

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS

DIRECTOR'S OFFICE

CONSTRUCTION SAFETY STANDARDS

(By authority conferred on the director of the department of licensing and regulatory affairs by sections 19 and 21 of 1974 PA 154, MCL 408.1019 and 408.1021, and Executive Reorganization Order Nos. 1996-2, 2003-1, 2008-4, and 2011-4, MCL 445.2001, 445.2011, 445.2025, and 445.2030)

PART 42. HAZARD COMMUNICATION

R 408.44201 Scope and application.

Rule 4201. (1) These rules establish requirements to ensure that the hazards of all chemicals produced or imported by chemical manufacturers or importers are evaluated and that information concerning the hazards is transmitted to affected employers and communicated to employees. These rules establish requirements to ensure that markings, placards, and labels required on hazardous materials and explosives, both in transportation and at stationary facilities, are retained until the materials have been removed to the extent they no longer pose a hazard.

(2) The regulations adopted by R 408.44202 shall apply to all chemical manufacturers, chemical importers, and employers pursuant to the provisions of 29 C.F.R. S1926.59.

(3) The regulations adopted by R 408.44202 shall apply to workplaces pursuant to the provisions of 29 C.F.R. SS1926.60 and 1926.61.

(4) Section 14a(1) of Act No. 154 of the Public Acts of 1974, as amended, being S408.1014(a)(1) of the Michigan Compiled Laws, adopted the original federal standard by reference. In addition, sections 14b to 14l of Act No. 154 of the Public Acts of 1974, as amended, being SS408.1014b to 408.1014l of the Michigan Compiled Laws, set forth additional requirements for Michigan employers. The regulations adopted by R 408.44202 will have the force and effect of law, but only to the extent they are consistent with section 14a(1) of Act No. 154 of the Public Acts of 1974, as amended. If there is any inconsistency, section 14a(1) of Act No. 154 of the Public Acts of 1974, as amended, will control.

History: 1995 AACS.

R 408.44202 Hazard communication; adoption by reference; availability.

Rule 4202. (1) The federal occupational safety and health administration's regulations on hazard communication that have been promulgated by the United States department of labor and codified at 29 C.F.R. §1910.1200, revised as of May 25, 2012, are adopted by reference in these rules as of the effective date of these rules.

(2) The adopted federal regulations shall have the same force and effect as a rule promulgated under 1974 PA 154, MCL 408.1001 to 408.1094.

(3) The adopted federal regulations are available without cost as of the time of adoption of these rules from the United States Department of Labor, Occupational Safety and Health Administration, 315 West Allegan, Room 315, Lansing, Michigan 48933, or from the Michigan Department of Licensing and Regulatory Affairs, MIOSHA Standards Section, 7150 Harris Drive, P.O. Box. 30643, Lansing, Michigan 48909-8143, or via the internet at website www.osha.gov.

History: 1995 AACCS; 2012 AACCS.

R 408.44203 Retention of department of transportation markings, placards, and labels; adoption by reference; availability.

Rule 4203. (1) The federal occupational safety and health administration's regulations on retention of department of transportation markings, placards, and labels which have been promulgated by the United States department of labor and codified at 29 C.F.R. §1926.61 and §1928.21 and which were published in the Federal Register on June 20, 1996 and March 7, 1996, respectively, are adopted by reference in these rules as of the effective date of these rules.

(2) The adopted federal regulations shall have the force and effect as a rule promulgated under 1974 PA 154, MCL 408.1001 to 408.1094.

(3) The adopted federal regulations are available without cost as of the time of adoption of these rules from the United States Department of Labor, Occupational Safety and Health Administration, 315 West Allegan, Room 315, Lansing, Michigan 48933, or from the Michigan Department of Licensing and Regulatory Affairs, MIOSHA Standards Section, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan 48909-8143, or via the internet at website www.osha.gov.

History: 1995 AACCS; 2012 AACCS.