



**EXPEDITED RULE MAKING
(RCW 34.05.353)**

**CR-105 (11/1/01)
EXPEDITED RULE MAKING ONLY**

Agency: Department of Labor and Industries

(a) Title of rule: Chapter 296-841 WAC, Respiratory Hazards

Purpose: This rule making is to correct errors located in the permissible exposure limit table.

Other identifying information: None

(b) Statutory authority for adoption: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060

Statute being implemented: Chapter 49.17 RCW

(c) Summary: The primary reason for this rule making is to correct errors located in the permissible exposure limit table. We made additional changes to clarify the language, correct the explanation of the mixtures formula, and fix some formatting errors. No new requirements were added.

Reasons supporting proposal: Correcting errors within the permissible exposure limit table.

(d) Name of Agency Personnel Responsible for:	Office Location	Telephone
1. Drafting.....Tracy Spencer	Tumwater	360-902-5530
2. Implementation.... Michael A. Silverstein	Tumwater	360-902-5495
3. Enforcement..... Michael A. Silverstein	Tumwater	360-902-5495

(e) Name of proponent (person or organization): Department of Labor and Industries
 Private
 Public
 Governmental

(f) Agency comments or recommendations, if any, as to statutory language, implementation, enforcement and fiscal matters:
NA

(g) Is rule necessary because of:
Federal Law? Yes No If yes, ATTACH COPY OF TEXT
Federal Court Decision? Yes No Citation:
State Court Decision? Yes No

NOTICE

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO:

Carmen Moore
Department of Labor and Industries
PO Box 44001, Olympia, WA 98504-4001

AND RECEIVED BY July 19, 2004

CODE REVISER USE ONLY

WSR# 04-11-064

NAME
Paul Trause

SIGNATURE

TITLE
Director

DATE
May 18, 2004

(j) Short explanation of rule, its purpose, and anticipated effects:

The primary reason for this rule making is to correct errors located in the permissible exposure limit table. We made additional changes to clarify the language, correct the explanation of the mixtures formula, and fix some formatting errors. No new requirements were added. There are no anticipated effects.

Does proposal change existing rules? YES NO

If yes, describe changes:

WAC 296-841-100, Scope

- Deleted the word “Important”.
- Clarified the language and corrected formatting errors.
- Clarified the definition of “exposed or exposure”.
- Added additional references.
- No new requirements have been added.

WAC 296-841-20005, Identify and evaluate respiratory hazards

- Clarified language.
- Corrected errors in the explanation of the mixture formula.
- No new requirements have been added.

WAC 296-841-20010, Control employee exposures

- Clarified language.
- Added a note referencing the table.
- No new requirements have been added.

WAC 296-841-20020, Notify employees

- Clarified language.
- Moved Table 3, Permissible exposure limits for air contaminants, into a new section, WAC 296-841-20025.
- No new requirements have been added.

WAC 296-841-20025, Permissible exposure limits for air contaminants

- Created this section and incorporated Table 3 from WAC 296-841-20020 for clarity.
- Corrected errors within Table 3.
- No new requirements have been added.

WAC 296-841-300, Definitions

- Added a definition for “breathing zone”.
- Clarified the definition of “exposed or exposure”.