

**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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	13	Amended	15	Repealed	20
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

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

New	13	Amended	15	Repealed	20
-----	----	---------	----	----------	----

The number of sections adopted in the agency's own initiative:

New	13	Amended	15	Repealed	20
-----	----	---------	----	----------	----

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	13	Amended	15	Repealed	20
-----	----	---------	----	----------	----

The number of sections adopted using:

Negotiated rule making:	New	_____	Amended	_____	Repealed	_____
Pilot rule making:	New	_____	Amended	_____	Repealed	_____
Other alternative rule making:	New	_____	Amended	_____	Repealed	_____

NEW SECTIONS:

WAC 296-155-24601 Scope and application.

- This section was moved from the previous WAC 296-155-24501 and rewritten to cover any activities performed under Chapter 296-155 WAC requiring fall protection.

WAC 296-155-24603 Definitions.

- This section was moved from the previous WAC 296-155-24503 and 296-155-500. Definitions that are not used in the adopted language were removed; new definitions were added to clarify new language. The following definitions were added: affected area, catch platform, equivalent, fall distance, floor hole, floor opening, handrail, hazardous slope, personal fall arrest system, personal fall restraint system, platform, qualified person, runway, safety net system, safety watch system, self-rescue device, standard guardrail system, standard strength and construction, toeboard, and wall opening.
- The following definitions were removed: approved, body belt, continuous fall protection, control zone, failure, positioning belt, roll out, strength member, and work area.

WAC 296-155-24605 General requirements.

- This section contains requirements previously located in WAC 296-155-505, to include clarifying language that all walking/working surfaces upon which employees work are to be structurally sound.
- This section contains inspection criteria previously located in WAC 296-155-24510 relating to all components of personal fall arrest systems, personal fall restraint systems, positioning device systems, and safety nets.
- This section contains new exemption language relating to when employees would be exempt from WACs 296-155-24609 and 296-155-24611.

WAC 296-155-24607 Fall protection required regardless of height.

- This section contains requirements previously located in WAC 296-155-505 relating to regardless of height, open sided floors, walkways, platforms or runways must be guarded with a standard guardrail system.
- Language was amended to “standard guardrail system” throughout the proposal for consistency.
- Added language previously located in WAC 296-155-680 relating to impalement hazards.

WAC 296-155-24609 Fall protection required at four feet or more.

- This section contains requirements previously located in WAC 296-155-505 relating to requiring fall protection at four feet or more and also addresses guardrails, handrails, and covers. These requirements parallel the requirements previously located in WAC 296-155-24510.
- Language added relating to hazardous slopes changing from six feet to four feet.
- Language throughout this section was rewritten to clarify and combine existing standards.
- Language was rewritten to clarify the relationship between walking/working surfaces and unprotected sides and edges.
- New language clarifying the requirements relating to using stilts behind guardrails was added.
- A list of options for how to provide fall protection at four feet has been placed in this section.
- New language has been added to explain the requirements of fall protection at four feet.

-
-
- Language relating to roofing work has been rewritten to correct an error in the current WAC. This section clarifies that a roof is a walking/working surface and as such, fall protection starts at four feet.

WAC 296-155-24611 Fall protection required at ten feet or more.

- This section contains requirements previously located in WACs 296-155-24505 (fall protection work plan) and 296-155-24510 (appropriate fall protection systems). This language was rewritten for clarity and updated to provide consistency with the Occupational Safety and Health Administration (OSHA).
- Language from WISHA Regional Directive (WRD) 30.25 relating to fall protection during excavation and trenching operations was incorporated into this section.

WAC 296-155-24613 Fall arrest specifications.

- This section contains requirements previously located in WAC 296-155-24510 relating to fall arrest specifications. This language was rewritten for clarity.

WAC 296-155-24615 Fall restraint specifications.

- This section contains requirements previously located in WAC 296-155-24510 relating to fall restraint. This language was rewritten for clarity.
- Removed the language relating to body belts since they are no longer allowed as an option for fall restraint. To further clarify, the term “full body harness” is now being used throughout the rule.
- The section contains requirements previously located in WAC 296-155-505 relating to guardrails.
- This section contains requirements previously located in WACs 296-155-24510, 296-155-24513, and 296-155-24520 relating to warning lines. This language was rewritten for clarity. Language from WRD 29.50 relating to warning lines used for fall protection in construction was incorporated into this section.
- This section contains requirements previously located in WAC 296-155-24515 relating to access paths. This language was rewritten for clarity.
- This section contains requirements previously located in WAC 296-155-24521 relating to a safety monitor system. This language was rewritten for clarity.
- This section contains requirements previously located in WAC 296-155-505 relating to toeboards.
- Specifications governing safety watch systems have been put into this section. Since using a safety watch system is an option, not a requirement, for employers, this is not considered as an increase in requirements.

WAC 296-155-24617 Positioning device system specifications.

- This section contains requirements previously located in WAC 296-155-24510 relating to positioning device systems. This language was rewritten for clarity to provide consistency with other requirements in this proposal and with American National Standards Institute (ANSI) 357.3, 2007.

WAC 296-155-24619 Other specifications.

- This section contains miscellaneous requirements previously located in Chapter 296-155 WAC, Parts C-1 and K. This language was rewritten for clarity.
- Added language making it clear that crawling boards and chicken ladders are not considered a fall protection system.
- Language has been added to this section outlining the specifications using a self rescue device system.

CR-103 RULE-MAKING ORDER (RCW 34.05.360)

Department of Labor and Industries
Division of Occupational Safety and Health
Hearing Dates: October 16 and 17, 2012
CR-103 Filing Date: February 4, 2013

Attachment (1)
(Purpose Statement)

WAC 296-155-24621 Training.

- This section contains requirements previously located in WAC 296-155-24505 relating to training. This language was rewritten for clarity.

WAC 296-155-24623 Appendix A—Determining roof widths—Nonmandatory guidelines for complying with WAC 296-155-24615.

- This section contains information previously located in WAC 296-155-24523. This language was updated with housekeeping changes.

WAC 296-155-24624 Appendix B—Calculating fall clearance distance using a shock-absorbing lanyard and D-ring anchorage connector—Nonmandatory guidelines for complying with WAC 296-155-24613(1)(d).

- This section was created to assist employers in calculating fall clearance distances.

AMENDED SECTIONS:

WAC 296-36-170 Stairs and ladders.

- Updated a reference.

WAC 296-45-25510 Fall protection.

- Updated references.

WAC 296-155-477 Stairways.

- Updated a reference.

WAC 296-155-655 General protection requirements.

- Updated a reference.

WAC 296-155-682 Requirements for equipment and tools.

- Updated a reference.

WAC 296-155-706 Structural steel assembly.

- Updated references.

WAC 296-155-716 Fall protection.

- Updated references.

WAC 296-155-740 Cofferdams.

- Updated a reference.

WAC 296-155-745 Compressed air.

- Updated a reference.

WAC 296-874-20008 Make sure platforms are properly planked or decked.

- Updated a reference.

WAC 296-874-20030 Make sure ramps and walkways used to access scaffolds meet these requirements.

- Updated a reference.

WAC 296-874-20052 Provide fall protection for employees on scaffolds.

- Updated a reference.

WAC 296-874-20058 Make sure personal fall arrest systems meet these requirements.

- Updated a reference.

WAC 296-874-40020 Meet these requirements when using integral prefabricated scaffold access frames.

- Updated a reference.

WAC 296-874-40034 Meet these requirements when using repair bracket scaffolds.

- Updated a reference.

REPEALED SECTIONS:

The following sections are repealed. The requirements in these sections have been moved to WAC 296-155-24601 through 296-155-24624.

WAC 296-155-245 Reserve.

WAC 296-155-24501 Scope and application.

WAC 296-155-24503 Definitions.

WAC 296-155-24505 Fall protection work plan.

WAC 296-155-24507 Reserve.

WAC 296-155-24510 Fall restraint, fall arrest systems.

WAC 296-155-24515 Guarding of low pitched roof perimeters.

WAC 296-155-24519 Reserve.

WAC 296-155-24520 Leading edge control zone.

WAC 296-155-24521 Safety monitor system.

WAC 296-155-24522 Reserve.

WAC 296-155-24523 Appendix A to Part C-1—Determining roof widths nonmandatory guidelines for complying with WAC 296-155-24515(2)(b).

WAC 296-155-24524 Reserve.

WAC 296-155-24525 Appendix B to Part C-1—Fall restraint and fall arrest (employer information only).

WAC 296-155-500 Definitions applicable to this part.

WAC 296-155-505 Guardrails, handrails and covers.

WAC 296-155-50503 Roofing brackets.

WAC 296-155-50505 Reserved.

WAC 296-155-510 Reserved.

WAC 296-155-515 Ramps, runways, and inclined walkways.

Changes other than editing from proposed to adopted version

Describe any changes other than editing from proposed to adopted version:

As a result of written and oral comments received, the following sections are being changed as indicated below:

CHANGES TO THE RULES (Proposed rule versus rule actually adopted):

WAC 296-155-24603 Definitions.

- Added the word “surface” into the definitions of “floor holes” and “floor openings” to be at least as effective as the Occupational Safety and Health Administration (OSHA). They now read, “Floor hole means an opening measuring less than twelve inches but more than one inch in its least dimension in any floor, roof, platform, or surface through which materials but not persons may fall, such as a belt hole, pipe opening, or slot opening.” “Floor opening means an opening measuring twelve inches or more in its least dimension in any floor, roof, platform, or surface through which persons may fall.”
- Added a definition for “positioning harness/belt” to match what is required by a National Consensus Standard and based on comment that reads, “Positioning harness/belt means a body support that meets the requirements specified in ANSI Z359.3-2007 that encircles and closes around the waist and legs with attachment elements appropriate for positioning work.”
- Added a sentence at the end of the definition “walking/working surface”, based on comment. It now reads, “Walking/working surface means any area including, but not limited to, floors, a roof surface, bridge, the ground, and any other surfaces whose dimensions are forty-five inches or more in all directions, through which workers can pass or conduct work. A walking/working surface does not include vehicles or rolling stock on which employees must be located in order to perform their job duties.”

WAC 296-155-24607 Fall protection required regardless of height.

- Subsection (1): Replaced the words “rock crushing equipment” with “dip tanks”, based on comment. It now reads, “Regardless of height, open sided floors, walkways, platforms, or runways above or adjacent to dangerous equipment, such as dip tanks and material handling equipment, and similar hazards shall be guarded with a standard guardrail system.”
- Added a new subsection (2) relating to the guarding of floor holes or floor openings, based on comment. This was moved from WAC 296-155-24609. It reads, “(2) Floor holes or floor openings, into which persons can accidentally walk, shall be guarded by either a standard railing with standard toe board on all exposed sides, or a cover of standard strength and construction that is secured against accidental displacement. While the cover is not in place, the floor hole opening shall be protected by a standard railing”. This language is almost identical to what was previously in WAC.
- Added a note for clarity, it reads, “**Note:** Requirements for when guarding floor openings at heights of four feet or more are located in WAC 296-155-24609(4).”
- Renumbered subsection (2) to (3).

WAC 296-155-24609 Fall protection required at four feet or more.

- Moved subsection (4) to WAC 296-155-24607 based on comment and renumbered the rest of this section.

Changes other than editing from proposed to adopted version

WAC 296-155-24611 Fall protection required at ten feet or more.

- Subsection (1)(b): Removed the words “on low pitched surfaces”, it now reads, “Constructing a leading edge;”. This language was inadvertently left in the proposed rule.

WAC 296-155-24613 Fall arrest specifications.

- Subsection (1)(l): Added the words “or equivalent” and “rope” to be consistent with Chapter 296-59 WAC, Safety Standards for Ski Area Facilities and Operations. It now reads, “Droplines or lifelines used on rock scaling operations, or in areas where the lifeline may be subjected to cutting or abrasion, shall be a minimum of seven-eighths inch wire core manila rope or equivalent. For all other lifeline applications, a minimum of three-fourths inch manila rope or equivalent, with a minimum breaking strength of five thousand pounds, shall be used.”