

DEPARTMENT OF CONSUMER AND INDUSTRY SERVICES

BUREAU OF SAFETY AND REGULATION

OCCUPATIONAL HEALTH STANDARDS COMMISSION

LEAD EXPOSURE IN CONSTRUCTION

(By authority conferred on the occupational health standards commission by sections 14 and 24 of Act No. 154 of the Public Acts of 1974, as amended, being SS408.1014 and 408.1024 of the Michigan Compiled Laws)

R 325.51991 Scope and application.

Rule 1. (1) These rules apply to all construction work as defined by the provisions of Act No. 154 of the Public Acts of 1974, as amended, being S408.1001 et seq. of the Michigan Compiled Laws. Construction work includes all of the following:

- (a) Demolition or salvage of structures where lead or materials containing lead are present.
  - (b) Removal or encapsulation of materials containing lead.
  - (c) New construction, alteration, repair, painting, decorating, or renovation of structures, substrates, or portions thereof that contain lead or materials containing lead.
  - (d) Installation of products containing lead.
  - (e) Lead contamination or emergency cleanup.
  - (f) Transportation, disposal, storage, or containment of lead or materials containing lead on the site or location at which construction activities are performed.
  - (g) Maintenance operations associated with the construction activities described in this paragraph.
- (2) These rules supersede R 325.2416 as it applies to lead.

History: 1993 AACCS.

R 325.51992 Adoption by reference of federal regulations.

Rule 2. (1) The federal occupational safety and health administration's regulations on lead exposure in construction that have been promulgated by the United States department of labor and codified at 29 C.F.R. §1926.62, which were published in the Federal Register on May 4, 1993, and which have an effective date of June 3, 1993, are adopted by reference in these rules as of the effective date of these rules. The regulations were amended on January 8, 1998, 29 C.F.R. §1926.62, volume 63, no. 5, pp. 1296 to 1297.

(2) The adopted federal regulations specified in subrule (1) of this rule have the same force and effect as a rule promulgated under 1974 PA 154, MCL 408.1001 et seq.

(3) All of the following provisions apply as of the effective date of these rules:

(a) A reference to 29 C.F.R. §1926.59, hazard communication, means occupational health rules for hazard communication, being R 325.77001 et seq. of the Michigan Administrative Code and construction safety standard Part 42. Hazard Communication, being R 408.44201 et seq. of the Michigan Administrative Code.

(b) A reference to 29 C.F.R. §1910.133, eye and face protection, means occupational health rules for personal protective equipment, being R 325.60001 et seq. of the Michigan Administrative Code, general industry safety standard Part 33. Personal Protective Equipment, being R 408.13301 et seq. of the Michigan Administrative Code, and construction safety standard Part 6. Personal Protective Equipment, being R 408.40601 et seq. of the Michigan Administrative Code.

(c) A reference to 29 C.F.R. §1910.20, access to employee exposure and medical records, means occupational health rules for employee medical records and trade secrets, being R 325.3451 et seq. of the Michigan Administrative Code.

(4) The adopted federal regulations specified in subrule (1) of this rule are available without cost as of the time of adoption of these rules from the United States Department of Labor, OSHA, 801 South

Waverly, Room 306, Lansing, Michigan 48917, or from the Michigan Department of Consumer and Industry Services, Standards Division, Post Office Box 30643, Lansing, Michigan 48909.

History: 1993 AACS; 1998-2000 AACS.