



EXPEDITED RULE MAKING

CR-105 (June 2004)
(Implements RCW 34.05.353)
EXPEDITED RULE MAKING ONLY

Agency: Department of Labor and Industries

Title of rule and other identifying information:

Chapter 296-841 WAC, Respiratory Hazards (Airborne Contaminants)

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

Josh Swanson
Department of Labor and Industries
PO Box 44001
Olympia, WA 98504-4001

And received by: February 19, 2007

Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The Occupational Safety and Health Administration (OSHA) recently adopted rules regulating Hexavalent Chromium. We are making changes to our Permissible Exposure Limit table to remain as effective as OSHA. In addition, general ventilation requirements currently in chapter 296-62 WAC, the General Occupational Health Standards, are being repealed from that chapter and moved into chapter 296-841 into the general exposure control sections. We are also changing the title of the rule, reformatting it, and clarifying some language.

Reasons supporting proposal: These changes are being made to ensure accuracy and regulatory parity with Federal agencies, and to further clarify agency rules.

Statutory authority for adoption: RCW 49.17.010, 49.17.050, 49.17.060

Statute being implemented: Chapter 49.17 RCW

Is rule necessary because of a:

Federal Law? Yes No
Federal Court Decision? Yes No
State Court Decision? Yes No

If yes, CITATION:
29 CFR 71:38085-38087 (2006)

CODE REVISER USE ONLY

WSR 07-01-079

DATE
December 19, 2006

NAME (TYPE OR PRINT)
Judy Schurke

SIGNATURE

TITLE
Acting Director

Name of proponent:
Department of Labor and Industries

- Private
- Public
- Governmental

Name of agency personnel responsible for:

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Drafting..... Tracy Spencer	Tumwater	(360)902-5530
Implementation.... Stephen M. Cant	Tumwater	(360)902-5495
Enforcement..... Stephen M. Cant	Tumwater	(360)902-5495

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

N/A

CR 105 RULE-MAKING ORDER (RCW 34.05.320)

Department of Labor and Industries
Division of Occupational Safety and Health
CR-105 Filing Date: December 19, 2006
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Attachment (1)
(Purpose Statement)

The Occupational Safety and Health Administration (OSHA) recently adopted rules regulating Hexavalent Chromium. We are making changes to our Permissible Exposure Limit table to remain as effective as OSHA. In addition, general ventilation requirements currently in chapter 296-62 WAC, the General Occupational Health Standards, are being repealed from that chapter and moved into chapter 296-841 into the general exposure control sections. We are also changing the title of the rule, reformatting it, and clarifying some language.

Amended sections:

Chapter 296-841 WAC, Respiratory Hazards

- Changes are being made throughout this rule to bring it into compliance with OSHA, to change the title to Airborne Hazards, and to further clarify language.
- General ventilation requirements are being moved from Chapter 296-62 WAC into this chapter.

Chapter 296-62 WAC, General Occupational Health Standards

- General ventilation requirements are being repealed from this chapter and moved into Chapter 296-841 WAC.

The following sections are being amended to correct references to chapter 296-841 WAC:

- 296-56-60001
- 296-78-71015
- 296-155-20301
- 296-304-01009
- 296-806-47502
- 296-809-800
- 296-824-800
- 296-828-100
- 296-828-20005
- 296-839-30005
- 296-848-20060
- 296-848-40020
- 296-849-11030
- 296-849-13005
- 296-849-13020
- 296-855-20050
- 296-855-40030