

DEPARTMENT OF LABOR AND ECONOMIC OPPORTUNITY

DIRECTOR'S OFFICE

GENERAL INDUSTRY SAFETY AND HEALTH STANDARD

Filed with the secretary of state on April 6, 2021

These rules take effect immediately upon filing with the secretary of state unless adopted under section 33, 44, or 45a(6) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the secretary of state.

(By authority conferred on the director of the department of labor and economic opportunity by sections 14, 16, 19, 21, and 24 of the Michigan occupational safety and health act, 1974 PA 154, MCL 408.1014, 408.1016, 408.1019, 408.1021, and 408.1024, and Executive Reorganization Order Nos. 1996-1, 1996-2, 2003-1, 2008-4, 2011-4, and 2019-3, MCL 330.3101, 445.2001, 445.2011, 445.2025, 445.2030, and 125.1998)

R 325.51851 of the Michigan Administrative Code is amended, as follows:

PART 309. CADMIUM IN GENERAL INDUSTRY

R 325.51851 Scope, adoption, and availability of standards.

Rule 1. (1) These rules apply to all occupational exposures to cadmium and cadmium compounds, in all forms, and in all industries covered by the Michigan occupational safety and health act, 1974 PA 154, MCL 408.1001 to 408.1094, except the construction-related industries, which are covered under Construction Safety and Health Standard Part 609. "Cadmium in Construction."

(2) The following federal Occupational Safety and Health Administration (OSHA) regulations are adopted by reference in these rules:

(a) 29 CFR 1910.1027 "Cadmium," as amended February 18, 2020.

(b) 29 CFR 1910.1027, appendix A "Substance Safety Data Sheet - Cadmium," as amended April 23, 1993.

(c) 29 CFR 1910.1027, appendix B "Substances Technical Guidelines for Cadmium," as amended September 14, 1992.

(d) 29 CFR 1910.1027, appendix D "Occupational Health History Interview With Reference to Cadmium Exposure," as amended May 14, 2019.

(e) 29 CFR 1910.1027, appendix E "Cadmium in Workplace Atmospheres," as amended April 23, 1993.

(f) 29 CFR 1910.1027, appendix F "Nonmandatory Protocol for Biological Monitoring," as amended February 13, 1996.

(3) A reference to 29 CFR 1910.133 "Eye and face protection," means General Industry Safety and Health Standard Part 33. "Personal Protective Equipment."

(4) A reference to 29 CFR 1910.141 "Sanitation," means General Industry Safety and Health Standard Part 474. "Sanitation."

(5) A reference to 29 CFR 1910.1020 “Access to employee exposure and medical records,” means General Industry and Construction Safety and Health Standard Part 470. “Employee Medical Records and Trade Secrets.”

(6) A reference to 29 CFR 1910.1200 “Hazard Communication,” means Occupational Health Standard Part 430. “Hazard Communication.”

(7) A reference to 29 CFR 1910.134 “Respiratory Protection,” means General Industry and Construction Safety and Health Standard Part 451. “Respiratory Protection.”

(8) The adopted federal regulations have the same force and effect as a rule promulgated under the Michigan occupational safety and health act, 1974 PA 154, MCL 408.1001 to 408.1094.

(9) The OSHA regulations 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.

(10) The regulations adopted in these rules are available for inspection at the Department of Labor and Economic Opportunity, MIOSHA, Standards and FOIA Section, 530 West Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143.

(11) The regulations adopted in these rules may be obtained from the publisher or the Department of Labor and Economic Opportunity, MIOSHA, Standards and FOIA Section, 530 West Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143, at the cost charged in this rule, plus \$20.00 for shipping and handling.

(12) The following Michigan occupational safety and health administration (MIOSHA) standards are referenced in these rules. Up to 5 copies of these standards may be obtained at no charge from the Department of Labor and Economic Opportunity, MIOSHA, Standards and FOIA Section, 530 West Allegan Street, P.O. Box 30643, Lansing, Michigan, 48909-8143 or via the internet at the following 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) General Industry Safety and Health Standard Part 33. “Personal Protective Equipment,” R 408.13301 to R 408.13398.

(b) General Industry Safety and Health Standard Part 474. “Sanitation,” R 325.47401 to R 325.47425.

(c) General Industry and Construction Safety and Health Standard Part 470. “Employee Medical Records and Trade Secrets,” R 325.3451 to R 325.3476.

(d) Occupational Health Standard Part 430. “Hazard Communication,” R 325.77001 to R 325.77004.

(e) General Industry and Construction Safety and Health Standard Part 451. “Respiratory Protection,” R 325.60051 to R 325.60052.

(f) Construction Safety and Health Standard Part 609. “Cadmium in Construction,” R 325.60901 to R 325.60901.