



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: May 1, 2014

Permanent Rules

31 days after filing.

Other (specify) _____ (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 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 into one rule to be consistent with OSHA's Hazard Communication Standard employers, chemical manufacturers, importers, and distributors. This rulemaking, Phase II, modified other existing department rules to align with the GHS changes as required by OSHA's rule. In addition, this rulemaking made 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.

Citation of existing rules affected by this order:

Repealed: 0
Amended: See Attachment 1
Suspended: 0

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

Other authority : 29 CFR 1910 Subpart Z

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 13-22-063 on November 4, 2013.
Describe any changes other than editing from proposed to adopted version: See Attachment 2.

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:

March 18, 2014

NAME (TYPE OR PRINT)

Joel Sacks

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
STATE OF WASHINGTON
FILED

DATE: March 18, 2014

TIME: 10:25 AM

WSR 14-07-086

**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	<u>4</u>	Amended	<u>133</u>	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	<u>4</u>	Amended	<u>133</u>	Repealed	_____
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	<u>4</u>	Amended	<u>133</u>	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	_____	Repealed	_____

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

CR-103 RULE-MAKING ORDER (RCW 34.05.320)

Department of Labor and Industries
 Division of Occupational Safety and Health
 CR-103 Filing Date: March 18, 2014

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	Adopted March 18, 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, General Safety and Health Standards

WAC 296-24-32003 Bulk oxygen systems

- Changed the title of Part E by removing the words “and combustible”.
- Removed the words “or combustible” from (2)(a), (d), and (e), (3)(g) and (h)
- Removed the words “lines” and “flammable” from (2)(a).
- Changed reference in (3)(a) and (3)(r).
- Changed the word “combustible” to “flammable” in (3)(g) and (h).

WAC 296-24-330 Flammable and combustible liquids

- Changed the title of this section by removing the words “and combustible”.

WAC 296-24-33001 Definitions

- Removed the words “or combustible” from (3), (7), (8), (11), (18), (23), (29), and (33).
- Changed the definition of flammable aerosol to match OSHA’s new definitions. In definition for flammable aerosol, removed words “Class 1A” and replaced with “Category 1 flammable.”
- Changed definition of flammable liquid to match OSHA’s new definition.
- Changed the definition of flashpoint to match OSHA’s new definition.

WAC 296-24-33003 Scope

- Removed the words “and combustible” from Scope, (1), and (3).
- 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” from (1)(a)(iv) and (vi), (c)(iv), (2)(a)(i)(ii)(iii), (b)(iv), (vi), (g)(ii)(B)(C), (g)(iii)(E), (g)(iii)(G)(II), (4)(d)(iii), (5)(f)(i), (iv), (vii) (xxii), and (xxii)(A).
- Added the word “barrels” in Exemption in (2)(d)(vi).

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- Removed “Class IA” and replaced it with “Category 1 flammable” in (2)(d)(vi) and exemption.
 - Removed “Class IB and IC” and replaced it with “Category 2 flammable liquids and Category 3 flammable liquids with a flashpoint below 100°F (37.8° C)” in (2)(d)(vii), and (h)(v), (3)(e)(iv), and (4)(d)(v).
 - In (2)(d)(vi), removed “Class IB” and replaced it with “Category 2 flammable liquids.”
 - In (2)(d)(vi), removed “Class IC” and replaced it with “Category 3 flammable liquids with a flashpoint below 100°F (37.8°C)”
 - In (2)(f)(ii), (3)(a), and (3)(d)(i) removed “Class I” and replaced it with “Category 1 or 2 flammable liquids, or Category 3 flammable liquids with a flashpoint below 100°F (37.8°C).”
 - 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” in (3)(a), and (3)(d)(iii).

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

- Removed the words “or combustible” from (1)(a), (2)(b), and (5).

WAC 296-24-33009 Container and portable tank storage

- Removed the words “or combustible” from (1)(a), (5)(a), (b) and (e), (6)(b), (b)(i), (b)(ii), and (c), (7)(a), (c) and (d).
- Removed the words “and combustible” from (2)(c), (5)(d)(i) and (f).
- Updated the heading in Table H-12 from “Class IA,IB,IC,II, III” to “Category 1,2,3 and 4”.
- Removed “Class I or Class 2” and replaced it with “Category 1, 2, or 3 flammable” in (1)(b)(ii), (3)(a), and (7)(a)(ii).
- Updated language in section (4)(c).
- Removed “Class I” and replaced it with “Category 1 or 2 flammable liquids, or Category 3 flammable liquids with a flashpoint below 100°F (37.8°C)” in (4)(d).
- Removed “Class IA or IB” and replaced it with “Category 1 or 2” in (2)(c).
- Removed “Class IA” and replaced it with “Category 1 flammable” in (2)(c)(ii).
- Removed “Class IB” and replaced it with “Category 2 flammable” in (2)(c)(ii).
- Removed “Class III” and replaced it with “Category 4 flammable” in (3)(a), and (4)(c).

WAC 296-24-33011 Industrial plants

- Removed the words “or combustible” from (1)(a)(i) and (ii), (2)(a), (b), (c), (d)(ii) and (iv), (3)(a), (d)(i) and (iii), (5)(d), (9)(a) and (b).
- Removed the words “and combustible” from (2).
- In section (2)(b)(ii)(A), removed “Class IA” and replaced with “Category 1 flammable.”
- In section (2)(b)(ii)(B) and (C), removed “Class IB, IC, II or III” and replaced with “Category 2, 3, or 4 flammable.”

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- In section (2)(d)(i) added language and it now reads “Category 1 or 2 flammable liquids, or Category 3 flammable liquids with a flashpoint below 100°F (37.8°C), shall be kept in covered containers when not actually in use.”
 - In sections (2)(d)(iii), (4), (6)(b), and (7)(c), removed “Class I” and replaced with “Category 1 or 2 flammable liquids, or Category 3 flammable liquids with a flashpoint below 100°F (37.8°C).”
 - In section (3)(e)(i) and (ii) removed words “Class I” and replaced with “Category 1 or 2 flammable liquids, or Category 3 flammable liquids with a flashpoint below 100°F (37.8°C).”
 - Removed the words “Class II and Class III” and replaced with “Category 3 flammable liquids, with a flashpoint at or above 100°F (37.8°C) and Category 4 flammable liquids” in sections (4) and (7)(c).
 - Removed the word “only” in (7)(c).

WAC 296-24-33013 Bulk plants

- Removed the words “or combustible” from sections (1)(c), (2)(a), (4)(a), (4)(c), (4)(h)(vii), and (7).
- Removed the words “and combustible” from section (4)(b).
- Removed “Class I” and replaced it with “Category 1 or 2 flammable liquids, or Category 3 flammable liquids with a flashpoint below 100°F (37.8°C)” in sections (1)(a), (2)(b), (2)(c)(i), (2)(c)(ii), (2)(c)(iii), (3)(a), (3)(b), (3)(d)(i)(A), (3)(d)(i)(B), (3)(d)(iv)(B), (3)(e), (3)(f), (5)(a), (6), and (8).
- Removed “Class II and Class III” and replaced with “Category 3 flammable liquids with a flashpoint at or above 100°F (37.8°C) and Category 4 flammable liquids” in sections (1)(b), (3)(a), (3)(b), (3)(d)(i)(B), (3)(d)(iv)(B), (3)(e), and (5)(a).
- Added “with a flashpoint below 100°F (37.8°C)” to section (2)(c)(iii).
- In section (3)(b) removed the word “Class” and replaced it with “Category.”
- Added “Category 1 or 2 flammable liquids, or Category 3 flammable liquids with a flashpoint below 100°F (37.8°C)” to section (4)(h)(v).
- Removed the word “only” from section (5)(a).

WAC 296-24-33015 Service stations

- Removed the words “or combustible” from sections (1)(b)(i), (6), and (7).
- Removed “Class I” and replaced it with “Category 1 or 2” flammable liquids, or Category 3 flammable liquids with a flashpoint below 100°F (37.8°C)” in sections (1)(a)(iii), (1)(a)(vi), (1)(c)(i), (1)(c)(ii), (1)(e), (2)(d)(i), (ii), (iii) and (iv), (2)(e)(i), (2)(f)(i), (3)(c)(iv), (4)(a), (5)(d), and (6).
- Removed “Class II and Class III” and replaced with Category 3 flammable liquids with a flashpoint at or above 100°F (37.8°C) and Category 4 flammable liquids” in sections (1)(c)(iii), and (4)(a).
- Added “with a flashpoint below 100°F (37.8°C)” in section (1)(a)(iv).

WAC 296-24-33017 Processing plants

- Removed the words “or combustible” in section (2)(a), (3)(b)(i), (3)(b)(iii), (4)(a)(i), (ii) and (iv), (4)(b)(iii), (4)(c)(i), (6)(b)(iii), (7)(b)(i), and (8)(a).

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- Removed “Class I” and replaced with “Category 1 or 2 flammable liquids, or Category 3 flammable liquids with a flashpoint below 100°F (37.8°C)” in sections (3)(c)(ii), (5), (7)(a)(ii), and (7)(c)(iii).
 - Removed “Class I, Division I” and replaced it with “Category 1 or 2 flammable liquids, or Category 3 flammable liquids with a flashpoint below 100°F (37.8°C), Division I” in section (7)(c)(ii).
 - Removed “Class II or Class III” and replaced with “Category 3 flammable liquids with a flashpoint at or above 100°F (37.8°C) and Category 4 flammable liquids” in sections (3)(a)(i), (5), and (7)(c)(iii).
 - Removed “Class IA” and replaced it with “Category 1” in section (3)(d).

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

- Removed the words “or combustible” in sections (1), (2), and (4).

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” from section (9)(a).
- Added “or liquids with a flashpoint greater than 199.4°F (93°C)” in section (9)(a).

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

- Changed the title to read “Flammable liquids and liquids with a flashpoint greater than 199.4°F (93°C)”.
- Removed the words “or combustible” from sections (1), (2), (3), (4), (6)(d), (8), and (9)
- Added in the phrase “with a flashpoint greater than 199.4°F (93°C)” to sections (1), (2), (3), (4), (6)(d), (8), and (9).

WAC 296-24-71501 General

- Added OSHA identical language requirements relating to hazard communication. 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 in subsection (6).
- Removed the word “chemical” in subsection (6).

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.
- Removed the words “material” and “chemical” from the Note in the definition of IDLH.

WAC 296-45-055 Employer’s responsibility

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- Changed a reference from WAC 296-800-170 to WAC 296-901-140 in subsection (2).
 - Removed the word chemical from subsection (2).

Chapter 296-52 WAC, Safety Standards for Possession, Handling, and Use of Explosives
WAC 296-52-69095 Ammonium nitrate

- Removed the words “and combustible” from subsection (1)(g).

Chapter 296-54 WAC, Safety Standards-Logging Operations
WAC 296-54-507 Employer’s responsibilities

- Changed a reference from WAC 296-800-170 to WAC 296-901-140 in subsection (4).
- Removed the word “chemical” in subsection (4).

WAC 296-54-519 Miscellaneous requirements

- Removed the phrase “and combustible” from subsections (4), and (4)(a) and (b).

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 in subsection (3)(j).
- Removed the words “chemical hazard” and “program” from sub section (3)(j).

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

- Removed the words “or combustible” from section (3)(e).

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 in subsection (5).
- Removed the word “chemical” from subsection (5).

Chapter 296-62 WAC, General Occupational Health Standards
WAC 296-62-05520 Retain readily visible DOT labeling

- Changed a reference from “WAC 296-800-170, Employer Chemical” to “WAC 296-901-140, Hazard Communication” in Table 1.
- Removed “Introduction (see the Safety and Health Core Rules Book)” from Table 1.

WAC 296-62-07302 List of carcinogens

- Added OSHA identical language requirements relating to hazard communication. 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 and lettering.

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

- Changed a reference from “WAC 296-62-07310 (2), (3) and (4)” to “WAC 296-62-07302” in subsection (2)(d)(vi).

WAC 296-62-07310 Signs, information and training

- Updated the language in subsection (1)(a) from “shall be posted” to “shall post”.
- Changed information on signs to be consistent with OSHA and to allow employers to be compliant with new and old signs until June 1, 2016.
- Removed language from sections (2) and (3) related to container content identification and lettering on signs.
- 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 be consistent with OSHA and to allow employers to be compliant with new and old signs until June 1, 2016.
- Changed information on labels to be consistent with OSHA and 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 information on signs to be consistent with OSHA and to allow employers to be compliant with new and old signs until June 1, 2016.
- Changed information on labels to be consistent with OSHA and 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 be consistent with OSHA and to allow employers to be compliant with new and old signs until June 1, 2016.
- Changed information on labels to be consistent with OSHA and 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 be consistent with OSHA and to allow employers to be compliant with new and old signs until June 1, 2016.
- Changed information on labels to be consistent with OSHA and to allow employers to be compliant with new and old labels until June 1, 2015.
- Removed the word “material” from section (3).
- 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”.
- Removed the word “assure” and replaced it with “ensure” in section (2)(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 information on signs to be consistent with OSHA and to allow employers to be compliant with new and old signs until June 1, 2016.
- Changed information on labels to be consistent with OSHA and to allow employers to be compliant with new and old labels until June 1, 2015.
- Changed reference in section (4)(c)(viii) from “296-800-170” to “296-901-140.”

- 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.
- Removed “to employees” from title of section (12).
- Added the word “general” to section “(12)(a).
- Changed reference from WAC 296-800-170 to WAC 296-901-140 in section (12)(b)(i).
- Removed the word chemical from section (12)(b)(i).

WAC 296-62-07470 Methylene chloride

- Added “hazard communication – general” to the title of section (11)(a).
- 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 note to Table 1 to read “Note to subsection (4)(c)” instead of (3)(c).
- Removed the word “chemical” from sections (12)(c), (12)(d) and (12)(g).
- Changed reference from WAC 296-800-170 to WAC 296-901-140 in sections (12)(c), (12)(d) and (12)(g).

WAC 296-62-07473 Appendix A

- Removed the letter “M” from “MSDS” in section (IX)(E).
- Removed the word “material” from section (IX)(E).
- Added language: “These materials, mixtures or solutions would be classified and labeled in accordance with WAC 296-901-140” in section (IX)(E).

WAC 296-62-07521 Lead

- In subsection (8)(b)(vii), changed the word “assure” to “ensure”.
- 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.

- Changed information on labels to be consistent with OSHA and to allow employers to be compliant with new and old labels until June 1, 2015.
- Changed information on signs to be consistent with OSHA and to allow employers to be compliant with new and old signs until June 1, 2016.
- Changed numbering from (viii) to (ix) in section (8)(b).
- Changed the word “assure” to “ensure” in section (14)(b)(iii).

WAC 296-62-07540 Formaldehyde

- Removed the “m” from “MSDSs” and it is now “SDSs” in section (13)(b).
- Changed reference from chapter 296-839 to WAC 296-901-140 in section (13)(b).
- Changed reference from WAC 296-800-170 to WAC 296-901-140 in sections (13)(c)(i), (13)(c)(iii), (13)(d)(i), and (13)(e).
- Removed the word “material” from sections (13)(c)(ii), (13)(d)(i), (13)(d)(ii), (13)(e), and (14)(c)(i).

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

- Removed the words “MSDS” and put in “SDS” in subsections (6)(b) and (c).

WAC 296-62-07601 Scope and application

- Changed a reference from WAC 296-800-170 to WAC 296-901-140 in section (4).

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 be consistent with OSHA and to allow employers to be compliant with new and old signs until June 1, 2016.
- Changed information on labels to be consistent with OSHA and 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 296-901-14016 in section (4)(a).
- Changed reference from WAC 296-800-170 to WAC 296-901-140 in section (4)(b).
- Changed numbering.

WAC 296-62-07717 Protective work clothing and equipment

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- Added language “The employer shall ensure that” to sections (2)(d) and (3)(f).
 - Removed the word “shall” from section (2)(d).
 - Removed the words “shall be” and replaced them with “is” in section (3)(f).

WAC 296-62-07721 Communication of hazards to employees

- Changed the title to read “communication of hazards”.
- Removed language “general industry requirements” from section (1).
- 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 be consistent with OSHA and to allow employers to be compliant with new and old signs until June 1, 2016.
- Changed information on labels to be consistent with OSHA and to allow employers to be compliant with new and old labels until June 1, 2015.
- Added “to be established by WAC 296-62-07711” to section (4)(a).
- Added the phrase “and for safety data sheets” to section (6).
- Removed the word “material” from section (7).
- Changed numbering.

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, Employer chemical hazard communication” to “the Hazard Communication Standard, WAC 296-901-140” to section (2)(d).

WAC 296-62-08021 Housekeeping

- Changed reference from “WAC 296-800-170 Employer chemical hazard communication” to “WAC 296-901-140, Hazard Communication” in section (3)(b).

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

- Changed the title to read “Communication of chromium (VI) 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 a reference from WAC 296-800-170 to WAC 296-901-140.

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).
- Added the following language to section (10)(b) “Prior to June 1, 2016, employers may use the following legend in lieu of that specified in (10)(a) of this section.”

WAC 296-62-20021 Precautionary signs and labels

- Changed the title to “Communication of hazards”.
- Changed information on signs to be consistent with OSHA and to allow employers to be compliant with new and old signs until June 1, 2016.
- Changed information on labels to be consistent with OSHA and to allow employers to be compliant with new and old labels until June 1, 2015.
- Deleted an old compliance date of January 20, 1978 in section (2)(b).

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 in section (3)(d).

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 in section (2)(a)(ii).
- Added the words “or a flammable liquid with a flashpoint below 100°F (37.8°C)” in section (2)(a)(ii).
- Added “Category 1” to section (2)(a)(ii).
- Removed “liquid or” from section (2)(a)(ii).
- Added “with a flashpoint below 100°F (37.8°C)” to section (2)(a)(ii)(B).

WAC 296-67-005 Definitions

- Changed the reference in the definition of trade secret from “Chapter 296-62 WAC, Part B-1” to “See 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” in section (3).
- Removed the words “MSDS” and put in “SDS” in sections (3) and (6).
- Changed a reference from WAC 296-800-170 to WAC 296-901-140 in section (6).
- Removed the words “chemical” and “program standard” from section (6).

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 in section (2).
- Removed the word "chemical" in section (2).

WAC 296-78-71015 Tanks and chemicals

- Removed the words "or combustible" in section (5)(b).
- Removed the words "and/or combustible" in subsection (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, Safety Standards for Construction Work

WAC 296-155-17323 Communication of hazards to employees

- Changed the title to "Communication of hazards".
- Added "Signs and labels" to section (2) and "signs" to section (2)(a).
- 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 be consistent with OSHA and to allow employers to be compliant with new and old signs until June 1, 2016.
- Changed information on labels to be consistent with OSHA and to allow employers to be compliant with new and old labels until June 1, 2015.
- Removed the words "MSDS" and put in "SDS" in section (3).
- Changed reference from WAC 296-800-170 to 296-901-14016 in section (4)(a).
- Changed reference from WAC 296-800-170 to WAC 296-901-140 in section (4)(b).
- Changed numbering of subsections.

WAC 296-155-174 Cadmium

- Removed the phrase "material safety data sheets" and put in "safety data sheets" in section (4)(a)(i).
- 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 be consistent with OSHA and to allow employers to be compliant with new and old labels until June 1, 2015.
 - Removed the words “MSDS” and put in “SDS”.
 - Changed reference from WAC 296-800-170 to WAC 296-901-140 in section (13)(e).
 - Changed reference from “(13)(b)” to “(13)(c)(ii)” in section (11)(g).

WAC 296-155-17609 Exposure assessment

- Changed a reference from WAC 296-800-170 to WAC 296-901-140 in section (2)(e)(vi).
- Removed the word “chemical” from section (2)(e)(vi).

WAC 296-155-17615 Protective work clothing and equipment

- Removed the word “assure” and replaced it with “ensure” in section (2)(g).
- Changed information on labels to be consistent with OSHA and to allow employers to be compliant with new and old labels until June 1, 2015.
- Changed numbering

WAC 296-155-17625 Employee information and training

- Changed the title to “Communication of hazards”.
- Changed reference from WAC 296-800-170 to WAC 296-901-140 in section (1)(a).
- Added language concerning hazards to be addressed.

WAC 296-155-17627 Signs

- Removed the word “assure” and replaced it with “ensure” in section (1)(c).
- Changed information on signs to be consistent with OSHA and to allow employers to be compliant with new and old signs until June 1, 2016.

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

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

WAC 296-155-180 Hazard Communication

- Changed reference from WAC 296-800-170 to WAC 296-901-140.
- Removed the word “chemical.”

WAC 296-155-20301 Definitions

- Changed reference from WAC 296-800-170 to WAC 296-901-140 in the note after section (5) in the definition of Hazardous Atmosphere.
- Removed the words “chemical” and “material” in the note after section (5) in the definition of Hazardous Atmosphere.

WAC 296-155-250 Definitions applicable to this part

- Deleted the definition for combustible liquid.
- Removed language from the Flammable Liquid definition to match OSHA's.
- Changed the definition of Flashpoint to match OSHA's.
- Changed numbering.

WAC 296-155-260 Fire protection

- Removed the phrase "or combustible" from section (3)(e).

WAC 296-155-265 Fire prevention

- Removed the phrase "or combustible" from section (2)(c).

WAC 296-155-270 Flammable and combustible liquids

- Changed the title to read "Flammable liquids".
- Removed the phrase "and combustible" from sections (1)(a), (1)(c), (2), (2)(b), and (2)(d)(viii)
- Removed the phrase "or combustible" from sections (1)(b), (1)(c), (2)(a), (2)(d)(iii), (3)(c), (4), (4)(a), (4)(d), (5)(a), (5)(c), (6)(b), (7)(a), and (7)(h) .
- Removed "fire away" in section (2)(b)(iii) and replaced it with "away from open flames."
- In (2)(c) added the words "category 1, 2, or 3" and "category 4 flammable".
- Removed the word "combustible" in section (2)(c).
- In (2)(d)(vi), (5)(b), (6)(a), (6)(c), (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 to be consistent with OSHA.

WAC 296-304-01009 Precautions for hot work

- Changed a reference from WAC 296-800-170 to WAC 296-901-140 in section (2)(a).
- Removed the words "employer chemical" and "Introduction" from section (2)(a).

WAC 296-304-06013 Hazardous materials

- Changed a reference from WAC 296-800-170 to WAC 296-901-140 in section (9).
- Removed the words "chemical hazard" and "program" from section (9).
- Changed the address for OSHA to reflect their current location in section (3)(b).
- Removed the "m" from "MSDS" and it is now "SDS" in section (3)(b).

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

- Changed a reference from WAC 296-839 to WAC 296-901-14012 in section (4).

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- Removed “Content and distribution of material safety data sheets (MSDSs) and label information” and replaced it with “Labels and other forms of warning and WAC 296-901-14014, Safety data sheets” in section (4).

Chapter 296-800 WAC, Safety and Health Core Rules

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 in the reference at the end of the rule.
- Removed the words “employer chemical” from the reference at the end of the rule.
- Removed the word “material” in the note of the introduction.
- Removed the “m” from “MSDS” and it is now “SDS” in the note in the introduction.

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

- Removed “class 1” and replaced it with “category 1 or 2” in section (3).
- Added the following language to section (3) “category 3 flammable liquids with a flashpoint below 100° F (37.8° C), or...”

WAC 296-800-370 Definitions

- Deleted the definition for combustible liquid.
- Changed the reference WAC 296-800-170 to WAC 296-901-140 in the following definitions: Commercial Account, Common Name, Container, Employee exposure record, Exposure or Exposed, Foreseeable emergency, Hazard warning, Identity, Material safety data sheet, Produce, Purchaser, Unstable (reactive), Use, Water-reactive, work area, and Workplace.
- Removed the words “employer chemical” from the following definitions: Commercial Account, Common Name, Container, Exposure or exposed, Foreseeable emergency, Hazard warning, Identity, Mixture, Produce, Purchaser, Unstable(reactive), Use, Water-reactive, Work area, and Workplace,
- Removed the word “material” from the definitions for Employee exposure record, Exposure or exposed, Harmful physical agent, Identity, Material safety data sheet, and Toxic substance.
- Removed the words “MSDS” and put in “SDS” in the definitions for Employee exposure record, Identity, and Material safety data sheet.
- In the definition for Trade Secret, changed the reference from “WAC 296-62-053” to “WAC 296-901-14018.”
- Changed the definition of flammable to be consistent with OSHA’s.
- Added language to the definition of Flashpoint to be consistent with OSHA’s
- Added language to the definition for Physical to be consistent with OSHA’s
- 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

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- Changed a reference in the reference section from “WAC 296-800-180, Material safety data sheets (MSDSs) as exposure records” to “WAC 296-901-14014, Safety data sheets.”
 - Removed the word “material” from the reference section.

WAC 296-802-40015 Provide employee exposure records

- Changed a reference in the note from “chapter 296-816 WAC, Protecting trade secrets” to “WAC 296-901-14018, Trade secrets.”

WAC 296-802-900 Definitions

- In the definition of “Employee exposure record,” removed the word “material.”
- In the definition of “Harmful physical agent,” removed the word “material.”
- In the definition of “Toxic substance” removed the word “material.”

Chapter 296-809 WAC, Confined Spaces

WAC 296-809-800 Definitions

- Changed a reference in the hazardous atmosphere definition from “WAC 296-800-170, Employer chemical hazard communication” to “WAC 296-901-14014, Safety data sheets.”
- Removed the word “material” from the definition of hazardous atmosphere.

Chapter 296-811 WAC, Fire Brigades

WAC 296-811-600 Definitions

- Removed the phrase “or combustible” from the table in the definition for Fire classifications.

Chapter 296-824 WAC, Emergency Response

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

- Changed a reference in Table 10 from “WAC 296-800-170, Employer chemical hazard communication” to “WAC 296-901-140, Hazard communication”.

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 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 “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.”
- Added language that reads “. . . system that recirculates air into the workplace”
- 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” and added in “. . . 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)” in section (1).

WAC 296-835-140 Definitions

- Removed the definition for combustible liquid.
- Changed the definition for flammable liquid to meet new requirements for OSHA

- Changed the definition for flashpoint to meet 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” in section (4).
- Removed the words “MSDS” and put in “SDS” in section (4).

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 to meet OSHA requirements.
- Changed the definition for safety data sheets to meet OSHA requirements and be consistent with WAC 296-901-14014.

WAC 296-848-20010 Preventive practices

- Changed information on labels to be consistent with OSHA and to allow employers to be compliant with new and old labels until June 1, 2015.
- Changed a reference in the reference section to “WAC 296-901-140, Hazard Communication.”

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 to “WAC 296-901-140, Hazard Communication.”

WAC 296-848-40025 Exposure control areas

- Changed information on signs to be consistent with OSHA and 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 be consistent with OSHA and 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” in the definition for CAS (Chemical Abstract Service) number.
- Removed the words “MSDS” and put in “SDS” in the definition for CAS (Chemical Abstract Service) number.

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 be consistent with OSHA and 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 be consistent with OSHA 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 be consistent with OSHA and 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”.

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- Changed information on labels to be consistent with OSHA and to allow employers to be compliant with new and old labels until June 1, 2015.
 - Changed information on signs to be consistent with OSHA and 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 be consistent with OSHA and 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”.
- 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 definition.
- 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 \geq 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 ‘ α ₂-globulin’.

New Sections:

Chapter 296-848 WAC, Arsenic

WAC 296-848-30007 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 296-855 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

Section contents:

Hazard communication-General

- Chemical manufacturers, importer, distributors and employers must comply with all requirements of Hazard communication, chapter 296-901-140 WAC.
- In classifying the hazards of formaldehyde at least the following hazards are to be addressed: Cancer; skin and respiratory sensitization; eye, skin and respiratory tract irritation; acute toxicity effects; and flammability.

CR-103 RULE-MAKING ORDER (RCW 34.05.320)

Department of Labor and Industries
Division of Occupational Safety and Health
CR-103 Filing Date: March 18, 2014

Attachment (1)
(Purpose Statement)

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- Employers shall include formaldehyde in the hazard communication program established to comply with the HCS, WAC 296-901-140. Employers shall ensure that each employee has access to labels on containers of formaldehyde and to safety data sheets, and is trained in accordance with the requirements of HCS and WAC 296-856-20020. The above information in this section applies to chemicals associated with formaldehyde gas, all mixtures or solutions composed of greater than 0.1 % formaldehyde, and materials capable of releasing formaldehyde into the air at concentrations reaching or exceeding 0.1 ppm.
 - In making the determinations of anticipated levels of formaldehyde release, the employer may rely on objective data indicating the extent of potential formaldehyde release under reasonably foreseeable conditions of use.

Changes other than editing from proposed to adopted version

Describe any changes other than editing from proposed to adopted version:

The following sections are being changed as indicated below:

CHANGES TO THE RULES (Proposed rule versus rule actually adopted):

WAC 296-62-07373 Communication of EtO hazards

- In subsection (13)(a) updated the references and deleted the word “chemical”. It now reads, “(13) Hazard communication.

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

- In subsection (6)(c)(viii) updated a reference from Chapter 296-800-170 to Chapter 296-901-140.

WAC 296-62-07540 Formaldehyde.

- In subsection (13)(a) updated the references and deleted the word “chemical”. It now reads, “(13) Hazard communication.
(a) General. Notwithstanding any exemption granted in WAC 296-901-140 for wood products, each employer who has a workplace covered by this standard shall comply with the requirements of WAC 296-901-140. The definitions of the hazard communication standard shall apply under this standard.”

WAC 296-800-370 Definitions.

- Updated a reference in the definition of “responsible party”, it now reads, “As used in Hazard communication, WAC 296-901-140. Someone who can provide appropriate information about the hazardous chemical and emergency procedures.”

WAC 296-901-14014 Safety data sheets.

- In subsection (8) deleted the word “material”. It now reads, “Where employees must travel between workplaces during a work-shift, i.e., their work is carried out at more than one geographical location, the safety data sheets may be kept at the primary workplace facility. In this situation, the employer must ensure that employees can immediately obtain the required information in an emergency.”
- In subsection (11) deleted the word “chemical” in three places and the word “material”. It now reads, “The department of labor and industries will translate certain hazard communication documents upon receipt of written or verbal request (within available resources) to employers or the public, a translation into Cambodian, Chinese, Korean, Spanish, or Vietnamese of any of the following:
 - An employer’s written hazard communication;
 - A safety data sheet; or
 - Written materials prepared by the department to inform employees of their rights described in this rule, regarding hazard communications.

WAC 296-901-14024 Appendix B-Physical hazard criteria.

- Added an ending parenthesis in the note after the definition of “oxidizing gas”.