

DOSH RULES PROJECT TIMELINES as of November 10, 2011

*Please Note: These dates are subject to change.
All hearings are held in Tumwater unless otherwise noted.*

DOSH RULES IN THE LANGUAGE DEVELOPMENT STAGE

ABATEMENT: The Legislature passed ESSB 5068 relating to abatement of violations of the Washington Industrial and Safety Health Act during an appeal, which amends RCW 49.17.140. An appeal of any violations classified and cited as serious, willful, repeat serious, or failure to abate serious violations does not stay abatement dates and requirements, except under certain circumstances. The department will not grant a stay when it can determine that the preliminary evidence shows a substantial probability of death or serious harm to workers. *Preproposal 7-19-11, Proposal 10-18-11, Hearings 11-30-11 and 12-2-11, Adoption 1-3-12, Effective 2-12.*

ACCIDENT PREVENTION PROGRAM: We are also looking at the requirements for the Accident Prevention Program (APP) and updating and consolidating those requirements. *Suspended until 2012 per Executive Order 10-06.*

ADMINISTRATIVE RULES (MONETARY PENALTIES): The Occupational Safety and Health Administration (OSHA) is changing their policies and procedures for how they assess penalties. We will be required to modify our rules to ensure they are "at least as effective as" OSHA's new policies. *Preproposal 11-16-10, Proposal TBD, Hearing TBD, Adoption TBD, Effective TBD.*

CONSTRUCTION CRANES (PHASE 2): Following adoption of implementing rules for the state's crane safety law, OSHA adopted new rules and the general construction code rules for crane safety and personnel lifting, including rigging, are being reviewed for update and clear writing. *Preproposal 9-16-08, Proposal 7-27-11, Hearings 10-5,6,&11-11, Adoption 12-6-11, Effective 1-9-12*

ELECTRICAL: The department is proposing to conform our rule to OSHA requirements to be as effective as OSHA. OSHA revised their general industry electrical installation standard in 29 CFR 1910, because electrical hazards pose a significant risk of injury to employees, and these changes are reasonably necessary to provide protections. *Timeline TBD.*

EYE WASH: This rulemaking will change the definition of "corrosive" in Chapter 296-800 WAC, Safety and Health Core Rules so that it is identical to the definition of "corrosive" in Table 5 of Chapter 296-839 WAC, Content and Distribution of Material Safety Data Sheets (MSDSs) and Label Information. *Expedited Proposal 8-31-10, Suspended until 2012 per Executive Order 10-06.*

FALL PROTECTION FOR CONSTRUCTION: This is a clear rule writing effort and combines two parts of the construction safety code for clarity and ease of use. In addition, the department intends to clarify current language which has created confusion at worksites with respect to walking-working surfaces on roofs as recommended by a business and labor ad hoc committee. *Preproposal 4-4-06, Suspended until 2012 per Executive Order 10-06.*

FIRE FIGHTING: The fire fighting rules are being updated and rewritten for clarity, ease of use, and understanding with the assistance of a stakeholder group consisting of business, labor and the Fire Chiefs. *Preproposal 11-4-08, Proposal 8-31-10, Hearings 11-1 & 11-3-10, Suspended until 2012 per Executive Order 10-06.*

HAZARDOUS DRUGS: The Legislature passed ESSB 5594 relating to handling of hazardous drugs. The department will be doing rulemaking to incorporate rules according to the National Institute for Occupational Safety and Health (NIOSH) relating to handling of hazardous drugs. *Preproposal 7-19-11, Proposal 10-18-11, Hearings 11-28-11 & 12-1-11, Adoption 1-3-12, Effective 6-1-12.*

REDON (IN AGRICULTURE RULE): The Department is responding to a Federal Register notice where OSHA updated their respirator requirements for the controlled negative pressure REDON fit testing protocol. We are updating our rule to be identical to OSHA's rule. *Expedited Proposal 8-31-10, Suspended until 2012 per Executive Order 10-06.*

SAFETY AND HEALTH INVESTMENT PROJECTS (SHIP GRANTS): In the 2011 Legislative Session, the Legislature passed Engrossed House Bill (EHB) 2123 addressing the workers' compensation system. This rulemaking addresses the part of EHB 2123 which amended RCW 49.17 to provide permanent funding for the Safety and Health Investment Projects Grants Program. The amendments will be put into Washington Administrative Code (WAC) to make the rules consistent with the legislation and adopt the provisions dictated by statute. *Expedited Proposal 11-1-11, Adoption 1-18-12, Effective 3-1-12.*

SHIPYARDS: The Occupational Safety and Health Administration (OSHA) is changing their rules on working conditions in shipyards, which updates existing requirements to reflect advances in industry practices and technology and provides new protections from hazards that were not previously addressed, including the control of hazardous energy. We will be required to modify our rules to ensure they are "at least as effective as" OSHA's new policies. *Expedited Proposal 12-6-11, Adoption 2-21-12, Effective 6-1-12.*

TELECOMMUNICATIONS: The vertical code for the telecommunications industry is out-of-date and is being updated and rewritten for clarity, ease of use, and understanding. A business and labor ad hoc advisory process will be used. *Suspended until 2012 per Executive Order 10-06.*

TOEBOARDS: This rulemaking is being proposed to correct a numerical error in 296-155-505(7)(C)(i) specifying the minimum height of a toe board. Current language on the code revisers website says "nine inches in vertical height" and needs to say "a minimum of four inches nominal in vertical height" instead. The language on DOSH's website is correct. This change also makes the height language OSHA-identical. *Suspended until 2012 per Executive Order 10-06.*