

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 that the materials do not 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. §1910.1200 and 29 C.F.R. §1926.59.

(3) The regulations adopted by R 408.44203 shall apply to workplaces pursuant to the provisions of 29 C.F.R. §1910.1201, 29 C.F.R. §1926.61, and 29 C.F.R. §1928.21.

(4) Section 14a(1) of 1974 PA 154, MCL 408.1014(1) adopted the original federal standard by reference. In addition, sections 14b to 14l of 1974 PA 154, MCL 408.1014b to 408.1014l, 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 1974 PA 154, MCL 408.1014a(1). If there is any inconsistency, section 14a(1) of 1974 PA 154, MCL 408.1014a(1) will control.

History: 1995 AACCS; 2014 AACCS.

R 408.44202 Hazard communication; adoption by reference.

Rule 4202. (1) The following federal occupational safety and health administration (OSHA) regulations from the Code of Federal Regulations are adopted by reference in these rules:

- (a) 29 C.F.R. §1910.1200 "Hazard Communication," February 8, 2013.
- (b) 29 C.F.R. §1926.59 "Hazard Communication," June 20, 1996.

(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.

History: 1995 AACCS; 2012 AACCS; 2014 AACCS.

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

Rule 4203. (1) The following federal occupational safety and health administration (OSHA) regulations from the Code of Federal Regulations are adopted by reference in these rules:

(a) 29 C.F.R. §1910.1201 “Retention of DOT markings, placards and labels,” July 19, 1994.

(b) 29 C.F.R. §1926.61 “Retention of DOT markings, placards and labels,” June 20, 1996.

(c) 29 C.F.R. §1928.21 “Applicability of Standards in 29 CFR Part 1910,” March 7, 1996.

(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.

History: 1995 AACCS; 2012 AACCS; 2014 AACCS.

R 408.44204 Availability of adopted rules.

Rule 4204. (1) The standards adopted in these rules are 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 standards adopted in these rules are also available for inspection at the Department of Licensing and Regulatory Affairs, MIOSHA Standards Section, 7150 Harris Drive, Lansing, Michigan, 48909-8143.

(3) The standards adopted in these rules may be obtained from the publisher or may also be obtained from the Department of Licensing and Regulatory Affairs, MIOSHA Standards Section, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan, 48909-8143, at the cost charged in this rule, plus \$20.00 for shipping and handling.

History: 2014 AACCS.