

DEPARTMENT OF ENERGY, LABOR, AND ECONOMIC GROWTH

DIRECTOR'S OFFICE

OCCUPATIONAL HEALTH STANDARDS

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 14 and 24 of 1974 PA 154, MCL 408.1014 and MCL 408.1024, and Executive Reorganization Orders Nos. 1996-2, 2003-1, 2008-4, and 2011-4, MCL 445.2001, 445.2011, 445.2025, and 445.2030)

PART 604. Chromium (VI) in Construction

R 325.51995 Scope and application.

Rule 1. (1) This standard applies to all occupational exposures to chromium (VI) in all forms and compounds in construction, except for any of the following:

(a) Exposures that occur in the application of pesticides regulated by the environmental protection agency or another federal or state government agency, such as the treatment of wood with preservatives.

(b) Exposures to portland cement.

(c) Where the employer has objective data demonstrating that a material containing chromium or a specific process, operation, or activity involving chromium cannot release dusts, fumes, or mists of chromium (VI) in concentrations at or above $0.5 \mu\text{g}/\text{m}^3$ as an 8-hour time-weighted average (TWA) under any expected conditions of use.

(2) This standard does not apply to general industry work as defined by 1974 PA 154 as amended, MCL 408.1001 to MCL 408.1094. Exposure to chromium (VI) in general industry work is covered by Occupational Health Standard Part 315 "Chromium (VI) in General Industry" as referenced in R 325.51997.

History: 2006 AACCS; 2016 AACCS.

R 325.51996 Adoption of federal standard.

Rule 2. (1) The federal occupational safety and health administration (OSHA) regulation 29 C.F.R. §1926.1126 "Chromium (VI)," amended March 26, 2012 is adopted by reference in these rules.

(2) As used in these rules, "Assistant secretary," means the director of the department of licensing and regulatory affairs or his or her designated representative.

(3) As used in these rules, "§1910.134" means Occupational Health Standard Part 451 "Respiratory Protection."

(4) As used in these rules, "§1910.1200," means Occupational Health Standard Part 430 "Hazard Communication."

(5) As used in these rules, "§1910.1020," means Occupational Health Standard Part 470 "Employee Medical Records and Trade Secrets."

(6) The federal regulation adopted in this rule has the same force and effect as a rule promulgated pursuant to the provisions of the Michigan Occupational Safety and Health Act (MIOSHA) 1974 PA 154, MCL 408.1001 to 408.1094.

History: 2006 AACS; 2010 AACS; 2016 AACS.

R 325.51997 Adopted and referenced standards.

Rule 3. (1)The OSHA standard 29 C.F.R. §1926.1126 “Chromium (VI),” amended March 26, 2012 is available from the United States Department of Labor, Occupational Safety and Health Administration website: www.osha.gov, at no charge, as of the time of adoption of these rules.

(2) The standard adopted in these rules is available for inspection at the Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 530 West Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143.

(3) The standard adopted in these rules may be obtained from the publisher or may be obtained from the Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 530 West Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143, at the cost charged in this rule, plus \$20.00 for shipping and handling.

(4) The following Michigan occupational safety and health administrative (MIOSHA) standards are referenced in these rules. Up to 5 copies of these standards may be obtained at no charge from the Michigan Department of Licensing and Regulatory Affairs, MIOSHA Regulatory Services Section, 530 West Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143; or via the internet at website: www.michigan.gov/mioshastandards. For quantities greater than 5, the cost, as of the time of adoption of these rules, is 4 cents per page.

(a) Occupational Health Standard Part 315 “Chromium (VI) in General Industry,” R 325.50141 to R 325.50143.

(b) Occupational Health Standard Part 430 “Hazard Communication,” R 325.77001 to R 325.77003.

(c) Occupational Health Standard Part 451 “Respiratory Protection,” R 325.60051 and R 325.60052.

(d) Occupational Health Standard Part 470 “Employee Medical Records and Trade Secrets,” R 325.3451 to R 325.3476.

History: 2006 AACS; 2010 AACS; 2016 AACS.