



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: The Occupational Safety and Health Administration (OSHA) has recently revised several of their rules surrounding PPE to incorporate by reference more current versions of national consensus standards. The department is updating our rules to remain as effective as OSHA as mandated by statute. These changes will make clear which version of national consensus standards the department will use to enforce PPE requirements. See attachment (1).

Citation of existing rules affected by this order: See Attachment 2

Repealed: 0
 Amended: 9
 Suspended: 0

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

Other authority : RCW 49.17

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 10-04-094 on February 2, 2010.
 Describe any changes other than editing from proposed to adopted version: Adopted as proposed.

Date adopted:

April 20, 2010

NAME

Judy Schurke

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED

DATE: April 20, 2010
 TIME: 2:42 PM

WSR 10-09-088

(COMPLETE REVERSE SIDE)

**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Federal statute:	New	Amended	Repealed
Federal rules or standards:	New	Amended 9	Repealed
Recently enacted state statutes:	New	Amended	Repealed

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

New	Amended	Repealed
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The number of sections adopted in the agency's own initiative:

New	Amended 9	Repealed
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	Amended	Repealed
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The number of sections adopted using:

Negotiated rule making:	New	Amended	Repealed
Pilot rule making:	New	Amended	Repealed
Other alternative rule making:	New	Amended 9	Repealed

Chapter 296-56 WAC, Safety Standards –Longshore, Stevedore and Waterfront Related Operations

Chapter 296-304 WAC, Safety Standards for Ship Repairing, Shipbuilding and Shipbreaking

Chapter 296-800 WAC, Safety and Health Core Rules

WAC 296-56-60109 Eye protection.

- Updated the American National Standards (ANSI) reference.
- Added the following language: Employers may provide alternate eye and face protection if they can demonstrate such devices are at least as effective as those constructed in accordance with one of the above consensus standards.

WAC 296-56-60111 Head protection.

- Updated the American National Standards (ANSI) reference.

WAC 296-56-60113 Foot protection.

- Updated references relating to the American National Standards (ANSI).
- Added language saying Employers may use alternate footwear if they can demonstrate it is at least as effective as those constructed in accordance with one of the above consensus standards.

WAC 296-304-09005 Eye and face protection.

- Updated the American National Standards (ANSI) reference.
- Added the following language: Employers may provide alternate eye and face protection if they can demonstrate such devices are at least as effective as those constructed in accordance with one of the above consensus standards.

WAC 296-304-09011 Head protection.

- Updated the American National Standards (ANSI) reference.
- Added the following language: Employers may use alternate head protection if they can demonstrate such devices are at least as effective as those constructed in accordance with one of the above consensus standards.

WAC 296-304-09013 Foot protection.

- Updated references relating to the American National Standards (ANSI).
- Added language saying Employers may use alternate footwear if they can demonstrate it is at least as effective as those constructed in accordance with one of the above consensus standards.

WAC 296-800-16050 Make sure your employees use appropriate eye and face protection.

- Updated the American National Standards (ANSI) reference.
- Added the following language: Employers may provide alternate eye and face protection if they can demonstrate such devices are at least as effective as those constructed in accordance with one of the above consensus standards.

WAC 296-800-16055 Make sure your employees use appropriate head protection.

- Updated the American National Standards (ANSI) reference.
- Added the following language: Employers may use alternate head protection if they can demonstrate such devices are at least as effective as those constructed in accordance with one of the above consensus standards.

WAC 296-800-16060 Make sure your employees use appropriate foot protection.

- Updated references relating to the American National Standards (ANSI).
- Added language saying Employers may use alternate footwear if they can demonstrate it is at least as effective as those constructed in accordance with one of the above consensus standards.

Citation of existing rules affected by this order:

Chapter 296-56 WAC, Safety Standards –Longshore, Stevedore and Waterfront Related Operations

Chapter 296-304 WAC, Safety Standards for Ship Repairing, Shipbuilding and Shipbreaking

Chapter 296-800 WAC, Safety and Health Core Rules

WAC 296-56-60109 Eye protection.

WAC 296-56-60111 Head protection.

WAC 296-56-60113 Foot protection.

WAC 296-304-09005 Eye and face protection.

WAC 296-304-09011 Head protection.

WAC 296-304-09013 Foot protection.

WAC 296-800-16050 Make sure your employees use appropriate eye and face protection.

WAC 296-800-16055 Make sure your employees use appropriate head protection.

WAC 296-800-16060 Make sure your employees use appropriate foot protection.