



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: Personal Protective Equipment.

WAC sections found in:

Chapter 296-32 WAC, Safety Standards for Telecommunications; Chapter 296-45 WAC, Safety Standards for Electrical Workers; Chapter 296-54 WAC, Safety Standards –Logging Operations; Chapter 296-56 WAC, Safety Standards -- Longshore, Stevedore and Related Waterfront Operations; Chapter 296-59 WAC, Safety Standards for Ski Area Facilities and Operations; Chapter 296-78 WAC, Safety Standards for Sawmills and Woodworking Operations; Chapter 296-155 WAC, Safety Standards for Construction Work; Chapter 296-800 WAC, Safety and Health Core Rules; Chapter 296-809 WAC, Confined Spaces; Chapter 296-818 WAC, Abrasive Blasting; Chapter 296-824 WAC, Emergency Response; Chapter 296-826 WAC, Anhydrous Ammonia; Chapter 296-843 WAC, Hazardous Waste Operations; Chapter 296-848 WAC, Arsenic

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

Name: Joshua Swanson

Agency: Department of Labor and Industries

Address: P.O. Box 44001, Olympia WA 98504-4001

AND RECEIVED BY January 20, 2009

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

The Occupational Safety and Health Administration (OSHA) has recently revised several of their rules to clarify the fact that personal protective equipment (PPE) for employees is to be paid for by the employer. The department is proposing to make the same changes to our rules, to remain as effective as OSHA as mandated by statute. These changes will make clear that the employer is to provide the necessary PPE at no cost to the employee. Also, some additions are being made to the list of examples of PPE we give to employers, to match the list of examples put out by OSHA.

Reasons supporting proposal: The department is required by statute to remain at least as effective as OSHA. Adopting these changes will keep the department in compliance with the law.

Statutory authority for adoption: RCW 49.17.050

Statute being implemented: Chapter 49.17 RCW

Is rule necessary because of a:

Federal Law?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:
29 CFR Parts 1910, 1915, 1917, 1918, 1926

DATE
November 18, 2008

NAME
Judy Schurke

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: November 18, 2008
TIME: 2:15 PM

WSR 08-23-086

Name of proponent: Department of Labor and Industries Division of Occupational Safety and Health

- Private
- Public
- Governmental

Name of agency personnel responsible for:

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Drafting.....Tracy Spencer	Tumwater	(360) 902-5530
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Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:

N/A