**Washington OSHA Semi Annual Update**

**Adopted Regulations**

**Globally Harmonized System for Hazard Communication (Phase 2) (Chapters 296-24, 296-62 ,296-305, 296-307, 296-800, 296-816, 296-828, 296-835, 296-839 WAC)**

**Adopted: 1/3/17**

**Effective: 2/3/17**

This rulemaking amends and repeals sections of rules that were affected by the adoption of Hazard Communication/Globally Harmonized System of Classification and Labeling Chemicals (GHS) chapter 296-901 WAC, which became effective June 1, 2016. The amended sections included several minor corrections within various WAC chapters replacing outdated terminology such as “Material Safety Data Sheets (MSDS)” with the globally harmonized term “Safety Data Sheets (SDS)”. Amendments also include correcting references to reflect the new chapter 296-901 WAC and replacing the obsolete “combustible liquid” classifications with the new “flammable liquid” categories that were not updated in previous GHS rulemaking packages. Additionally, sections are repealed from various chapters because they became obsolete after the adoption of Chapter 296-901 WAC. This rulemaking affects the following chapters: - Chapter 296-24 WAC General Safety and Health Standards - Chapter 296-62 WAC General Occupational Health Standards - Chapter 296-305 WAC Safety Standards for Firefighters - Chapter 296-307 WAC Safety Standards for Agriculture - Chapter 296-800 WAC Safety and Health Core Rules - Chapter 296-816 WAC Protecting Trade Secrets - Chapter 296-828 WAC Hazardous Chemicals in Laboratories - Chapter 296-835 WAC Dipping and Coating Operations (Dip Tanks) - Chapter 296-839 WAC Material Safety Data Sheets (MSDSs) and Label Information

**Proposed Rules**

#### Chapter 296-32 WAC (Safety Standards for Telecommunications)

#### Hearing: 5/12/17

#### Comments due: 5/19/17

The purpose of this rulemaking is to update Chapter 296-32 WAC, Safety Standards for Telecommunications. Labor and Industries received a petition formally requesting the department to update and modify this chapter, which was originally created in 1975. Although there have been partial rule changes over the years (1976 through 2002), a full review of this chapter, in its entirety, had not taken place. Since inception of Chapter 296-32 WAC over 40 years ago, wireless technology in the area of telecommunications has rapidly advanced and our telecommunication rules have not kept pace with that advancement. Safety has been compromised for our communication workers, as no specific standards exist for this industry. The department held several stakeholder meetings in 2009 and 2010 with labor, business, and industry representatives and a draft rule was developed. However, on November 17, 2010 Executive Order 10-06 was issued suspending all “non-critical” rulemaking until 2013. At that time, the department received petitions formally requesting that rulemaking recommence. Additional stakeholder meetings started in May 2015 and throughout this process the department worked again with labor, business, and industry representatives to develop this rulemaking. In addition, references are updated throughout the chapter.

#### Chapter 296-54 WAC (Safety Standards - Logging Operations)

#### Hearing: 5/15/17

#### Comments due: 5/22/17

#### The purpose of this rulemaking is to update Chapter 296-54 WAC, Safety Standards - Logging Operations. The department received petitions for rulemaking regarding the logging standard in 2010. In 2012, the department put rulemaking efforts on hold to launch the Logger Safety Initiative (LSI). The department was petitioned again in 2014 to reopen rulemaking efforts following the successful launch of the LSI program. References, formatting and minor housekeeping changes are also proposed throughout the chapter.

#### Preproposed Rules

#### Beryllium (currently in Chapter 296-841 WAC Airborne Contaminants and Chapter 296-307 WAC Safety Standards for Agriculture)

#### Preproposal: 4/18/17

#### The Department is considering rulemaking related to preventing worker exposure to beryllium and beryllium compounds (as Be). This rulemaking is in response to the Occupational Safety and Health Administration (OSHA’s) final rule on Beryllium created to prevent chronic beryllium disease and lung cancer in workers by limiting their exposure to beryllium and beryllium compounds. The rule is comprised of three standards, for General Industry 29 CFR 1910, Construction 29 CFR 1926, and Maritime 29 CFR 1915. The OSHA final rule takes effect May 20, 2017 with incremental effective dates to comply with some of the requirements over a 3-year period from OSHA’s original effective date. Since this final rule imposes additional or more stringent requirements on employers than existing OSHA standards, State Plans must adopt an “at least as effective as” standard or amendment to their existing standards, or show that they already have an existing “at least as effective” standard. The Department currently only has rules on Beryllium in Chapter 296-841 WAC Airborne Contaminants and Chapter 296-307 WAC Safety Standards for Agriculture. Each chapter includes the Permissible Exposure Limits (PELs) for the Airborne Contaminants Table which contains the PELs for beryllium and beryllium compounds (as Be). These tables may be updated as part of this rulemaking along with other standards that may be impacted. The new Beryllium standards would be incorporated into the 800 series.

#### DOSH eRules Phase X (Chapter 296-45 WAC Electric Power Generation, Transmission, and Distribution; Chapter 296-307 WAC Safety Standards for Agriculture)

#### Preproposal: 1/3/17

#### This rule is part of the Division of Occupational Safety and Health’s (DOSH) eRules project. This proposed rulemaking does not add or change requirements but will reformat rules to provide consistency in format and design and accessibility via mobile electronic devices. The preproposal will resolve stakeholder issues that have caused confusion for rule users by bringing one clear and consistent format to all of our rules. This preproposal will accomplish the following: - Consistent format for all DOSH safety and health rules. - Ability to use the DOSH website for 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 are removed and replaced with numbers and letters for easier referencing. - Enhances rule update efficiency for customers by allowing for faster updates through electronic postings. Rules that are anticipated to be amended in eRules Phase X include: Chapter 296-45 WAC Electric Power Generation, Transmission, and Distribution; Chapter 296-307 WAC Safety Standards for Agriculture.

#### Electric Power Generation, Transmission and Distribution (Chapter 296-45 WAC)

#### Preproposal: 6/20/17

#### The purpose of this rulemaking is to review chapter 296-45 WAC in order to comply with the DOSH eRules initiative, in addition to making necessary corrections to the rule that have been identified since the updated rule was effective May 3, 2016. The eRules portion of this rulemaking will provide a format consistent with all the other DOSH rules, and allow ease of access using the DOSH website. Additional corrections include correcting an error relating to hard hats, adding a reference in the scope of this rule to chapter 296-32 WAC, and updating notes inadvertently formatted as requirements. This rulemaking will also be incorporate additional housekeeping changes.