



RULE-MAKING ORDER

CR-103 (June 2004) (Implements RCW 34.05.360)

Agency: Department of Labor and Industries

- Permanent Rule
- Emergency Rule

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) March 1, 2005 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Effective date of rule:

Emergency Rules

- Immediately upon filing.
- Later (specify) _____

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
 - No
- If Yes, explain:

Purpose: This rulemaking made changes to chapter 296-841 WAC, Respiratory Hazards, and chapter 296-842 WAC Respirators and updated references to respiratory hazards and respirators throughout the WISHA safety and health rules.

Citation of existing rules affected by this order:

Repealed: None
 Amended: See Attachment.
 Suspended: None

Statutory authority for adoption: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060

Other authority : None.

PERMANENT RULE ONLY (Including Expedited Rule Making)

Adopted under notice filed as WSR 04-20-080 on October 5, 2004.

Describe any changes other than editing from proposed to adopted version: There were no changes to the adopted version.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting: na

Name: _____ phone _____
 Address: _____ fax _____
 e-mail _____

EMERGENCY RULE ONLY

Under RCW 34.05.350 the agency for good cause finds:

- That immediate adoption, amendment, or repeal of a rule is necessary for the preservation of the public health, safety, or general welfare, and that observing the time requirements of notice and opportunity to comment upon adoption of a permanent rule would be contrary to the public interest.
- That state or federal law or federal rule or a federal deadline for state receipt of federal funds requires immediate adoption of a rule.

Reasons for this finding:

Date adopted: January 18, 2005

NAME (TYPE OR PRINT)
Paul Trause

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY
WSR#05-03-093

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted in the agency's own initiative:

New	_____	Amended	<u>68</u>	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	_____	Amended	_____	Repealed	_____
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The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	<u>68</u>	Repealed	_____

AMENDED SECTIONS:

WAC 296-24-58513, Protective clothing
WAC 296-24-58515, Respiratory protection devices
WAC 296-24-58517, Appendix A – Fire brigades
WAC 296-24-67515, Personal protective equipment
WAC 296-24-67517, Air supply and air compressors
WAC 296-24-71515, Beryllium
WAC 296-24-71519, Mercury
WAC 296-54-51150, Respiratory protection
WAC 296-56-60001, Scope and application
WAC 296-56-60005, Definitions
WAC 296-56-60053, Hazardous atmospheres and substances
WAC 296-56-60057, Fumigants, pesticides, insecticides and hazardous preservatives (see also WAC 296-56-60049, 296-56-60051, and 296-56-60053)
WAC 296-56-60107, Terminal facilities handling menhaden and similar species of fish
WAC 296-56-60110, Respiratory protection
WAC 296-56-60235, Welding, cutting and heating (hot work) (see also definition of “hazardous cargo, material, substance or atmosphere”)
WAC 296-62-07306, Requirements for areas containing carcinogens listed in WAC 296-62-07302
WAC 296-62-07329, Vinyl chloride
WAC 296-62-07336, Acrylonitrile
WAC 296-62-07342, 1, 2-Dibromo-3-chloropropane
WAC 296-62-07367, Respiratory protection and personal protective equipment
WAC 296-62-07413, Respirator protection
WAC 296-62-07460, Butadiene
WAC 296-62-07521, Lead
WAC 296-62-07615, Respiratory protection
WAC 296-62-07722, Employee information and training
WAC 296-62-14533, Cotton dust
WAC 296-62-20011, Respiratory protection
WAC 296-62-20019, Employee information and training
WAC 296-62-3060, Engineering controls, work practices, and personal protective equipment for employee protection
WAC 296-62-3195, Appendix E – Training curriculum guidelines
WAC 296-62-40001, Scope and application
WAC 296-62-40007, Employee exposure determination
WAC 296-78-665, Sanding machines
WAC 296-78-71015, Tanks and chemicals
WAC 296-78-71019, Exhaust systems

WAC 296-78-84005, Dry kilns
WAC 296-79-29007, Bleach plant
WAC 296-155-160, Gases, vapors, fumes, dusts, and mists
WAC 296-155-17317, Respiratory protection
WAC 296-155-174, Cadmium
WAC 296-155-17613, Respiratory protection
WAC 296-155-17625, Employee information and training
WAC 296-155-17652, Appendix B to WAC 296-155-176 – Employee standard summary
WAC 296-155-20301, Definitions
WAC 296-155-220, Respiratory protection
WAC 296-155-367, Masonry saws
WAC 296-155-525, Cranes and derricks
WAC 296-155-655, General protection requirements
WAC 296-155-730, Tunnels and shafts
WAC 296-301-220, Personal protective equipment
WAC 296-304-02003, Precautions and the order of testing before entering confined and enclosed spaces and other dangerous atmospheres
WAC 296-304-03001, Toxic cleaning solvents
WAC 296-304-03005, Mechanical paint removers
WAC 296-304-03007, Painting
WAC 296-304-04001, Ventilation and protection in welding, cutting and heating

WAC 296-304-09007, Respiratory protection
WAC 296-305-02501, Emergency medical protection
WAC 296-305-04001, Respiratory equipment protection
WAC 296-305-05503, Summary of training requirements
WAC 296-800-160, Summary
WAC 296-824-20005, Develop an emergency response plan
WAC 296-824-40005, Provide medical surveillance to employees
WAC 296-824-60005, Personal protective equipment
WAC 296-824-70005, Follow the appropriate post emergency response requirements
WAC 296-824-800, Definitions
WAC 296-835-11045, Protect employees during welding, burning, or other work using open flames
WAC 296-839-30005, Develop or obtain material safety data sheets (MSDSs)
WAC 296-839-500, Definitions