

**DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS**

**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 408.1024; and Executive Reorganization Order Nos. 1996-1, 1996-2, 2003-1, 2008-4, and 2011-4, MCL 330.3101, 445.2001, 445.2011, 445.2025, and 445.2030)

**PART 603. LEAD EXPOSURE IN CONSTRUCTION**

**R 325.51991 Scope and application.**

Rule 1. These rules apply to all construction work as defined by the Michigan Occupational Safety and Health Act (MIOSHA), 1974 PA 154, MCL 408.1001 to 408.1094. 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 rule.

History: 1993 AACCS; 2014 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 promulgated by the United States department of labor and codified at 29 C.F.R. §1926.62, "Lead Exposure in Construction," as amended on March 26, 2012, are adopted in these rules.

(2) The federal regulations adopted in subrule (1) of this rule have 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.

(3) All of the following provisions apply as used in these rules:

- (a) A reference to 29 C.F.R. §1926.59, "Hazard communication," in 29 C.F.R. 1926.62(d) means Occupational Health Standard Part 430 "Hazard Communication, and Construction Safety Standard Part 42 "Hazard Communication," as referenced in R 325.51993.

(b) A reference to 29 C.F.R. §1910.133, “Eye and face protection,” in 29 C.F.R. 1926.62(g) means Occupational Health Standard Part 433 “Personal Protective Equipment,” General Industry Safety Standard Part 33 “Personal Protective Equipment,” and Construction Safety Standard Part 6 “Personal Protective Equipment,” as referenced in R 325.51993.

(c) A reference to 29 C.F.R. §1910.20, “Access to employee exposure and medical records,” in 29 C.F.R. 1926.62(l) means Occupational Health Standard Part 470 “Employee Medical Records and Trade Secrets,” as referenced in R 325.51993.

History: 1993 AACCS; 1998-2000 AACCS; 2014 AACCS.

**R 325.51993. Obtaining adopted and referenced standards.**

Rule 3. (1) The OSHA regulations adopted in R 325.51992 are available from the United States Department of Labor, Occupational Safety and Health Administration, via the internet at website [www.osha.gov](http://www.osha.gov), at no charge as of the time of adoption of these rules.

(2) The standards adopted in R 325.51992 are also available for inspection at the Department of Licensing and Regulatory Affairs, MIOSHA Standards Section, 7150 Harris Drive, P.O. Box 30643, Lansing, Michigan, 48909-8143.

(3) Copies of the standards adopted in R 325.51992 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, plus \$20.00 for shipping and handling.

(4) The following Michigan occupational safety and health standards are referenced in R 325.51991 and R 325.51992. Up to 5 copies of these standards may be obtained at no charge from the Michigan Department of licensing and regulatory affairs, MIOSHA standards section, 7150 Harris Drive, P.O. Box 30643, Lansing, MI, 48909-8143 or via the internet at website: [www.michigan.gov/mioshastandards](http://www.michigan.gov/mioshastandards). For quantities greater than 5, the cost, at the time of adoption of these rules, is 4 cents per page.

(a) Construction Safety Standard Part 6 “Personal Protective Equipment,” R 408.40601 to R 408.40841.

(b) Construction Safety Standard Part 42 “Hazard Communication,” R 408.44201 to R 408.44203.

(c) General Industry Safety Standard Part 33 “Personal Protective Equipment,” R 408.13301 to R 408.13398.

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

(e) Occupational Health Standard Part 433 “Personal Protective Equipment,” R 325.60001 to R 325.60013.

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

History: 2014 AACCS.