



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do **NOT** use for expedited rule making

Agency: Department of Labor and Industries

Subject of possible rule making: Lead, WAC 296-62-07521 (General Industry) and WAC 296-155-176 through WAC 296-155-17654 (Construction)

Statutes authorizing the agency to adopt rules on this subject: RCW 49.17.010, RCW 49.17.040, RCW 49.17.050, RCW 49.17.060

Reasons why rules on this subject may be needed and what they might accomplish: DOSH initially denied a public petition in November of 2013 requesting that we update our lead rules in light of evolving scientific understanding of the hazards associated with lead exposure. At the time we wanted to gather more information and stakeholder input, and after a series of preliminary stakeholder meetings ending in February 2016 we have decided that there is enough interest and support for working with stakeholders to examine and determine ways to update current standards, many aspects of which are over twenty years old, to better protect Washington workers. As we are still in the early stages of the stakeholdering process the scope and extent of rulemaking is uncertain but possible areas of focus could include such things as changing Permissible Exposure Levels (PELs) based on scientific data, updating "housekeeping" standards including Personal Protective Equipment (PPE) and ventilation requirements for employers operating in areas where there is increased lead exposure, and updating reporting requirements for employers.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies: DOSH rules are at least as effective as those promulgated by OSHA.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

Parties interested in the formulation of these rules for proposal may contact the individual listed below. The public may also participate by commenting after amendments are proposed by providing written comments or giving oral testimony during the public hearing process.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

(List names, addresses, telephone, fax numbers, and e-mail of persons to contact; describe meetings, other exchanges of information, etc.)

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DATE
April 19, 2016

NAME (TYPE OR PRINT)
Joel Sacks

SIGNATURE

TITLE
Director

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