



PROPOSED RULE MAKING

CR-102 (June 2012)

(Implements RCW 34.05.320)

Do NOT use for expedited rule making

Agency: Department of Labor and Industries

<input checked="" type="checkbox"/> Preproposal Statement of Inquiry was filed as WSR 13-11-109 ; or	<input checked="" type="checkbox"/> Original Notice
<input type="checkbox"/> Expedited Rule Making--Proposed notice was filed as WSR _____ ; or	<input type="checkbox"/> Supplemental Notice to WSR _____
<input type="checkbox"/> Proposal is exempt under RCW 34.05.310(4) or 34.05.330(1).	<input type="checkbox"/> Continuance of WSR _____

Title of rule and other identifying information: 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.

<p>Hearing location(s):</p> <p>Department of Labor and Industries 7273 Linderson Way SW, Room S117 Tumwater, WA 98501</p> <p>Date: January 7, 2014 Time: 9:00 a.m.</p>	<p>Submit written comments to:</p> <p>Name: Beverly Clark Address: Post Office Box 44620 Olympia, WA 98504-4620 e-mail Beverly.Clark@lni.wa.gov fax (360)902-5619 by 5:00 p.m. on January 10, 2014</p>
<p>Date of intended adoption: February 18, 2014 (Note: This is NOT the effective date)</p>	<p>Assistance for persons with disabilities: Contact Beverly Clark by December 31, 2013 at Beverly.Clark@lni.wa.gov or (360) 902-5516.</p>

Purpose of the proposal and its anticipated effects, including any changes in existing rules: In 2012, 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). 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. The department's rules are required to be at least as effective as OSHA. Under Phase I Hazard Communication rulemaking in 2013, the department created a new rule, WAC 296-901-140, incorporating all the elements of the existing Department hazard communication rules for into one rule to be consistent with OSHA's Hazard Communication Standard employers, , chemical manufacturers, importers, and distributors. This rulemaking, Phase II, modifies other existing department rules to align with the GHS changes as required by OSHA's rule. In addition, this rulemaking makes changes to WAC 296-901-140 to reflect minor corrections made to OSHA's rule in February 2013 and other necessary technical corrections.

See attachment (1) for a detailed list of the proposed changes.

Reasons supporting proposal: 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.

Statutory authority for adoption: RCW 49.17.010, 49.17.040, 49.17.050, and 49.17.060.	Statute being implemented: Chapter 49.17 RCW
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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 1910 Subpart Z

DATE
November 4, 2013

NAME (type or print)
Joel Sacks

SIGNATURE

TITLE
Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: November 04, 2013
TIME: 3:24 PM

WSR 13-22-063

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

None.

Name of proponent: (person or organization) Department of Labor and Industries

- Private
- Public
- Governmental

Name of agency personnel responsible for:

Name	Office Location	Phone
Drafting..... Jeff Killip	Tumwater, Washington	(360) 902-5530
Implementation.... Anne F. Soiza	Tumwater, Washington	(360) 902-5090
Enforcement..... Anne F. Soiza	Tumwater, Washington	(360) 902-5090

Has a small business economic impact statement been prepared under chapter 19.85 RCW or has a school district fiscal impact statement been prepared under section 1, chapter 210, Laws of 2012?

Yes. Attach copy of small business economic impact statement or school district fiscal impact statement.

A copy of the statement may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No. Explain why no statement was prepared.

No small business economic impact statement was prepared. The proposed changes are exempt under RCW 19.85.061 because they are solely for the purpose of conformity or compliance with federal statute, 29 CFR 1910 Subpart Z and DOSH is required to be as least as effective as OSHA. Additionally, no new costs are imposed by this proposed rule.

Is a cost-benefit analysis required under RCW 34.05.328?

Yes A preliminary cost-benefit analysis may be obtained by contacting:

Name:

Address:

phone () _____

fax () _____

e-mail _____

No: Please explain: No cost-benefit analysis was prepared. Changes are exempt when: explicitly and specifically dictated by federal statute; correct typographical errors or clarifies language without changing its effect; or are adopted from national consensus codes. RCW 34.05.328(5)(b)(iii) - (v). No new costs are imposed by this proposed rule.

Phase I Rulemaking

In 2012, 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 effective dates of OSHA's rule are delayed and phased in. The Department rules are required 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. Prior to the Phase I rulemaking, Department's comparable requirements were in separate rules, as follows:

Employer Requirements:

WAC 296-800-170, Employer Chemical Hazard Communication (core rules)
Chapter 296-307 WAC, Part Y-1, Employer Chemical Hazard Communication (agriculture)

Chemical Manufacturer, Importer, and Distributor Requirements:

Chapter 296-839 WAC, Content and Distribution of Material Safety Data Sheets (MSDS) and Label Information
Chapter 296-307 WAC, Part Y-2, Material Safety Data Sheets and Label Preparation (agriculture)

Trade Secrets:

Chapter 296-816 WAC, Protecting Trade Secrets
Chapter 296-62 WAC, Part B-1, Trade Secrets (applies only to agriculture)

In addition, other Department rules specific to activities and workplaces reference the requirements in WAC 296-800-170.

Under the Phase I rulemaking the Department created a new rule, WAC 296-901-140, incorporating all the elements of the existing Department rules into one rule to be consistent with OSHA's Hazard Communication Standard. During the transition period, there is the option to comply with the applicable requirements in the existing rules or the requirements in the new rule or both (See Table 1). Upon completion of the transition period, the existing standards will be repealed (See Table 2).

Phase II Rulemaking

OSHA's 2012 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. This rulemaking modifies other existing Department rules to align with the GHS changes as required by OSHA's rule. In addition, this rulemaking makes changes to WAC 296-901-140 to reflect minor corrections made to OSHA's rule in February 2013 and other necessary technical corrections.

CR-102 RULE-MAKING ORDER (RCW 34.05.320)

Department of Labor and Industries
 Division of Occupational Safety and Health
 CR-102 Filing Date: November 5, 2013

Attachment (1)
 (Purpose Statement)

Table 1 Effective Dates:

Effective Completion Date	Requirement(s)	Who
June 1, 2014	Train employees on the new label elements and safety data sheet (SDS) format.	Employers
June 1, 2015	Compliance with all provisions of the WAC 296-901-140 final rule, except as listed below:	Chemical manufactures, importers, distributors, and employers
June 1, 2016	Update alternative workplace labeling and hazard communication program as necessary, and provide additional employee training for newly identified physical or health hazards.	Employers
December 1, 2015	The Distributor must not ship containers labeled by the chemical manufacturer or importer unless it is a GHS label.	Distributors
Transition Period to the effective completion dates noted above.	<p>May comply with the applicable requirements in the following rules:</p> <ul style="list-style-type: none"> • WAC 296-800-170, Employer Chemical Hazard Communication (core rules) • Chapter 296-307 WAC, Part Y-1, Employer Chemical Hazard Communication (agriculture) • Chapter 296-839 WAC, Content and Distribution of Material Safety Data Sheets (MSDS) and Label Information • Chapter 296-307 WAC, Part Y-2, Material Safety Data Sheets and Label Preparation (agriculture) • Chapter 296-816 WAC, Protecting Trade Secrets • Chapter 296-62 WAC, Part B-1, Trade Secrets (applies only to agriculture) <p>Or the requirements in the new Hazard Communication Standard in WAC 296-901-140, or both.</p>	Chemical manufacturers, importer, distributors, and employers.

Table 2 Proposed Schedule for Related Rule Changes:

Rule Change	Proposed Schedule
Phase I - Adopt WAC 296-901-140, Hazard Communication.	Adopted March 5, 2013.
Phase II - Amend other existing DOSH rules to align with the GHS changes as required by OSHA’s rule	April 2014.
Repeal existing rules and delete, repeal, and change all references to the existing rules.	As applicable, no later than June 1, 2016.

Amended Sections:

**Chapter 296-24 WAC, Part E – Hazardous Materials, Flammable and Combustible Liquids, Spray Finishing
WAC 296-24-32003 Bulk oxygen systems**

- Changed the title of Part E by removing the words “and combustible”.
- Removed the words “or combustible”.
- Changed reference in (3)(a) and (3)(r).
- Changed the word “combustible” to “flammable” in (3)(g) and (h).

WAC 296-24-33001 Definitions

- Removed the words “or combustible”.
- Changed the definition of flammable aerosol, flashpoint, and flammable liquid to match OSHA’s new definitions. Also removed the words “or combustible” wherever it was found.

WAC 296-24-33003 Scope

- Removed the words “and combustible”.
- Removed “200°F” and replaced it with “at or below 199.4°F (93°C)”.

WAC 296-24-33005 Tank storage

- Removed the words “or combustible”.
- Removed “Class IA” and replaced it with “Category 1”.
- Removed “Class IB and IC” and replaced it with “Category 2 flammable liquids and Category 3”.
- Removed “Class I or Class 2” and replaced it with “Category 1, 2, or 3 flammable”.
- Removed “Class II or Class III” and replaced it with “Category 3 flammable liquids with a flashpoint at or above 100°F (37.8°C) or Category 4 flammable liquids”.

WAC 296-24-33007 Piping, valves, and fittings

- Removed the words “or combustible”.

WAC 296-24-33009 Container and portable tank storage

- Removed the words “or combustible” and “and combustible”.

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- Removed “Class I or Class 2” and replaced it with “Category 1, 2, or 3 flammable”.
 - Table H-12 had the title changed by adding “for flammable” and the headings of “Class IA,IB,IC,II, III” were removed and replaced with “Category 1,2,3 and 4”.
 - Removed “Class IA or IB” and replaced it with “Category 1 or 2”. Removed “Class I or II” and replaced it with “Category 1, 2, or 3 flammable”. Removed “Class III” and replaced it with “Category 4 flammable”.

WAC 296-24-33011 Industrial plants

- Removed the words “or combustible” and “and combustible”.
- Removed “Class IA or IB” and replaced it with “Category 1 or 2”. Removed “Class I or II” and replaced it with “Category 1, 2, or 3 flammable”. Removed “Class III” and replaced it with “Category 4 flammable”.
- Removed “Class I or Class 2” and replaced it with “Category 1, 2, or 3 flammable”.

WAC 296-24-33013 Bulk plants

- Removed the words “or combustible”.
- Removed “Class IA or IB” and replaced it with “Category 1 or 2”. Removed “Class I or II” and replaced it with “Category 1, 2, or 3 flammable”. Removed “Class III” and replaced it with “Category 4 flammable”.
- Removed “Class I or Class 2” and replaced it with “Category 1, 2, or 3 flammable”.

WAC 296-24-33015 Service stations

- Removed the words “or combustible”.
- Removed “Class IA or IB” and replaced it with “Category 1 or 2”. Removed “Class I or II” and replaced it with “Category 1, 2, or 3 flammable”. Removed “Class III” and replaced it with “Category 4 flammable”.
- Removed “Class I or Class 2” and replaced it with “Category 1, 2, or 3 flammable”.

WAC 296-24-33017 Processing plants

- Removed the words “or combustible”.
- Removed “Class IA or IB” and replaced it with “Category 1 or 2”. Removed “Class I or II” and replaced it with “Category 1, 2, or 3 flammable”. Removed “Class III” and replaced it with “Category 4 flammable”.
- Removed “Class I or Class 2” and replaced it with “Category 1, 2, or 3 flammable”.

WAC 296-24-33019 Refineries, chemical plants, and distilleries

- Removed the words “or combustible”.

WAC 296-24-370 Spray finishing using flammable and combustible materials

- Removed the words “and combustible” from the title.

WAC 296-24-37005 Electrical and other sources of ignition

- Removed the words “or combustible”.
- Add “or liquids with a flashpoint greater than 199.4°F (93°C)” in subsection (9).

WAC 296-24-37009 Flammable and combustible liquids-Storage and handling

- Changed the title to read “Flammable and combustible liquids and liquids with a flashpoint greater than 199.4°F (93°C)”.

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- Removed the words “or combustible” and “and combustible”.
 - Added in the phrase “with a flashpoint greater than 199.4°F (93°C)”.

Chapter 296-24 WAC, Part I – Welding, Cutting and Brazing

WAC 296-24-71501 General

- Added OSHA identical language requirements relating to hazard communication. This language provides employees information about the hazardous chemicals to which they are exposed, by means of a hazard communication program, labels, other forms of warning, safety data sheets, and training is located in this section. These requirements are federally driven and consistent with the provisions of the United Nations Globally Harmonized System of Classification and Labeling of Chemicals (GHS), Revision 3.
- Changed numbering in the rest of the subsections due to the new language being added.

Chapter 296-32 WAC, Safety Standards for Telecommunications

WAC 296-32-230 Training

- Changed a reference from WAC 296-800-170 to WAC 296-901-140.

Chapter 296-45 WAC, Safety Standards for Electrical Workers

WAC 296-45-035 Definitions

- Changed a reference in the definition of IDLH from WAC 296-800-170 to WAC 296-901-140.

WAC 296-45-055 Employer’s responsibility

- Changed a reference from WAC 296-800-170 to WAC 296-901-140.

Chapter 296-52 WAC, Safety Standards for Possession, Handling, and Use of Explosives

WAC 296-52-69095 Ammonium nitrate

- Removed the words “and combustible”.

Chapter 296-54 WAC, Safety Standards-Logging Operations

WAC 296-54-507 Employer’s responsibilities

- Changed a reference in (4).

WAC 296-54-519 Miscellaneous requirements

- Removed the phrase “and combustible”.

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

WAC 296-56-60001 Scope and applicability

- Changed a reference from WAC 296-800-170 to WAC 296-901-140.

WAC 296-56-60235 Welding, cutting and heating (hot work) (see also definition of “hazardous cargo, material, substance or atmosphere”)

- Removed the phrase “and combustible”.

Chapter 296-59 WAC, Safety Standards for Ski Area Facilities and Operations

WAC 296-59-005 Incorporation of other standards

- Changed a reference from WAC 296-800-170 to WAC 296-901-140.

Chapter 296-62 WAC, Part C-1 – Retain Department of Transportation Labeling
WAC 296-62-05520 Retain readily visible DOT labeling

- Changed a reference from WAC 296-800-170 to WAC 296-901-140.

Chapter 296-62 WAC, Part F – Carcinogens

WAC 296-62-07302 List of carcinogens

- Changed the title to read “Communication of hazards.”
- Added OSHA identical language requirements relating to hazard communication. This language provides employees information about the hazardous chemicals to which they are exposed, by means of a hazard communication program, labels, other forms of warning, safety data sheets, and training is located in this section. These requirements are federally driven and consistent with the provisions of the United Nations Globally Harmonized System of Classification and Labeling of Chemicals (GHS), Revision 3.
- Added additional clarifying information on each carcinogen to make them identical to OSHA.
- Changed numbering.

WAC 296-62-07306 Requirements for areas containing carcinogens listed in WAC 296-62-07302

- Changed a reference in (2)(d)(vi).

WAC 296-62-07310 Signs, information and training

- Changed information on signs to allow employers to be compliant with new and old signs until June 1, 2016.
- Removed language from (2) Container contents, identification thru (3) Lettering.
- Changed numbering.

WAC 296-62-07329 Vinyl chloride

- Added OSHA identical language requirements relating to hazard communication. This language provides employees information about the hazardous chemicals to which they are exposed, by means of a hazard communication program, labels, other forms of warning, safety data sheets, and training is located in this section. These requirements are federally driven and consistent with the provisions of the United Nations Globally Harmonized System of Classification and Labeling of Chemicals (GHS), Revision 3.
- Changed information on signs to allow employers to be compliant with new and old signs until June 1, 2016.
- Changed information on labels to allow employers to be compliant with new and old labels until June 1, 2015.
- Changed numbering.

WAC 296-62-07336 Acrylonitrile

- Added OSHA identical language requirements relating to hazard communication. This language provides employees information about the hazardous chemicals to which they are exposed, by means of a hazard communication program, labels, other forms of warning, safety data sheets, and training is located in this section. These requirements are federally driven and consistent with the provisions of the United Nations Globally Harmonized System of Classification and Labeling of Chemicals (GHS), Revision 3.
- Changed the word ‘assure’ to ‘ensure’.

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- Changed information on signs to allow employers to be compliant with new and old signs until June 1, 2016.
 - Changed information on labels to allow employers to be compliant with new and old labels until June 1, 2015.
 - Changed numbering.

WAC 296-62-07342 1,2-Dibromo-3-chloropropane

- Added OSHA identical language requirements relating to hazard communication. This language provides employees information about the hazardous chemicals to which they are exposed, by means of a hazard communication program, labels, other forms of warning, safety data sheets, and training is located in this section. These requirements are federally driven and consistent with the provisions of the United Nations Globally Harmonized System of Classification and Labeling of Chemicals (GHS), Revision 3.
- Changed the word ‘assure’ to ‘ensure’.
- Changed information on signs to allow employers to be compliant with new and old signs until June 1, 2016.
- Changed information on labels to allow employers to be compliant with new and old labels until June 1, 2015.
- Changed numbering.

WAC 296-62-07373 Communication of EtO hazards to employees

- Changed the title to read “Communication of EtO hazards”.
- Added OSHA identical language requirements relating to hazard communication. This language provides employees information about the hazardous chemicals to which they are exposed, by means of a hazard communication program, labels, other forms of warning, safety data sheets, and training is located in this section. These requirements are federally driven and consistent with the provisions of the United Nations Globally Harmonized System of Classification and Labeling of Chemicals (GHS), Revision 3.
- Changed information on signs to allow employers to be compliant with new and old signs until June 1, 2016.
- Changed information on labels to allow employers to be compliant with new and old labels until June 1, 2015.
- Removed the words “MSDS” and put in “SDS”.
- Changed numbering.
- Changed reference from WAC 296-62-05413 to WAC 296-901-14014.

WAC 296-62-07425 Communication of cadmium hazards to employees

- Changed the title to read “Communication of cadmium hazards”.
- Added OSHA identical language requirements relating to hazard communication. This language provides employees information about the hazardous chemicals to which they are exposed, by means of a hazard communication program, labels, other forms of warning, safety data sheets, and training is located in this section. These requirements are federally driven and consistent with the provisions of the United Nations Globally Harmonized System of Classification and Labeling of Chemicals (GHS), Revision 3.

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- Changed information on signs to allow employers to be compliant with new and old signs until June 1, 2016.
 - Changed information on labels to allow employers to be compliant with new and old labels until June 1, 2015.
 - Removed the words “MSDS” and put in “SDS”.
 - Changed numbering.

WAC 296-62-07460 Butadiene

- Changed the title to read “1,3-Butadiene”.
- Moved the definition of ‘director’ so it was in alphabetical order.
- Added OSHA identical language requirements relating to hazard communication. This language provides employees information about the hazardous chemicals to which they are exposed, by means of a hazard communication program, labels, other forms of warning, safety data sheets, and training is located in this section. These requirements are federally driven and consistent with the provisions of the United Nations Globally Harmonized System of Classification and Labeling of Chemicals (GHS), Revision 3.
- Changed reference from WAC 296-800-170 to WAC 296-901-140.

WAC 296-62-07470 Methylene chloride

- Changed the note to Table 1 to read “Note to subsection (4)(c)” instead of (3)(c).
- Added OSHA identical language requirements relating to hazard communication. This language provides employees information about the hazardous chemicals to which they are exposed, by means of a hazard communication program, labels, other forms of warning, safety data sheets, and training is located in this section. These requirements are federally driven and consistent with the provisions of the United Nations Globally Harmonized System of Classification and Labeling of Chemicals (GHS), Revision 3.
- Changed reference from WAC 296-800-170 to WAC 296-901-140.

WAC 296-62-07473 Appendix A

- Removed the words “MSDS” and put in “SDS”.
- Added language: “These materials, mixtures or solutions would be classified and labeled in accordance with WAC 296-901-140.”

Chapter 296-62 WAC, Part I – Air Contaminants (Specific)

WAC 296-62-07521 Lead

- In subsection (8)(b)(vii), changed the word “assure” to “ensure”.
- Changed information on labels to allow employers to be compliant with new and old labels until June 1, 2015.
- In subsection (14), added OSHA identical language requirements relating to hazard communication. This language provides employees information about the hazardous chemicals to which they are exposed, by means of a hazard communication program, labels, other forms of warning, safety data sheets, and training is located in this section. These requirements are federally driven and consistent with the provisions of the United Nations Globally Harmonized System of Classification and Labeling of Chemicals (GHS), Revision 3.

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- Changed information on signs to allow employers to be compliant with new and old signs until June 1, 2016.

WAC 296-62-07540 Formaldehyde

- Removed the words “MSDS” and put in “SDS”.
- Changed reference from chapter 296-839 to WAC 296-901-140.
- Changed reference from WAC 296-800-170 to WAC 296-901-140.
- Changed the phrase ‘material safety data sheets’ to ‘safety data sheets’.

WAC 296-62-07544 Appendix B—Sampling strategy and analytical methods for formaldehyde

- Removed the words “MSDS” and put in “SDS”.

WAC 296-62-07601 Scope and application

- Changed a reference from WAC 296-800-170 to WAC 296-901-140.

WAC 296-62-07621 Communication of hazards to employees

- Changed the title to “Communication of hazards”.
- Added OSHA identical language requirements relating chemical manufacturers, importers, and employers on providing employees information about the hazardous chemicals to which they are exposed, by means of a hazard communication program, labels, other forms of warning, safety data sheets, and training is located in this section. These requirements are federally driven and consistent with the provisions of the United Nations Globally Harmonized System of Classification and Labeling of Chemicals (GHS), Revision 3.
- Changed information on signs to allow employers to be compliant with new and old signs until June 1, 2016.
- Changed information on labels to allow employers to be compliant with new and old labels until June 1, 2015.
- Changed a reference from WAC 296-800-170 to WAC 296-901-140.
- Changed numbering.

Chapter 296-62 WAC, Part I.1 – Asbestos, Tremolite, Anthophyllite, and Actinolite

WAC 296-62-07717 Protective work clothing and equipment

- Added language “The employer shall ensure that” to (2)(d) and (3)(f).
- Changed the reference in (2)(d).

WAC 296-62-07721 Communication of hazards to employees

- Changed the title to read “communication of hazards”.
- Removed language “general industry requirements” from (1) and added language “the same hazard communication...”
- Added OSHA identical language requirements relating to hazard communication. This language provides employees information about the hazardous chemicals to which they are exposed, by means of a hazard communication program, labels, other forms of warning, safety data sheets, and training is located in this

section. These requirements are federally driven and consistent with the provisions of the United Nations Globally Harmonized System of Classification and Labeling of Chemicals (GHS), Revision 3.

- Deleted the language in (4) and made (5) the new (4).
- Changed information on signs to allow employers to be compliant with new and old signs until June 1, 2016.
- Added new language to (4)(d).
- Subsection (6) is now (5) warning labels which has added OSHA identical language.
- Changed information on labels to allow employers to be compliant with new and old labels until June 1, 2015.
- Removed the phrase “material safety data sheets” and put in “safety data sheets”.
- Changed numbering.

Chapter 296-62 WAC, Part L.2 – Hexavalent Chromium**WAC 296-62-08017 Protective work clothing and equipment**

- Added the words “The employer shall ensure that” in subsection (2)(d).
- Changed a reference from WAC 296-800-170 to WAC 296-901-140.

WAC 296-62-08021 Housekeeping

- Changed a reference from WAC 296-800-170 to WAC 296-901-140.

WAC 296-62-08025 Communication of chromium (VI) hazards to employees

- Changed the title to read “Communication of chromium (VI) hazards.
- Changed a reference from WAC 296-800-170 to WAC 296-901-140.
- Added OSHA identical language requirements relating chemical manufacturers, importers, and employers on providing employees information about the hazardous chemicals to which they are exposed, by means of a hazard communication program, labels, other forms of warning, safety data sheets, and training is located in this section. These requirements are federally driven and consistent with the provisions of the United Nations Globally Harmonized System of Classification and Labeling of Chemicals (GHS), Revision 3.

Chapter 296-62 WAC, Part N – Cotton Dust**WAC 296-62-14533 Cotton dust**

- Added the words “of this section” into subsection (1)(c) and (13)(e)
- Added the word “subsection” into subsection (5)(c)(iii).
- Changed information on signs to allow employers to be compliant with new and old signs until June 1, 2016.

Chapter 296-62 WAC, Part O – Coke Ovens**WAC 296-62-20021 Precautionary signs and labels**

- Changed the title to “Communication of hazards”.
- Changed information on signs to allow employers to be compliant with new and old signs until June 1, 2016.

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- Changed information on labels to allow employers to be compliant with new and old labels until June 1, 2015.
 - Deleted an old compliance date of January 20, 1978.

Chapter 296-62 WAC, Part R – Hazardous Drugs

WAC 296-62-50035 Safe handling practices

- Changed a reference from WAC 296-800-170 to WAC 296-901-140.

Chapter 296-63 WAC, Right to Know Fee Assessment

WAC 296-63-009 Exemption requests

- Changed a reference from WAC 296-800-170 to WAC 296-901-140.

Chapter 296-67 WAC, Safety Standards for Process Safety Management of Highly Hazardous Chemicals

WAC 296-67-001 Process safety management of highly hazardous chemicals

- Changed reference from WAC 296-800-170 to WAC 296-901-14006.
- Added the words “with a flashpoint below 100°F (37.8°C).”

WAC 296-67-005 Definitions

- Changed the reference in the definition of trade secret from Chapter 296-62 WAC, Part B-1 to WAC 296-901-14030, Appendix E-Definition of “trade secret.”

WAC 296-67-291 Appendix C-Compliance guidelines and recommendations for process safety management (nonmandatory)

- Removed the phrase “material safety data sheets” and put in “safety data sheets”.
- Removed the words “MSDS” and put in “SDS”.
- Changed a reference from WAC 296-800-170 to WAC 296-901-140.

Chapter 296-78 WAC, Safety Standards for Sawmills and Woodworking Operations

WAC 296-78-515 Management’s responsibility

- Changed a reference from WAC 296-800-170 to WAC 296-901-140.

WAC 296-78-71015 Tanks and chemicals

- Removed the words “or combustible” in subsection (5)(b) and (5)(c).

Chapter 296-115 WAC, Safety Requirements for Charter Boats

WAC 296-115-050 General requirements

- Removed the words “or combustible” in subsection (4)(c).

WAC 296-115-060 Operations

- Removed the words “or combustible” in subsection (3)(f).

Chapter 296-155 WAC, Part B-1 – Occupational health and Environmental Control

WAC 296-155-17323 Communication of hazards to employees

- Changed the title to “Communication of hazards”.

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- Added OSHA identical language requirements relating chemical manufacturers, importers, and employers on providing employees information about the hazardous chemicals to which they are exposed, by means of a hazard communication program, labels, other forms of warning, safety data sheets, and training is located in this section. These requirements are federally driven and consistent with the provisions of the United Nations Globally Harmonized System of Classification and Labeling of Chemicals (GHS), Revision 3.
 - Changed information on signs to allow employers to be compliant with new and old signs until June 1, 2016.
 - Changed information on labels to allow employers to be compliant with new and old labels until June 1, 2015.
 - Removed the phrase “material safety data sheets” and put in “safety data sheets”.
 - Removed the words “MSDS” and put in “SDS”.
 - Changed reference from WAC 296-800-170 to 296-901-14016.
 - Changed numbering of subsections.

WAC 296-155-174 Cadmium

- Removed the phrase “material safety data sheets” and put in “safety data sheets”.
- Removed the words “MSDS” and put in “SDS”.
- Changed reference from WAC 296-800-170 to WAC 296-901-140.
- Changed information on signs to allow employers to be compliant with new and old signs until June 1, 2016.
- Changed information on labels to allow employers to be compliant with new and old labels until June 1, 2015.

WAC 296-155-17609 Exposure assessment

- Changed a reference from WAC 296-800-170 to WAC 296-901-140.

WAC 296-155-17615 Protective work clothing and equipment

- Subsection (2)(g) changed the word “assure” to “ensure”.
- Changed information on labels to allow employers to be compliant with new and old labels until June 1, 2015.

WAC 296-155-17625 Employee information and training

- Changed the title to “Communication of hazards”.
- Removed the phrase “material safety data sheets” and put in “safety data sheets”.
- Removed the words “MSDS” and put in “SDS”.
- Changed reference from WAC 296-800-170 to WAC 296-901-140.
- Added language concerning hazards to be addressed.

WAC 296-155-17627 Signs

- Changed information on signs to allow employers to be compliant with new and old signs until June 1, 2016.

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- Changed the word “assure” to “ensure”.

WAC 296-155-17652 Appendix B to WAC 296-155-176-Employee standard summary

- Corrected the spelling of ‘preassignment’.
- Changed information on signs to allow employers to be compliant with new and old signs until June 1, 2016.

Chapter 296-155 WAC, Part B-2 – Hazard Communication

WAC 296-155-180 Hazard Communication

- Changed reference from WAC 296-800-170 to WAC 296-901-140.

Chapter 296-155 WAC, Part C – Personal Protective and Life Saving Equipment

WAC 296-155-20301 Definitions

- Changed reference from WAC 296-800-170 to WAC 296-901-140.

Chapter 296-155 WAC, Part D – Fire Protection and Prevention

WAC 296-155-250 Definitions applicable to this part

- Deleted the definition for combustible liquid.
- Changed the definitions for flammable liquid and flashpoint to reflect OSHA’s updated definitions.
- Changed numbering.

WAC 296-155-260 Fire protection

- Removed the phrase “or combustible”.

WAC 296-155-265 Fire prevention

- Removed the phrase “or combustible”.

WAC 296-155-270 Flammable and combustible liquids

- Changed the title to read “Flammable liquids”.
- Removed the phrase “and combustible” and “or combustible”.
- In (2)(c) added the words “category 1, 2, or 3” and “category 4 flammable”.
- In (2)(d)(vi), (5)(b), (6)(a), (7)(g)(i), and (7)(g)(ii) added the words “category 1, 2, or 3”.

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

WAC 296-304-01001 Definitions

- Changed the definition of flammable liquid.

WAC 296-304-01009 Precautions for hot work

- Changed a reference from WAC 296-800-170 to WAC 296-901-140.

WAC 296-304-06013 Hazardous materials

- Changed a reference from WAC 296-800-170 to WAC 296-901-140.
- Changed the address for OSHA to reflect their current location.

WAC 296-304-06017 Retention of DOT markings, placards, and labels

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- Changed a reference from WAC 296-839 to WAC 296-901-14012 and 14014.

Chapter 296-800 WAC, First-Aid Summary

WAC 296-800-15030 Make sure emergency washing facilities are functional and readily accessible

- Changed a reference in the reference section from WAC 296-800-170 to WAC 296-901-140.

Chapter 296-800 WAC, Personal Protective Equipment (PPE)

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

- Changed class 1 to ‘category 1 or 2’ and added in language about category 3 flammable liquids.

Chapter 296-800 WAC, Using Standards From National Organizations and Federal Agencies

WAC 296-800-370 Definitions

- Deleted the definition for combustible liquid.
- Changed the reference WAC 296-800-170 to WAC 296-901-140 in several definitions.
- Removed the words “MSDS” and put in “SDS”.
- Changed the definition of flammable, flashpoint, and physical hazard to reflect OSHA’s new definitions.
- Deleted the definition of material safety data sheet and replaced it with safety data sheet.

Chapter 296-802 WAC, Employee Medical and Exposure Records

WAC 296-802-100 Scope

- Changed a reference in the reference section.

WAC 296-802-40015 Provide employee exposure records

- Changed a reference in the note.

Chapter 296-809 WAC, Confined Spaces

WAC 296-809-800 Definitions

- Changed a reference in the hazardous atmosphere definition.
- Removed the phrase “material safety data sheets” and replaced it with “safety data sheets”.

Chapter 296-811 WAC, Fire Brigades

WAC 296-811-600 Definitions

- Removed the phrase “or combustible”.

Chapter 296-824 WAC, Emergency Response

WAC 296-824-70005 Follow the appropriate postemergency response requirements

- Changed a reference in Table 10.

WAC 296-824-800 Definitions

- Changed the definition of health hazard to reflect OSHA’s new definition.
- Removed the phrase “material safety data sheets” and replaced it with “safety data sheets”.

Chapter 296-828 WAC, Hazardous Chemicals in Laboratories

WAC 296-828-100 Scope

- Changed a reference in Table 1.

WAC 296-828-200 Using hazardous chemicals in laboratories

- Removed the phrase “material safety data sheets” and put in “safety data sheets”.
- Removed the words “MSDS” and put in “SDS”.

WAC 296-828-20015 Training

- Removed the phrase “material safety data sheets” and put in “safety data sheets”.
- Removed the words “MSDS” and put in “SDS”.

WAC 296-828-20020 Labeling and material safety data sheets (MSDSs)

- Changed the title to read “Labeling and safety data sheets (SDSs)”.
- Removed the phrase “material safety data sheets” and put in “safety data sheets”.
- Removed the words “MSDS” and put in “SDS”.

WAC 296-828-20025 Chemicals produced in laboratories

- Changed a reference in Table 3 from chapter 296-839 WAC, MSDS and label preparation to WAC 296-901-14014, Safety data sheets and WAC 296-901-14012, Labels and other forms of warning.

WAC 296-828-300 Definitions

- Changed the definition of hazardous chemical, physical hazard, reproductive toxin, and safety data sheet (SDS) to reflect OSHA changes.
- Added a definition for health hazard and mutagen.

Chapter 296-835 WAC, Dipping and Coating Operations (Dip Tanks)

WAC 296-835-11015 Take additional precautions if you recirculate ventilation system exhaust air into the workplace

- Added in “This section applies if exhaust air from dipping or coating operations that use flammable liquids, or liquids with flashpoints greater than 199.4°F (93°C) is recirculated back into the work environment.
- Removed the words “or combustible” and added in “or liquids with flashpoints greater than 199.4°F (93°C).”

WAC 296-835-120 Additional requirements for dip tanks using flammable or combustible liquids

- Changed the title to read “Additional requirements for dip tanks using flammable liquids or liquids with flashpoints greater than 199.4°C (93°C). Summary.”
- Removed the words “or combustible” and added in “or liquids with flashpoints greater than 199.4°F (93°C)”.

WAC 296-835-12020 Provide fire protection in the vapor area

- Removed the words “and combustible liquid fires” and added in “... liquids and liquids with flashpoints greater than 199.4°F (93°C)”.

WAC 296-835-13005 Meet specific requirements if you use a hardening or tempering tank

- Removed the words “or combustible” and added in “or liquids with flashpoints greater than 199.4°F (93°C)”.

WAC 296-835-140 Definitions

- Removed the definition for Combustible liquid.
- Changed the definition for flammable liquid and flashpoint to meet the new requirements for OSHA.

Chapter 296-841 WAC, Airborne Contaminants

WAC 296-841-100 Scope

- Removed the phrase “material safety data sheets” and put in “safety data sheets”.
- Removed the words “MSDS” and put in “SDS”.

WAC 296-841-20003 Employee protective measures

- Removed the phrase “material safety data sheets” and put in “safety data sheets”.
- Removed the words “MSDS” and put in “SDS”.

WAC 296-841-20005 Exposure evaluations

- Removed the phrase “material safety data sheets” and put in “safety data sheets”.
- Removed the words “MSDS” and put in “SDS”.

WAC 296-841-300 Definitions

- Removed the word “material” in the definition of toxic substance.

Chapter 296-842 WAC, Respirators

WAC 296-842-12005 Develop and maintain a written program

- Changed the reference in Table 3 from WAC 296-800-170 to WAC 296-901-140.

Chapter 296-843 WAC, Hazardous Waste Operations

WAC 296-843-17005 Control employee exposure to site health and safety hazards

- Removed the phrase “material safety data sheets” and put in “safety data sheets”.
- Removed the words “MSDS” and put in “SDS”.
- Changed the reference in the note section from WAC 296-800-180 to WAC 296-901-14014.

WAC 296-843-20020 Training for postemergency response

- Changed the reference in the reference section from WAC 296-800-170 to WAC 296-901-140.

WAC 296-843-300 Definitions

- Changed the definition for health hazard and safety data sheets to meet OSHA requirements.

WAC 296-848-20010 Preventive practices

- Changed information on labels to allow employers to be compliant with new and old labels until June 1, 2015.
- Changed a reference in the reference section.

Chapter 296-848 WAC, Arsenic

WAC 296-848-300 Training, exposure monitoring, and medical monitoring

- Added in the number and title of the new section under the important statement.

WAC 296-848-30005 Training

- Changed a reference in the reference section.

WAC 296-848-40025 Exposure control areas

- Changed information on signs to allow employers to be compliant with new and old signs until June 1, 2016.

WAC 296-848-40040 Personal protective equipment (PPE)

- Changed information on labels to allow employers to be compliant with new and old labels until June 1, 2015.

WAC 296-848-500 Definitions

- Removed the phrase “material safety data sheets” and put in “safety data sheets”.
- Removed the words “MSDS” and put in “SDS”.

Chapter 296-849 WAC, Benzene

WAC 296-849-100 Scope

- Changed the reference in Table 1 from 296-800-17030 to WAC 296-901-14016.

WAC 296-849-110 Basic rules

- Changed the wording for the title to WAC 296-849-11010 to Communication of hazards.

WAC 296-849-11010 Preventive practices

- Changed the title to “Communication of hazards”.
- Added OSHA identical language requirements relating chemical manufacturers, importers, and employers on providing employees information about the hazardous chemicals to which they are exposed, by means of a hazard communication program, labels, other forms of warning, safety data sheets, and training is located in this section. These requirements are federally driven and consistent with the provisions of the United Nations Globally Harmonized System of Classification and Labeling of Chemicals (GHS), Revision 3
- Changed information on labels to allow employers to be compliant with new and old labels until June 1, 2015.
- Changed the reference in the Reference section from WAC 296-800 and WAC 296-800-17025 to WAC 296-901-14012 and WAC 296-901-14014.

WAC 296-849-11020 Exposure control areas

- Deleted the signage wording and put in a reference to WAC 296-849-11010.

WAC 296-849-11050 Training

- Changed references from WAC 296-800 and WAC 296-800-17025 to WAC 296-901-14012 and WAC 296-901-14014.
- Changed the reference in the Reference section from WAC 296-800 and WAC 296-800-17030 to WAC 296-901-14016.

WAC 296-849-190 Definitions

- Removed the phrase “material safety data sheets (MSDS)” and put in the phrase “safety data sheets (SDS)” in the definition of Benzene.

Chapter 296-855 WAC, Ethylene Oxide

WAC 296-855-20010 Preventive practices

- Changed information on labels to allow employers to be compliant with new and old labels until June 1, 2015.

WAC 296-855-20020 Exposure control areas

- Changed information on signs to allow employers to be compliant with new and old signs until June 1, 2016.

WAC 296-855-20090 Training

- Changed reference from WAC 296-800-170 to WAC 296-901-140.

WAC 296-855-500 Definitions

- Removed the phrase “material safety data sheets” and put in “safety data sheets”.
- Removed the words “MSDS” and put in “SDS”.

Chapter 296-856 WAC, Formaldehyde

WAC 296-856-20010 Preventive practices

- Removed the phrase “material safety data sheets” and put in “safety data sheets”.
- Removed the words “MSDS” and put in “SDS”.
- Added reference to WAC 296-901.
- Changed references from WAC 296-80-170 and WAC 296-839 to WAC 296-901-140 and WAC 296-901-14022 and 14024.

WAC 296-856-20020 Training

- Removed the words “MSDS” and put in “SDS”.

WAC 296-856-20030 Personal protective equipment (PPE)

- Removed the words “MSDS” and put in “SDS”.
- Changed information on labels to allow employers to be compliant with new and old labels until June 1, 2015.
- Changed information on signs to allow employers to be compliant with new and old signs until June 1, 2016.

WAC 296-856-40020 Establishing exposure control areas

- Changed information on signs to allow employers to be compliant with new and old signs until June 1, 2016.

WAC 296-856-500 Definitions

- Removed the words “MSDS” and put in “SDS”.

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- Removed the phrase “material safety data sheets” and put in “safety data sheets”.

Chapter 296-863 WAC, Forklifts and Other Powered Industrial Trucks

WAC 296-863-700 Definitions

- Corrected the spelling of ‘ignitable’ in the definition of classified location or hazardous location.
- Changed the definition of flammable liquid and flashpoint to reflect OSHA’s new definitions.
- Moved the definition of listed by report so it is now in alphabetical order.

Chapter 296-901 WAC, Globally Harmonized System for Hazard Communication

WAC 296-901-14006 Definitions

- Removed the word “must” and replaced it with “should” in the definition of hazard category and precautionary statement.
- Corrected the reference in the definition of physical hazard to read WAC 296-901-14024.

WAC 296-901-14008 Hazard classification

- Removed subsection (4) through (6) to be as effective as OSHA.

WAC 296-901-14014 Safety data sheets

- Removed the word “must” and replaced it with “should” in the note under subsection (11).

WAC 296-901-14022 Appendix A—Health hazard criteria (Mandatory)

- In A.0.5.1.5, added (a)(ii) C + B;.
- Changed the symbol ‘≥’ to ‘≤’ in Table A.1.1 and Table A.8.2.
- Corrected the spelling of ‘fulfill’ in A.2.2.2.2.
- Changed the symbol ‘>’ to ‘≥’ in A.2.4.3.1 and A.3.4.3.1

WAC 296-901-14024 Appendix B—Physical hazard criteria (Mandatory)

- Changed ‘≥’ to ‘≤’ in Table B.3.1 .
- Deleted a ‘-’ that was inadvertently put into Table B.7.1.

WAC 296-901-14026 Appendix C—Allocation of label elements (Mandatory)

- Added in illustration C.4.28 Organic Peroxides (continued) as it was inadvertently left out.
- Changed the references from OSHA to DOSH numbering in the footnotes.

WAC 296-901-14028 Appendix D—Safety data sheets (Mandatory)

- Changed ‘=’ to ≥ in Table D-1 (2)(d).

WAC 296-901-14032 Appendix F—Guidance for hazard classifications regarding carcinogenicity (Non-mandatory)

- In Part A and Part D, changed ‘a₂ globulin’ to ‘α₂-globulin’.

New Sections:

Chapter 296-848 WAC, Arsenic

WAC 296-848-30007 Communication of hazards

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- Requirements relating chemical manufacturers, importers, and employers on providing employees information about the hazardous chemicals to which they are exposed, by means of a hazard communication program, labels, other forms of warning, safety data sheets, and training is located in this section. These requirements are federally driven and consistent with the provisions of the United Nations Globally Harmonized System of Classification and Labeling of Chemicals (GHS), Revision 3.

Chapter 296-855 WAC, Ethylene Oxide

WAC 296-855-420 Communication of hazards

- Requirements relating chemical manufacturers, importers, and employers on providing employees information about the hazardous chemicals to which they are exposed, by means of a hazard communication program, labels, other forms of warning, safety data sheets, and training is located in this section. These requirements are federally driven and consistent with the provisions of the United Nations Globally Harmonized System of Classification and Labeling of Chemicals (GHS), Revision 3.

Chapter 296-856 WAC, Formaldehyde

WAC 296-856-420 Communication of hazards

- No requirements in this section.

WAC 296-856-42010 Hazard communication--General

- Requirements relating chemical manufacturers, importers, and employers on providing employees information about the hazardous chemicals to which they are exposed, by means of a hazard communication program, labels, other forms of warning, safety data sheets, and training is located in this section. These requirements are federally driven and consistent with the provisions of the United Nations Globally Harmonized System of Classification and Labeling of Chemicals (GHS), Revision 3.