



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 296-24 WAC, Acetylene.
The Federal Occupational Safety and Health Administration (OSHA) revised its Acetylene Standard for general industry by updating references to standards published by standards developing organizations (SDO).

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 8, 2010

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

DOSH believes that the revisions made to the Acetylene Standard by this proposal does not compromise the safety of employees, and instead enhances employee protection. For example, the updated Acetylene Standard includes mandatory requirements for acetylene piping systems, has special requirements for high-pressure piping systems, and prohibits storage of acetylene cylinders in confined spaces--requirements that are not included in the current SDO standards. The updated SDO standards also provide employers with new and more extensive information than the current standards, which should facilitate compliance.

The revisions will make the requirements of DOSH's Acetylene Standard consistent with current industry practices, thereby eliminating confusion and clarifying employer obligations. Eliminating confusion and clarifying employer obligations should increase employee safety while reducing compliance costs.

The Compressed Gas Association (CGA) published several editions of these SDO standards after we adopted them in 1973, and one of these standards (i.e., Compressed Gas Association Pamphlet G-1.4-1966), is no longer available for purchase from CGA. Therefore, to ensure that employers have access to the latest safety requirements for managing acetylene, this rulemaking is adopting the requirements specified in the most recent versions of the SDO standards. **See attachment (1).**

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

Statute being implemented: RCW 49.17

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: See attachment (2)

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: January 06, 2010

TIME: 10:38 AM

WSR 10-02-105

DATE

January 6, 2010

NAME

Judy Schurke

SIGNATURE

TITLE

Director

Name of proponent: Department of Labor and Industries

- 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

Chapter 296-24 WAC, General Safety and Health Standards

WAC 296-24-31001 Cylinders.

- Update the Compressed Gas Association Pamphlet reference.

WAC 296-24-31003 Piped Systems.

- Update references relating to the National Fire Protection Association (NFPA) and Compressed Gas Association.
- Add language to allow compliance with earlier additions if applicable.

WAC 296-24-31005 Generators and filling cylinders.

- Update references relating to the National Fire Protection Association (NFPA).
- Add language to allow compliance with earlier additions if applicable.

CR 105 RULE-MAKING ORDER (RCW 34.05.320)

Attachment (2)

Department of Labor and Industries
Division of Occupational Safety and Health
CR-105 Filing Date: January 5, 2010

(2) Federal/State-Initiator Citation(s):

29 CFR 1910.102 [74 Federal Register 74:40441-40447 (2009)]
29 CFR 1910.102 [74: Federal Register 74:40449-40455 (2009)]
29 CFR 1910.102 [74: Federal Register 74:57883-57884 (2009)]