual or powered hoisting jack is used, it shall be designed and installed in such a manner as to support not less than 3 times the load to be lifted.

(5) An employee shall not stand or walk under material being hoisted.



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