



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 296-842 WAC, Respirators

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 June 1, 2009

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

We are responding to a Federal Register notice that the Occupational Safety and Health Administration (OSHA) updated their respirators requirements for the controlled negative pressure REDON fit testing protocol. We are updating our rule to be identical to OSHA's rule.

This rule was reformatted and some helpful information (not including requirements) was inadvertently deleted, so we are putting it back in. In addition there are some minor typos and language changes that will be made to make this rule consistent with other Division of Occupational Safety and Health (DOSH) rules.

The proposed language in Chapter 296-842 WAC will ensure that the state rules is as effective as the federal equivalent.

Reasons supporting proposal: By law, Labor and Industries' DOSH 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?	<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 Subpart Z

DATE
March 31, 2009

NAME
Judy Schurke

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: March 31, 2009
TIME: 10:08 AM

WSR 09-08-106

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

N/A