



# 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 14-10-066; 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 296-62 WAC, General Occupational Health Standards

### Hearing location(s):

Department of Labor and Industries  
12806 Gateway Dr S  
Conference Room 1  
Tukwila, WA 98268

Date: February 25, 2016 Time: 9:00am

Date of intended adoption: May 3, 2016

(Note: This is NOT the effective date)

### Submit written comments to:

Name: Tari Enos  
Address: PO Box 44620  
Olympia, WA 98504  
e-mail [tari.enos@lni.wa.gov](mailto:tari.enos@lni.wa.gov)  
fax (360) 902-5619 by (date) March 3<sup>rd</sup>, 2016

Assistance for persons with disabilities: Contact

Tari Enos by February 11<sup>th</sup>, 2016 (360) 902-5541

### Purpose of the proposal and its anticipated effects, including any changes in existing rules:

The purpose of this rulemaking is to amend sections of Chapter 296-62 WAC, General Occupational Health Standards, Part R, Hazardous Drugs, for increased clarification, streamlining and conforming to the federal Global Harmonization rule requirements. Also, references, formatting and minor housekeeping changes may be made throughout the chapter listed above. Please see Attachment 1 (Purpose Attachment) for a summary of the changes proposed.

### 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

### Is rule necessary because of a:

- |                         |                              |  |
|-------------------------|------------------------------|--|
| Federal Law?            | <input type="checkbox"/> Yes | <input checked="" 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:

### CODE REVISER USE ONLY

OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED

DATE: **January 19, 2016**

TIME: **10:27 AM**

WSR **16-03-059**

### DATE

January 19, 2016

### NAME (type or print)

Joel Sacks

### SIGNATURE

### TITLE

Director

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

N/A

**Name of proponent:** Department of Labor and Industries

- Private
- Public
- Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting..... Chris Miller	Tumwater, WA	(360) 902-5516
Implementation.... Anne Soiza	Tumwater, WA	(360) 902-5090
Enforcement..... Anne Soiza	Tumwater, WA	(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.

A small business economic impact statement will also not be completed because the changes do not impose more than minor costs on business in an industry.

**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 will be completed because this rulemaking is only updating requirements for increased clarification, streamlining and conforming to the federal Global Harmonization rule requirements.

## Amended Sections

### WAC 296-62-50010 Definitions

- Updated definition of Material Safety Data Sheet (MSDS) to “Safety Data Sheet (SDS).

### WAC 296-62-50025 Engineering Controls

- Updated language in (2)a) to read:
  - (a) Prepare (e.g., mix, compound, crush) hazardous drugs inside an appropriate ventilated cabinet or barrier isolators designed to prevent worker exposure ~~((release into the work environment. When asepsis is not required, a Class I biosafety cabinet or isolator intended for containment applications may be sufficient))~~.
- Updated the language in (2)(b) to read:
  - (b) Hazardous drugs that volatilize must be handled only in a ventilated cabinet that captures the volatilized material to prevent employee exposure, or in a ventilated cabinet that does not recirculate air inside the cabinet or exhausts air back into the room environment ((Equip ventilated cabinets with a continuous monitoring device to confirm adequate airflow before each use)).
- Added new language to (2)(c) which reads:
  - (c) Install and maintain the ventilation equipment determined by your hazard assessment in accordance with:
    - (i) The ventilation equipment manufacturer’s design, instructions, and precautions;
    - (ii) Appropriate and most current national safety and industry standards;
      - Note: The following are examples of industry standards related to installing and maintaining ventilation equipment. There may be other industry standards in addition to those listed below:
        1. Center for Disease Control/National Institute for Health: Primary Containment for Biohazards: Selection, Installation and Use of Biological Safety Cabinets (CDC/NIH).
        2. National Sanitation Foundation/American National Standards Institute Standard 49, (NSF/ANSI) Class II (laminar flow) Biosafety Cabinetry.
        3. U.S. Pharmacopeial Convention (USP).
        4. American Glove Box Standards.
      - (iii) National Institute of Occupational Safety and Health (NIOSH) “Preventing Occupational Exposure to Antineoplastic and Other Hazardous Drugs in Health Care Settings”;  
and

(iv) Applicable state, federal, and local regulations.

~~((Use filtering media that is approved by the cabinet manufacturer and is appropriate for the agent being captured, such as a high-efficiency particulate air filter (HEPA filter) for exhaust, and where feasible, exhaust one hundred percent of the filtered air to the outside unless the employer can provide an evidence-based justification to do otherwise.))~~

- Deleted language in (2)(d), (e) and (f) and re-lettered (g) to become (d).

**WAC 296-62-50030 Personal protective equipment (PPE).**

- Updated language in (3)(d) to read:  
(d) Change gloves per glove manufacturer's instruction, type of occupational exposure, ((every thirty to sixty minutes)) or when torn, punctured, or contaminated.
- Updated language in (6)(a) to read:  
(a) Use appropriate respiratory protection ((N95)) or equivalent respiratory protection during spill clean up and whenever there is a significant risk of inhalation exposure to hazardous drug particulates.

**WAC 296-62-50035 Safe handling practices.**

- Updated language in (4) which reads:  
(b) Handwashing ((Wash hand with soap and water before donning gloves, immediately after removal, and whenever hands become contaminated)).  
(i) Prior to donning gloves, if hands are contaminated, wash with soap and water; and  
(ii) Wash hands with soap and water immediately after removal, and whenever hands become contaminated.

**WAC 296-62-50045 Spill Control.**

- Updated language in this section which now reads:  
~~(((1)))~~ Develop written spill response procedures in accordance with chapter 296-824 WAC, Emergency Response and WAC 296-800-150, First-aid summary for emergency washing requirements. ((based on the hazardous drugs present and potential spill or release conditions.  
~~(2) Spill procedures must include, at a minimum:~~
  - ~~(a) Description of who is authorized to respond and under what circumstances.~~
  - ~~(b) PPE for various hazardous drugs and spill sizes.~~
  - ~~(c) Location and use of spill kits or clean-up materials.~~
  - ~~(d) Possible spreading of contamination, and area containment and signage.~~
  - ~~(e) Reporting and evaluating the circumstances surrounding spills and releases.~~

**CR-102 RULEMAKING ORDER (RCW 34.05.320)**

Department of Labor and Industries

Division of Occupational Safety and Health

CR-102 Filing Date: January 19, 2015

**Attachment (1)**

Purpose Statement

- ~~(f) Restricted access to hazardous drug spills.~~
- ~~(g) Waste disposal.~~
- ~~(3) Locate spill kits or clean up materials near all potential spill sources.))~~

**WAC 296-62-50050 Training.**

- Updated language in (1) and it now reads:
  - (1) Provide effective hazardous drugs training to all employees with occupational exposure at the time of their initial job assignment and whenever a new hazardous drug or a new process related to handling a hazardous drug that the employees have not previously been trained about is introduced into their work area ((on a regularly scheduled basis thereafter)).
- Updated language in (2) and it now reads:
  - (2) Include the training elements listed in WAC 296-~~((800))~~ 901-((17030)) 14016, Inform and train your employees about hazardous chemicals in your workplace.