



# 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:**

Respirator Assigned Protection Factors (APFs)

**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  
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PO Box 44001  
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**And received by: February 19, 2007**

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

In August, OSHA revised its existing Respiratory Protection Standard to add definitions and requirements for Assigned Protection Factors (APFs) and Maximum Use Concentrations (MUCs). We are amending our rules to be consistent with OSHA.

**Reasons supporting proposal:** These changes are being made to ensure accuracy and regulatory parity with Federal agencies.

**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 71:50121-50192 (2006)

**CODE REVISER USE ONLY**

**WSR 07-01-076**

**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:**

Name	Office Location	Phone
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  
Page 1

**Attachment (1)**  
(Purpose Statement)

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In August, OSHA revised its existing Respiratory Protection Standard to add definitions and requirements for Assigned Protection Factors (APFs) and Maximum Use Concentrations (MUCs). We are amending our rules to be consistent with OSHA. In addition, we are making housekeeping corrections in these rules.

Amended sections:

The following sections are being amended to make our rules match Federal regulations:

296-62-07329 Vinyl Chloride  
296-62-07336 Acrylonitrile  
296-62-07342 1,2-Dibromo-3-chloropropane  
296-62-07413 Cadmium  
296-62-07470 Methylene chloride  
296-62-07521 Lead  
296-62-07615 MDA  
296-62-07715 Asbestos  
296-62-14533 Cotton dust  
296-62-20011 Coke ovens

296-155-17317 MDA  
296-155-174 Cadmium  
296-155-17613 Lead

296-842-13005 Select and provide appropriate respirators

296-848-40045 Respirators (Arsenic)  
296-849-13045 Respirators (Benzene)  
296-855-40040 Respirators (Ethylene oxide)  
296-856-40030 Respirators (Formaldehyde)

The following sections are being amended to correct typographical errors, make other housekeeping changes, and edit for clarity:

296-842-100 Scope  
296-842-11005 Make sure voluntary use of respirators is safe.  
296-842-11010 Keep voluntary use program records  
296-842-13005 Select and provide appropriate respirators.  
296-842-15005 Conduct fit testing  
296-842-160 Training  
296-842-170 Maintenance  
296-842-17005 Maintain respirators in a clean and reliable condition  
296-842-20005 Make sure breathing air and oxygen meet established specifications  
296-842-20010 Prevent conditions that could create a hazardous breathing air supply.  
296-842-20015 Make sure compressors do not create a hazardous breathing air supply.  
296-842-22010 Follow these fit-testing procedures for tight-fitting respirators  
296-842-300 Definitions