



RULE-MAKING ORDER PERMANENT RULE ONLY

CR-103P (December 2017) (Implements RCW 34.05.360)

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FILED

DATE: December 18, 2018

TIME: 9:59 AM

WSR 19-01-094

Agency: Department of Labor and Industries

Effective date of rule:

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: eRules Phase 9: chapter 296-62 WAC General occupational health standards. The purpose of adopting this rulemaking is to have a consistent format across all Department of Occupational Safety and Health (DOSH) rules. The updated format would provide easy access to rules from smart phones and tablet users. It will also provide easy navigation in PDF documents, as well as easier referencing by replacing bullets and dashes with numbers and letters. No rule requirements were changed as a result of this rulemaking adoption. References, formatting and minor housekeeping changes were made throughout the chapter in this rulemaking. See below for a list of changes being adopted as proposed:

WAC 296-62-020 through WAC 296-62-50010

- Changed bullets to letters or numbers where applicable.
- Changed "shall" to "must" where applicable.
- Changed "shall be required to" to "must" where applicable.
- Changed "shall assure" to "must ensure" where applicable.
- Changed "assure" to "ensure" where applicable.
- Removed numbers and quotation marks from all defined words.
- Removed words/phrases such as "means", "as defined" or "is an" from all applicable definitions and replace it with a period, making all definitions complete sentences.
- Changed "his" or "her" to any variation of "their", "them" or "they" where applicable.

WAC 296-62-020 Definitions applicable to all sections of this chapter.

- Updated outdated reference in definition of "Coal tar pitch volatiles" from WAC 296-62-07515 Table I to WAC 296-841-20025 Table 3.

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

- Changed reference in subsection (2)(c) from WAC 296-62-07304(12) to WAC 296-62-07304.
- Removed outdated reference in subsections (2)(f)(vii)(B) and (2)(f)(viii)(B); in WAC 296-62-07310 there is no longer a subsection (4) after previous rulemaking and therefore that reference needs to be taken out.

WAC 296-62-07310 Signs, information and training.

- Updated language in subsection (1)(a) to read: "The employer must post signs at entrances to regulated areas. The signs must bear the legend:"
- Removed subsections (1)(c) and (d), and their outdated language referring to June 1, 2016 that is no longer relevant. Re-lettered the rest of the subsection.

WAC 296-62-07312 Reports.

- Updated outdated reference under the "Carcinogens Standard Report" table from WAC 296-62-07308 to WAC 296-62-07304.

WAC 296-62-07316 Premixed solutions.

- Removed outdated reference in subsection (1)(c); in WAC 296-62-07310 there is no longer a subsection (4) after previous rulemaking and therefore that reference needs to be taken out.

WAC 296-62-07329 Vinyl chloride.

- Removed subsections (12)(c) and (d) and their outdated language referring to June 1, 2016 that is no longer relevant.
- Removed subsections (13)(b), (c), (d)(i) and (ii) and their outdated language referring to June 1, 2015 that is no longer relevant. Re-lettered the rest of the subsection.

WAC 296-62-07336 Acrylonitrile.

- Removed subsection (16)(b)(iii) and its outdated language referring to June 1, 2016 that is no longer relevant.
- Removed outdated language referring to June 1, 2015 from subsection (16)(c)(ii) that is no longer relevant. Renumbered the subsection.

WAC 296-62-07338 Appendix B – Substance technical guidelines for acrylonitrile.

- Updated outdated reference in subsection (2)(a)(viii) from WAC 296-24-59207 to WAC 296-800-300.
- Updated outdated reference in subsection (2)(a)(ix) from WAC 296-24-95613 to WAC 296-800-280.
- Removed outdated reference in subsection (6) to WAC 296-24-120; those requirements are now in Chapter 296-800 WAC, which is already listed.

WAC 296-62-07339 Appendix C – Medical surveillance guidelines for acrylonitrile.

- In subsection (2)(a), removed the word “contract” and replaced it with the bracketed word “contact” that was next to it in the sentence. It appears this update was meant to be made previously, but it didn’t occur. Removed the brackets around the word “contact”.

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

- Updated outdated reference in subsection (15)(a)(ii)(C) from “chapter 296-62 WAC Part E” to “chapter 296-842 WAC”, which is where respiratory protections are covered.
- Removed subsection (16)(b)(ii) and its outdated language referring to June 1, 2016 that is no longer relevant. Renumbered the subsection.
- Removed subsection (16)(c)(iii) and its outdated language referring to June 1, 2015 that is no longer relevant.

WAC 296-62-07373 Communication of EtO hazards.

- Removed subsection (2)(a)(ii) and its outdated language referring to June 1, 2016 that is no longer relevant. Renumbered subsection.
- Removed subsections (2)(b)(ii)(A) and (B) and (c) and its outdated language referring to June 1, 2015 that is no longer relevant. Re-lettered the subsection.

WAC 296-62-07425 Communication of cadmium hazards.

- Removed outdated language referring to June 1, 2016 from subsection (4)(b) that is no longer relevant. Re-lettered the subsection.
- Removed outdated language referring to June 1, 2015 from subsection (5)(b) that is no longer relevant. Re-lettered the subsection.
- Updated outdated reference in subsection (6)(c)(ix) from “chapter 296-62 WAC Part E” to “chapter 296-842 WAC”, which is where respiratory protections are covered.

WAC 296-62-07460 1, 3-Butadiene.

- Updated outdated reference in subsection (10) from “WAC 296-62-3112 hazardous waste operations and emergency responses” to “chapter 296-843 WAC hazardous waste operations.”
- Removed outdated language from subsection (14)(a) referring to “this section becoming effective in 1997.” Re-lettered the subsection.
- Removed subsection (14)(iii) and its outdated language referring to this subsection being “implemented by February 4, 2000.”

WAC 296-62-07470 Methylene chloride.

- Updated outdated reference in the “Note” under subsection (6)(d)(ii) from “WAC 296-62-3112” to “chapter 296-843 WAC.”
- Updated outdated reference in the “Note” under subsection (7)(d)(ii) from “WAC 296-62-07150 through 296-62-07516” to “WAC 296-842-14005.”
- Removed language referring to “medical surveillance” in subsection (10)(d)(i) that is outdated and no longer relevant.
- Updated outdated reference in subsection (13)(e) from “WAC 296-62-05215” to “WAC 296-802-600 transfer and disposal of employee records.”
- Updated outdated reference in subsection (14)(d) from WAC 296-62-07515” to “WAC 296-307-62610.”

WAC 296-62-07473 Appendix A.

- Removed outdated reference to “WAC 296-24-120” in subsection (V) “Housekeeping and Hygiene Facilities” – those requirements are now in chapter 296-800 WAC, which is already listed.

- Updated outdated reference in subsection (VI)(H) from “WAC 296-24-956” which was previously repealed to “WAC 296-24-957” where the electrical requirements are located.

WAC 296-62-07519 Thiram.

- Updated outdated reference in subsection (1) from “WAC 296-62-07515” to “chapter 296-841 WAC Airborne contaminants.”
- Updated outdated references in subsections (3)(c)(vi) and (3)(c)(ix) from “WAC 296-62-071” to “chapter 296-842 WAC Respirators.”

WAC 296-62-07521 Lead.

- Updated subsection (5)(i) to “Reserved” and added subsection letter (j) to avoid confusion of how the subsections in (5) were listed.
- Removed language from subsection (8)(b)(viii) referring to June 1, 2015 that is outdated and no longer relevant. Renumbered subsection.
- Updated outdated reference in subsection (13)(v)(C) from “chapter 296-62 WAC Part E” to “chapter 296-842 WAC” which is where respiratory protections are covered.
- Removed subsection (14)(b)(v) and its outdated language referring to June 1, 2016 that is no longer relevant.
- Removed language in subsection (17)(b)(xi) referring to June 1, 2016 that is outdated and no longer relevant.

WAC 296-62-07540 Formaldehyde.

- Updated outdated reference in subsection (9)(a) from “WAC 296-24-120” to “WAC 296-800-230.”

WAC 296-62-07601 Scope and application.

- Removed outdated reference to “WAC 296-62-054” in subsection (4). Those requirements are located in chapter 296-901 WAC, which is already listed.

WAC 296-62-07619 Hygiene facilities and practices.

- Updated outdated reference in subsection (2)(a)(i) from “WAC 296-24-12010” to “WAC 296-800-23065.”

WAC 296-62-07621 Communication of hazards.

- Removed subsection (2)(a)(ii) and its outdated language referring to June 1, 2016 that is no longer relevant. Re-lettered subsection.
- Removed subsections (2)(b)(i) and (ii) and their outdated language referring to June 1, 2015 that is no longer relevant.
- Updated outdated reference in subsection (4)(b)(iii) from “WAC 296-62-07625” to “WAC 296-62-07627” and also added a reference to WAC 296-62-07629 to cover all requirements regarding “medical removal.”

WAC 296-62-07631 Recordkeeping.

- Updated outdated references in subsections (3)(a), (4)(a), (4)(d) and (6)(c) from “Part B of this chapter” to “chapter 296-802 WAC” which is where requirements regarding employee medical and exposure records are located.
- Updated outdated reference in subsection (3)(c) from “Part B of this chapter” to “WAC 296-802-20010.”
- Updated outdated reference in subsection (6)(a) from “WAC 296-62-076” to “chapter 296-802 WAC.”
- Updated outdated reference in subsection (6)(b) from “WAC 296-800-170” to “chapter 296-800 WAC.”

WAC 296-62-07637 Appendices.

- Removed sentence referring to “respiratory fit testing in Appendix E of WAC 296-62-076” – that section was previously repealed.

WAC 296-62-07711 Regulated areas.

- Updated outdated reference in subsection (7) from “chapter 296-62 WAC Part M” to “chapter 296-809 WAC” – the requirements of Part M were previously moved.

WAC 296-62-07715 Respiratory protection.

- Updated outdated reference in subsection (5)(b) from “WAC 296-62-07160 through 296-62-07162 and 296-62-07201 through 296-62-07248” to “chapter 296-842 WAC Respirators.”

WAC 296-62-07721 Communication of hazards.

- Removed subsection (4)(b)(iii) and its outdated language referring to June 1, 2016 that is no longer relevant.
- Removed subsection (5)(d) and its outdated language referring to June 1, 2015 that is no longer relevant.
- Updated outdated reference in subsection (7) from “WAC 296-62-05413” to “WAC 296-901-14014.”

WAC 296-62-14533 Cotton dust.

- Removed subsection (10)(b) and its outdated language referring to June 1, 2016 that is no longer relevant. Also, removed letter (a) from subsection (10) for formatting purposes.

WAC 296-62-20021 Communication of hazards.

- Removed subsections (2)(e) and (f) and their outdated language referring to June 1, 2016 that is no longer relevant.
- Removed subsection (3)(b) and its outdated language referring to June 1, 2015 that is no longer relevant. Also, removed letter (a) from subsection (3) for formatting purposes.

WAC 296-62-50055 Implementation plan.

- Removed subsections (1)(a)-(c) and their outdated language referring to implementing a “written hazardous drugs control program” by January 1, 2014, “training” by July 1, 2014 and “installation of appropriate ventilated cabinets” by January 1, 2015.
- Removed subsection number (2) and replace subsection letters with numbers.

Citation of rules affected by this order:

New: N/A

Repealed: N/A

Amended:

WAC 296-62-020 Definitions applicable to all sections of this chapter.

WAC 296-62-040 Unconstitutionality clause.

WAC 296-62-05520 Retain readily visible DOT labeling.

WAC 296-62-060 Control requirements in addition to those specified.

WAC 296-62-07302 Communication of hazards.

WAC 296-62-07304 Definitions.

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

WAC 296-62-07308 General regulated area requirements.

WAC 296-62-07310 Signs, information and training.

WAC 296-62-07312 Reports.

WAC 296-62-07314 Medical surveillance.

WAC 296-62-07316 Premixed solutions.

WAC 296-62-07329 Vinyl chloride.

WAC 296-62-07336 Acrylonitrile.

WAC 296-62-07338 Appendix B—Substance technical guidelines for acrylonitrile.

WAC 296-62-07339 Appendix C—Medical surveillance guidelines for acrylonitrile.

WAC 296-62-07340 Appendix D—Sampling and analytical methods for acrylonitrile.

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

WAC 296-62-07343 Appendix A—Substance safety data sheet for DBCP.

WAC 296-62-07355 Ethylene oxide.

WAC 296-62-07357 Definitions.

WAC 296-62-07359 Permissible exposure limits (PEL).

WAC 296-62-07361 Exposure monitoring.

WAC 296-62-07363 Regulated areas.

WAC 296-62-07365 Methods of compliance.

WAC 296-62-07369 Emergency situations.

WAC 296-62-07371 Medical surveillance.

WAC 296-62-07373 Communication of EtO hazards.

WAC 296-62-07375 Recordkeeping.

WAC 296-62-07377 Observation of monitoring.

WAC 296-62-07403 Definitions.

WAC 296-62-07405 Permissible exposure limit (PEL).

WAC 296-62-07407 Exposure monitoring.

WAC 296-62-07409 Regulated areas.

WAC 296-62-07411 Methods of compliance.

WAC 296-62-07415 Emergency situations.

WAC 296-62-07417 Protective work clothing and equipment.

WAC 296-62-07419 Hygiene areas and practices.

WAC 296-62-07421 Housekeeping.

WAC 296-62-07423 Medical surveillance.

WAC 296-62-07425 Communication of cadmium hazards.

WAC 296-62-07427 Recordkeeping.

WAC 296-62-07429 Observation of monitoring.

WAC 296-62-07441 Appendix A, substance safety data sheet—Cadmium.

WAC 296-62-07447 Appendix D—Occupational health history interview with reference to cadmium exposure directions.

WAC 296-62-07460 1,3-Butadiene.

WAC 296-62-07470 Methylene chloride.
WAC 296-62-07473 Appendix A.
WAC 296-62-07519 Thiram.
WAC 296-62-07521 Lead.
WAC 296-62-07540 Formaldehyde.
WAC 296-62-07544 Appendix B—Sampling strategy and analytical methods for formaldehyde.
WAC 296-62-07546 Appendix C medical surveillance—Formaldehyde.
WAC 296-62-07601 Scope and application.
WAC 296-62-07603 Definitions.
WAC 296-62-07605 Permissible exposure limits (PEL).
WAC 296-62-07607 Emergency situations.
WAC 296-62-07609 Exposure monitoring.
WAC 296-62-07611 Regulated areas.
WAC 296-62-07613 Methods of compliance.
WAC 296-62-07615 Respiratory protection.
WAC 296-62-07617 Protective work clothing and equipment.
WAC 296-62-07619 Hygiene facilities and practices.
WAC 296-62-07621 Communication of hazards.
WAC 296-62-07623 Housekeeping.
WAC 296-62-07625 Medical surveillance.
WAC 296-62-07627 Medical removal—Temporary medical removal of an employee.
WAC 296-62-07629 Medical removal protection benefits.
WAC 296-62-07631 Recordkeeping.
WAC 296-62-07633 Observation of monitoring.
WAC 296-62-07637 Appendices.
WAC 296-62-07703 Definitions.
WAC 296-62-07705 Permissible exposure limits (PEL).
WAC 296-62-07706 Multiemployer worksites.
WAC 296-62-07709 Exposure assessment and monitoring.
WAC 296-62-07711 Regulated areas.
WAC 296-62-07712 Requirements for asbestos activities in construction and shipyard work.
WAC 296-62-07715 Respiratory protection.
WAC 296-62-07717 Protective work clothing and equipment.
WAC 296-62-07719 Hygiene facilities and practices.
WAC 296-62-07721 Communication of hazards.
WAC 296-62-07722 Employee information and training.
WAC 296-62-07723 Housekeeping.
WAC 296-62-07725 Medical surveillance.
WAC 296-62-07727 Recordkeeping
WAC 296-62-07728 Competent person
WAC 296-62-07735 Appendix A—WISHA reference method—Mandatory.
WAC 296-62-07743 Appendix E—Interpretation and classification of chest roentgenograms—Mandatory.
WAC 296-62-07745 Appendix F—Work practices and engineering controls for automotive brake and clutch inspection, disassembly, repair and assembly—Mandatory.
WAC 296-62-08003 Hexavalent chromium.
WAC 296-62-08005 Definitions.
WAC 296-62-08007 Permissible exposure limit (PEL).
WAC 296-62-08009 Exposure determination.
WAC 296-62-08011 Regulated areas.
WAC 296-62-08013 Methods of compliance.
WAC 296-62-08015 Respiratory protection.
WAC 296-62-08017 Protective work clothing and equipment.
WAC 296-62-08019 Hygiene areas and practices.
WAC 296-62-08021 Housekeeping.
WAC 296-62-08023 Medical surveillance.
WAC 296-62-08025 Communication of chromium (VI) hazards.
WAC 296-62-08027 Recordkeeping.
WAC 296-62-08029 Dates.
WAC 296-62-09001 Definitions.
WAC 296-62-09004 Ionizing radiation.
WAC 296-62-09005 Nonionizing radiation.
WAC 296-62-09007 Pressure.
WAC 296-62-09009 Vibration.
WAC 296-62-09013 Temperature, radiant heat, or temperature-humidity combinations.

WAC 296-62-09510 Scope and purpose.
 WAC 296-62-09520 Definitions.
 WAC 296-62-11019 Spray-finishing operations.
 WAC 296-62-135 Oxygen deficient atmospheres.
 WAC 296-62-13605 Definition.
 WAC 296-62-13615 Adequate system.
 WAC 296-62-13620 Exhaust.
 WAC 296-62-13625 Make-up air quantity.
 WAC 296-62-13630 Design and operation.
 WAC 296-62-13635 Compatibility of systems.
 WAC 296-62-14533 Cotton dust.
 WAC 296-62-14535 Appendix A—Air sampling and analytical procedures for determining concentrations of cotton dust.
 WAC 296-62-14541 Appendix D—Pulmonary function standards for cotton dust standard.
 WAC 296-62-20001 Definitions.
 WAC 296-62-20003 Permissible exposure limit.
 WAC 296-62-20005 Regulated areas.
 WAC 296-62-20007 Exposure monitoring and measurement.
 WAC 296-62-20009 Methods of compliance.
 WAC 296-62-20013 Protective clothing and equipment.
 WAC 296-62-20015 Hygiene facilities and practices.
 WAC 296-62-20017 Medical surveillance.
 WAC 296-62-20019 Employee information and training.
 WAC 296-62-20021 Communication of hazards.
 WAC 296-62-20023 Recordkeeping.
 WAC 296-62-20025 Observation of monitoring.
 WAC 296-62-50005 Scope.
 WAC 296-62-50010 Definitions.
 WAC 296-62-50055 Implementation plan.
 Suspended: N/A

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

Other authority:

PERMANENT RULE (Including Expedited Rule Making)

Adopted under notice filed as WSR 18-20-104 on October 2, 2018 (date).

Describe any changes other than editing from proposed to adopted version: The language is being adopted as proposed.

If a preliminary cost-benefit analysis was prepared under RCW 34.05.328, a final cost-benefit analysis is available by contacting:

Name:
 Address:
 Phone:
 Fax:
 TTY:
 Email:
 Web site:
 Other:

**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	_____	Amended	_____	Repealed	_____
Recently enacted state statutes:	New	_____	Amended	_____	Repealed	_____

The number of sections adopted at the request of a nongovernmental entity:

New ____ Amended 137 Repealed ____

The number of sections adopted on the agency's own initiative:

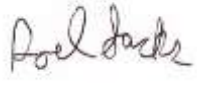
New ____ Amended 137 Repealed ____

The number of sections adopted in order to clarify, streamline, or reform agency procedures:

New ____ Amended ____ Repealed ____

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	____

Date Adopted: December 18, 2018	Signature: 
Name: Joel Sacks	
Title: Director	