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 91. PROCESS SAFETY MANAGEMENT OF HIGHLY HAZARDOUS CHEMICALS

R 408.49101. Scope.

Rule 9101. (1) This standard applies to the manufacturing of explosives and pyrotechnics. These rules do not apply to the sale and use, such as public displays, of pyrotechnics, commonly known as fireworks, or to the use of explosives in the form prescribed in the official United States pharmacopeia.

(2) The manufacture of explosives, as defined in General Industry Safety Standard Part 55 "Explosives and Blasting Agents," as referenced in R 408.49102, shall also be in compliance with the requirements contained in the provisions of these rules.

(3) The manufacture of pyrotechnics as defined in General Industry Safety Standard Part 55 "Explosives and Blasting Agents," as referenced in R 408.49102, shall be in compliance with the provisions of these rules.

History: 1993 AACS; 1998-2000 AACS; 2014 AACS; 2016 AACS.

R 408.49102. Adoption of standards by reference.

Rule 9102. (1) The following Federal Occupational Safety and Health Administration (OSHA) regulations are adopted by reference in these rules.

(a) 29 C.F.R. §1926.64 "Process safety management of highly hazardous chemicals," effective March 26, 2012.

(b) 29 C.F.R. §1926.64 Appendix A "List of highly hazardous chemicals, toxics and reactives (mandatory)," effective June 30, 1993.

(2) All of the following provisions apply with respect to the regulations adopted in this rule:

(a) A reference to 29 C.F.R. §1910.1200 "Hazard communication," and 29 C.F.R. §1926.59 "Hazard communication," means Occupational Health Standard Part 430 "Hazard Communication;" General Industry Safety Standard Part 92 "Hazard Communication;" and Construction Safety Standard Part 42 "Hazard Communication;" as referenced in R 408.49103.

(b) A reference to 29 C.F.R. §1926.65 “Hazardous waste operations and emergency response,” means Occupational Health Standard Part 432 “Hazardous Waste Operations and Emergency Response,” as referenced in R 408.49103.

(3) The provisions of 29 C.F.R. §1926.64 and 29 C.F.R. §1926.64 Appendix A have the same force and effect as rules promulgated under Michigan occupational safety and health act (MIOSHA), 1974 PA 154, MCL 408.1001 to 408.1094.

(4) The standards adopted in this rule 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.

(5) The standards adopted in this rule are 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.

(6) The standards adopted in this rule 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, plus $20.00 for shipping and handling.

History: 1993 AACS; 1998-2000 AACS; 2014 AACS; 2016 AACS.

R 408.49103. MIOSHA referenced standards.

Rule 3. The following Michigan occupational safety and health (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) Construction Safety Standard Part 42 “Hazard Communication,” R 408.44201 to R 408.44203.

(b) General Industry Safety Standard Part 92 “Hazard Communication,” R 408.19201 to R 408.19203.

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

(d) General Industry Safety Standard Part 55 “Explosives and Blasting Agents,” R 408.15501.

(e) Occupational Health Standard Part 432 “Hazardous Waste Operations and Emergency Response,” R 325.52101 to R 325.52137.

History: 2014 AACS; 2016 AACS.