



RULE-MAKING ORDER

CR-103P (May 2009)
(Implements RCW 34.05.360)

Agency: Department of Labor and Industries

Permanent Rule Only

Effective date of rule:

Permanent Rules

- 31 days after filing.
- Other (specify) July 1, 2014 (If less than 31 days after filing, a specific finding under RCW 34.05.380(3) is required and should be stated below)

Any other findings required by other provisions of law as precondition to adoption or effectiveness of rule?

- Yes
 - No
- If Yes, explain:

Purpose: The eRules project was initiated in response to complaints from customers and staff, and out of recognition that customers and staff want to use smartphones and tablets to access safety and health rules. See Attachment 1.

- No requirements were changed because of this rulemaking.
- Consistent format for all DOSH safety and health rules.
- Easy to access rules for smart phone and tablet users.
- Bookmarks in the rules allow easy navigation in PDF files.
- Bullets and dashes were removed and replaced with numbers and letters for easier referencing.
- Enhances rule update efficiency for customers through electronic postings.

Citation of existing rules affected by this order: See attachment 1.

Repealed: 3
 Amended: 98
 Suspended:

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

Other authority : Chapter 49.17 RCW

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 14-01-088 on December 17, 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: N/A

Name: _____ phone () _____
 Address: _____ fax () _____
 e-mail _____

Date adopted:

April 22, 2014

NAME (TYPE OR PRINT)

Joel Sacks

SIGNATURE

TITLE

Director

CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER
 STATE OF WASHINGTON
 FILED

DATE: April 22, 2014

TIME: 9:15 AM

WSR 14-09-095

**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Federal statute:	New	_____	Amended	_____	Repealed	_____
Federal rules or standards:	New	3	Amended	98	Repealed	3
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____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	3	Amended	98	Repealed	3
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The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New	3	Amended	98	Repealed	3
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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	_____

NEW SECTIONS:

WAC 296-829-099 Definitions.

- Moved the definitions section to the front of the rule and consolidated all definitions in one place.

WAC 296-876-099 Definitions.

- Moved the definitions section to the front of the rule and consolidated all definitions in one place.

WAC 296-878-099 Definitions.

- Moved the definitions section to the front of the rule and consolidated all definitions in one place.

AMENDED SECTIONS:

WAC 296-829-100 Scope.

- Made word “Exemption” all caps. Numbered items in the exemption.

WAC 296-829-200 Design and installation requirements for helicopters

- Created a summary table with links to subsections.

WAC 296-829-20005 Follow Federal Aviation Administration (FAA) requirements.

- Consolidated requirement into a single sentence.

WAC 296-829-20010 Install and test hooks on helicopters correctly.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-829-300 Maintenance.

- Created a summary table with links to subsections.

WAC 296-829-30005 Keep landing and deposit areas safe.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-829-30010 Follow safe refueling procedures.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-829-400 Operating the helicopter.

- Created a summary table with links to subsections.

WAC 296-829-40005 Hold daily briefings.

- Consolidated requirement into a single sentence.

WAC 296-829-40010 Make sure employees are dressed correctly.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-829-40015 Make sure loads are attached correctly.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-829-40020 Make sure the load is handled correctly.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-832-200 Training.

- Created a summary table with links to subsections.

WAC 296-832-20005 Provide crime prevention training to your employees.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-832-20010 Provide crime prevention retraining to your employees annually.

- Consolidated requirement into a single sentence.

WAC 296-832-300 Store safety.

- Created a summary table with links to subsections.

WAC 296-832-30005 Have a safe in your store.

- Consolidated requirement into a single sentence.

WAC 296-832-30010 Post a notice about your store's safe and cash register.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.
- Number Notes items.

WAC 296-832-30015 Provide outside lighting.

- Consolidated requirement into a single sentence.
- Numbered notes items.

WAC 296-876-100 Scope.

- Made word “Exemption” all caps. Numbered items in the exemption.

WAC 296-876-150 Training

- Created a summary table with link to subsection.

WAC 296-876-15005 Training.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-876-200 Design and construction

- Created a summary table with link to subsection.

WAC 296-876-20005 Design and construction.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.
- Moved “Special purpose ladder” definition to WAC 296-876-099.

WAC 296-876-300 Ladder care

- Created a summary table with links to subsections.

WAC 296-876-30005 Condition and inspection.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-876-30010 Repair.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-876-30015 Storage.

- Consolidated requirement into a single sentence.
- Removed bullet from Note text.

WAC 296-876-30020 Transport.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-876-400 Portable Ladder Use

- Created a summary table with links to subsections.

WAC 296-876-40005 Designed use.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.
- Numbered Note items.
- Moved “Maximum intended load” definition and “Ladder type” definition and table to WAC 296-876-099.

WAC 296-876-40010 Workplace activities or traffic.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-876-40015 Support.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-876-40020 Set-up.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.
- Moved “Working length” definition to WAC 296-876-099.
- Removed redundant “Safe Ladder Angle” notation from above the graphic.

WAC 296-876-40025 Climbing and descending.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.
- Moved “Single-rail ladder” definition to WAC 296-876-099.

WAC 296-876-40030 Getting on and off ladders at upper levels.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.
- Made the word “Exemption” all caps.

WAC 296-876-40035 Exposed electrical hazards.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-876-40040 Persons on ladders.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-876-40045 Multisection ladders.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-876-40050 Self-supporting ladders.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.
- Made the word “Exemption” all caps.

WAC 296-876-500 Fixed ladder design and construction installed on or after December 1, 2006.

- Added “installed on or after December 1, 2006” to section name.
- Created a summary table with link to subsection.

WAC 296-876-50010 Design and construction—Fixed ladders installed on or after December 1, 2006.

- Consolidated requirement into a single sentence.
- Removed colon from Note to make text a continuous sentence.

WAC 296-876-600 Fixed ladder design and construction installed before December 1, 2006.

- Added “installed before December 1, 2006” to section name.
- Created a summary table with links to subsections.

WAC 296-876-60005 Design and construction—Fixed ladders installed before December 1, 2006.

- Consolidated requirement into a single sentence.
- Removed colon from Note to make text a continuous sentence.

WAC 296-876-60010 Design loads.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-876-60015 Pitch.

- Consolidated requirement into a single sentence.
- Numbered Notes items.

WAC 296-876-60020 Welding.

- Consolidated requirement into a single sentence.

WAC 296-876-60025 Ladder surfaces.

- Consolidated requirement into a single sentence.

WAC 296-876-60030 Rungs, cleats and steps.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-876-60035 Side rails.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-876-60040 Clearances.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.
- Made the word “Exemption” all caps.

WAC 296-876-60045 Step-across distance.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-876-60050 Extensions and grab bars.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.
- Numbered Note items.
- Made the word “Exemption” all caps.

WAC 296-876-60055 Hatches.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-876-60060 Platforms.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.
- Made the word “Exemption” all caps.

WAC 296-876-60065 Protective structures and equipment.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.
- Made the word “Exemption” all caps.

WAC 296-876-60070 Cages.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.
- In subsection (4)(a), changed “is” to “are”.

WAC 296-876-60075 Wells.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-876-60080 Ladder safety devices.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.
- In subsection (1)(a), hyphenated “five-hundred-pound weight”.

WAC 296-876-700 Fixed ladders inspection and maintenance

- Deleted “-- Section contents” from section title.
- Created a summary table with links to subsections.

WAC 296-876-70005 Protection against corrosion and deterioration.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-876-70010 Inspection and repair.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.
- Numbered and lettered Note items and sub-items.

WAC 296-876-800 Fixed ladder use

- Deleted “-- Section contents” from section title.
- Created a summary table with links to subsections.

WAC 296-876-80005 Designed load.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.
- Deleted redundant “Maximum intended load” definition restatement and added to WAC 296-876-099.

WAC 296-876-80010 Climbing and descending.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-878-10005 Summary.

- Changed “IMPORTANT” to upper and lowercase.
- Removed list of subsections, as each following three-digit WAC section was changed to have its own summary table, with link(s) to any subsections within that three-digit WAC section.

WAC 296-878-110 Training.

- Created a summary table with links to subsections.

WAC 296-878-11005 Train workers to use window-cleaning equipment.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.
- Numbered Note items.

WAC 296-878-120 Building surfaces and fixtures.

- Created a summary table with link to subsection.

WAC 296-878-12005 Make sure building surfaces and fixtures are safe to use.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-878-130 Inspection procedures.

- Created a summary table with links to subsections.

WAC 296-878-13005 Inspect the area to be cleaned.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-878-13010 Inspect window-cleaning equipment before use.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-878-140 Develop site-specific service and emergency plans.

- Created a summary table with links to subsections.

WAC 296-878-14005 Develop a site-specific service and emergency recovery plan for window-cleaning operations.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.
- Numbered Note items.

WAC 296-878-150 Equipment.

- Created a summary table with links to subsections.

WAC 296-878-15005 Select and use appropriate equipment.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-878-15015 Select appropriate rope for suspended equipment.

- Consolidated requirement into a single sentence.

WAC 296-878-15020 Select appropriate carabiners.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-878-15025 Use fall protection equipment.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-878-160 Warning signs and barricades.

- Created a summary table with link to subsection.

WAC 296-878-16005 Provide warning signs and barricades when suspended equipment is used.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-878-170 Power line clearances.

- Created a summary table with links to subsections.

WAC 296-878-17005 Maintain clearance between window cleaners and power lines.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-878-180 Window-cleaners' belts and anchors.

- Created a summary table with links to subsections.

WAC 296-878-18005 Select appropriate window-cleaners' belts and anchors.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-878-18010 Inspect the anchors you plan to use for window cleaning.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-878-18015 Use window-cleaners' belts safely.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-878-18020 Move safely on the outside of buildings.

Department of Labor and Industries

Division of Occupational Safety and Health

Hearing Dates: January 23 and March 11, 2014

CR-103 Filing Date: April 22, 2014

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.
- Numbered Note items.

WAC 296-878-190 Boatswains' chairs.

- Created a summary table with links to subsections.

WAC 296-878-19005 Select appropriate boatswains' chairs.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-878-19010 Safely use boatswains' chairs rigged with a block and tackle.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.
- Made “Exemption” all caps. Numbered exemption items.

WAC 296-878-200 Rope descent systems.

- Created a summary table with links to subsections.

WAC 296-878-20005 Select appropriate rope descent systems.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-878-20010 Safely use rope descent systems.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.
- Numbered Note items.

WAC 296-878-20015 Safely use rope descent devices.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

WAC 296-878-210 Equipment prohibited.

- Created a summary table with links to subsections.

WAC 296-878-21005 Prohibit equipment from use.

- Applied numbers (or numbers and letters) to content items, and repeated “You must” as needed.

REPEALED SECTIONS:

The following sections were repealed.

WAC 296-829-500 Definitions.

WAC 296-876-900 Definitions

WAC 296-878-220 Definitions

Changes other than editing from proposed to adopted version

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

The following section is being changed as indicated below:

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

WAC 296-829-30010(4):

“Stop fueling immediately if there is a spill.” changed to read: “You must stop fueling immediately if there is a spill.”