



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

Agency: Department of Labor and Industries

Permanent Rule Only

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) June 1, 2010 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
 - No
- If Yes, explain:

Purpose:

In 2002, the Department rewrote the Window Cleaning rules for clarity. As part of that process, an allowance from ANSI/ IWCA 1-14.1-2001, Window Cleaning Safety, Section 5.7.12 was omitted from the final rule language. This language would allow employers to use a rope descent system above 300-feet in height if the windows cannot be safely and practicably accessed by other work practices. The purpose of this rulemaking is to add this allowance to WAC 296-878-20010. Safely use rope descent systems.

Citation of existing rules affected by this order: See Attachment 1

Repealed: 0
Amended: 1
Suspended: 0

Statutory authority for adoption: RCW 49.17.010, RCW 49.17.040, RCW 49.17.050, RCW 49.17.060

Other authority : None

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 10-01-168 on December 22, 2009.
Describe any changes other than editing from proposed to adopted version:
There were no changes from the proposed to the adopted version.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name: _____ phone () _____
Address: _____ fax () _____
e-mail _____

Date adopted:

April 6, 2010

NAME

Judy Schurke

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: April 06, 2010
TIME: 11:51 AM

WSR 10-08-069

**Note: If any category is left blank, it will be calculated as zero.
No descriptive text.**

**Count by whole WAC sections only, from the WAC number through the history note.
A section may be counted in more than one category.**

The number of sections adopted in order to comply with:

Federal statute:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Federal rules or standards:	New	<u>0</u>	Amended	<u>1</u>	Repealed	<u>0</u>
Recently enacted state statutes:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>

The number of sections adopted at the request of a nongovernmental entity:

	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
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The number of sections adopted in the agency's own initiative:

	New	<u>0</u>	Amended	<u>1</u>	Repealed	<u>0</u>
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

	New	<u>0</u>	Amended	<u>1</u>	Repealed	<u>0</u>
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The number of sections adopted using:

Negotiated rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Pilot rule making:	New	<u>0</u>	Amended	<u>0</u>	Repealed	<u>0</u>
Other alternative rule making:	New	<u>0</u>	Amended	<u>1</u>	Repealed	<u>0</u>

(2) Citation of existing rules affected by this order:

AMENDED SECTIONS:

Chapter 296-878 WAC, Safety Standards for Window Cleaning.

WAC 296-878-20010, Safely use rope descent systems.

- Updated language to allow employers to use a rope descent system above 300-feet in height if the windows cannot be safely and practicably accessed by other work practices.