

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

DIRECTOR'S OFFICE

~~OCCUPATIONAL HEALTH~~ **GENERAL INDUSTRY 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R 325.50091 of the Michigan Administrative Code is amended, and R 325.50092 and R 325.50093 are rescinded, as follows:

PART 312. 1,3-BUTADIENE

R 325.50091. ~~Scope and application~~ **Scope, applicability, adoption, and availability of standards.**

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

(2) These rules replace all references to 1,3-Butadiene contained in Tables G-1-A in ~~Occupational~~ **General Industry Safety and Health Standard Part 301. "Air Contaminants for General Industry,"** as referenced in ~~R 325.50093~~ **this rule.**

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

(a) **A reference to 29 CFR 1910.133, "Eye and face protection," in 29 CFR 1910.1051(i), means General Industry Safety and Health Standard Part 433. "Personal Protective Equipment," and Construction Safety and Health Standard Part 6. "Personal Protective Equipment," as referenced in this rule.**

(b) **A reference to 29 CFR 1910.134, "Respiratory Protection," in 29 CFR 1910.1051(h) and (k), means General Industry and Construction Safety and Health Standard Part 451. "Respiratory Protection," as referenced in this rule.**

(c) A reference to 29 CFR 1910.1200 and 1926.59, “Hazard Communication,” in 29 CFR 1910.1051(l), means Construction Safety Standard Part 42. “Hazard Communication,” General Industry Safety Standard Part 92. “Hazard Communication,” and Occupational Health Standard Part 430. “Hazard Communication,” as referenced in this rule.

(4) The federal Occupational Safety and Health Administration’s regulations on 1,3-Butadiene promulgated by the United States Department of Labor and codified at 29 CFR 1910.1051, “1,3-Butadiene,” as amended on May 14, 2019, are adopted in these rules.

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

(6) The OSHA regulations adopted in this rule are available from the United States Department of Labor, Occupational Safety and Health Administration, via the internet at website www.osha.gov, at no charge as of the time of adoption of these rules.

(7) The standards adopted in 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.

(8) Copies of the standards adopted in 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.

(9) The following Michigan occupational safety and health standards are referenced in this rule. Up to 5 copies of these standards may be obtained at no charge 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 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 and Health Standard Part 6. “Personal Protective Equipment,” R 408.40601 to R 408.40660.

(b) Construction Safety Standard Part 42. “Hazard Communication,” R 408.44201 to R 408.44204.

(c) General Industry Safety Standard Part 92. “Hazard Communication,” R 408.19201 to R 408.19204.

(d) General Industry Safety and Health Standard Part 301. “Air Contaminants for General Industry,” R 325.51101 to R 325.51108.

(e) Occupational Health Standard Part 430. “Hazard Communication,” R 325.77001 to R 325.77004.

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

(g) General Industry and Construction Safety and Health Standard Part 451. “Respiratory Protection,” R 325.60051 to R 325.60052.

R 325.50092. Adoption by reference of federal regulations Rescinded.

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

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

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

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

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

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

~~R 325.50093. Obtaining adopted and referenced standards~~**Rescinded.**

~~Rule 3. (1) The OSHA regulations adopted in R 325.50091 and R 325.50092 are available from the United States Department of Labor, Occupational Safety and Health Administration, via the internet at website www.osha.gov, at no charge as of the time of adoption of these rules.~~

~~(2) The standards adopted in R 325.50091 and R 325.50092 are also available for inspection at the Department of Licensing and Regulatory Affairs, MIOSHA Standards Section, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan, 48909-8143.~~

~~(3) Copies of the standards adopted in R 325.50091 and R 325.50092 may be obtained from the publisher or may also be obtained from the Department of Licensing and Regulatory Affairs, MIOSHA Standards Section, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan, 48909-8143, plus \$20.00 for shipping and handling.~~

~~(4) The following Michigan occupational safety and health standards are referenced in R 325.50091 and R 325.50092. Up to 5 copies of these standards may be obtained at no charge from the Michigan Department of licensing and regulatory affairs, MIOSHA standards section, 7150 Harris Drive, P.O. Box 30643, Lansing, MI, 48909-8143 or via the internet at website: www.michigan.gov/mioshastandards. For quantities greater than 5, the cost, at the time of adoption of these rules, is 4 cents per page.~~

~~(a) Construction Safety Standard Part 6 "Personal Protective Equipment," R 408.40601 to R 408.40841.~~

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

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

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

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

~~-(f) Occupational Health Standard Part 433 "Personal Protective Equipment," R 325.60001 to R 325.60013.~~

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