



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do NOT use for expedited rule making

Agency: Department of Labor and Industries

Subject of possible rule making: Chapter 296-901-140 WAC, Hazard Communication, Chapter 296-24 WAC, General Safety and Health Standards; Chapter 296-62 WAC General Occupational Health Standards; Chapter 296-67 WAC, Safety Standards for Process Safety Management of Highly Hazardous Chemicals; Chapter 296-155 WAC, Safety Standards for Construction Work; Chapter 296-304 WAC, Safety Standards for Ship Repairing, Shipbuilding and Shipbreaking; Chapter 296-828 WAC, Hazardous Chemicals in Laboratories; Chapter 296-835 WAC, Dipping and Coating Operations (dip tanks); Chapter 296-843WAC, Hazardous Waste Operations; Chapter 296-848 WAC, Arsenic; Chapter 296-849 WAC, Benzene; Chapter 296-855 WAC, Ethylene Oxide; and Chapter 296-856 WAC, Formaldehyde. In addition, several internal references will need to be updated throughout all applicable chapters.

Statutes authorizing the agency to adopt rules on this subject:

RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060, and 29 CFR 1910 Subpart Z.

Reasons why rules on this subject may be needed and what they might accomplish: The Occupational Safety and Health Administration (OSHA) adopted the final rules updating its Hazard Communication Standard into alignment with the Globally Harmonized System of Classification and Labeling of Chemicals (GHS). The department is required to update our rules to be at least as effective as OSHA. The scope of OSHA's Hazard Communication Standard includes requirements for employers as well as chemical manufacturers, importers, and distributors. The department's comparable requirements are located in three separate rules. OSHA's rule also modified other existing OSHA standards that contain hazard classification and communication provisions to be internally consistent and aligned with the GHS modifications to the hazard communication standard.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:

No other state or federal agencies, other than OSHA, are known that regulate this subject.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

Parties interested in the formulation of these rules for proposal may contact the individual listed below. The public may also participate by commenting after amendments are proposed by providing written comments or giving oral testimony during the public hearing process.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

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DATE
May 21, 2013

NAME (TYPE OR PRINT)
Joel Sacks

SIGNATURE

TITLE
Director

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STATE OF WASHINGTON
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DATE: May 21, 2013
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