



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:
WAC 296-800-170, Employer Chemical Hazard Communication

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

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AND RECEIVED BY March 23, 2009

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

The Division of Occupational Safety and Health (DOSH) is proposing to change existing language in WAC 296-800-170, Employer Chemical Hazard Communication, to be as effective as the Federal Occupational Safety and Health Administration's (OSHA's) rule.

The Hazard Communication Section was reformatted in 2001 during the adoption of the Core Rules and put into a new format. During that process, some items were inadvertently left out, resulting in a rule less effective than OSHA.

The proposed language in WAC 296-800-170 will meet L&I's statutory mandate to be as effective as the Federal equivalent. The language being adopted is identical to Federal OSHA language.

Reasons supporting proposal: By law, Labor and Industries' Division of Occupational Safety and Health is required to have laws at least as effective as OSHA.

Statutory authority for adoption: RCW 49.17.050

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 Subpart Z

DATE
January 20, 2009

NAME
Judy Schurke

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: January 20, 2009
TIME: 4:38 PM

WSR 09-03-094

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

N/A