

NOTICE OF PUBLIC HEARING
STATE OF MICHIGAN
DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
MICHIGAN OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (MIOSHA)

Construction Safety and Health Standard Part 14 Tunnels, Shafts, Caissons, and Cofferdams
(ORR# 2017-084 LR)

The Department of Licensing and Regulatory Affairs, Michigan Occupational Safety and Health Administration, will hold a public hearing at the following time and location to allow comment by interested persons on proposed changes to MIOSHA Construction Safety and Health Standard Part 14 Tunnels, Shafts, Caissons, and Cofferdams administrative rules:

Date: Wednesday, May 1, 2019
Time: 9:30 a.m.
Location: Ottawa Building
Upper Level Conference Room 6
611 West Ottawa Street,
Lansing, Michigan 48933

MIOSHA Construction Safety and Health Standard Part 14 Tunnels, Shafts, Caissons, and Cofferdams gives direction to employers and employees on protecting Michigan employees from health and safety hazards in the workplace when using tunnels, shafts, caissons, and cofferdams. The proposed rules are intended to continue to meet current OSHA requirements and to enhance the safety and health of employees through clarification of the following rules:

- R 408.41405 Applicability.
- R 408.41461(1) Advance notice of tunnel excavation.
- R 408.41471(8) Ground support; inspections; repairs.

In addition, a definition for “auger boring and jacking” is being added to R 408.41455(2) Definitions; A to H. Also, minor editorial and formatting changes are being made. The proposed rules are being amended to be more in line with the work that is being done by Michigan employers and employees.

These rules are being promulgated 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) The rules will take effect immediately upon filing with the Secretary of State, unless specified otherwise in the rules.

The rules are published in the *Michigan Register*. Copies of the proposed rules may be obtained from the Office of Regulatory Reinvention website at www.michigan.gov/orr. The proposed rules are available on the MIOSHA website in the *Spotlight* section at www.michigan.gov/mioshastandards. Copies of the proposed rules may be obtained by mail or electronically, when requested at the address below.

This Notice of Public Hearing is published pursuant to Section 42 of the Administrative Procedures Act, MCL 24.242. The hearing is being held to receive public comments on the proposed amendments to the administrative rules listed above. The hearing will be for the purpose of providing an opportunity for all interested persons to present statements, views, data, questions, or arguments concerning the proposed rules. The public hearing will continue until all parties present have had a reasonable opportunity to present statements regarding the proposed rules. Persons presenting statements may be asked questions by the staff, as well as by the presiding officer. Statements may be limited in duration by the presiding officer in order to ensure that all interested parties have an opportunity to participate in the proceedings.

Interested parties may submit written comments to the following address, no later than 5:00 p.m. on May 1, 2019. Written and electronic comments should be sent to the following address:

Michigan Department of Licensing and Regulatory Affairs
MIOSHA Technical Services Division, Regulatory Services Section
530 West Allegan Street - P.O. Box 30643 - Lansing MI 48909-8143
Telephone 517.284.7740 - Facsimile 517.284.7735 - E-mail: kloppt@michigan.gov

The hearing site is accessible, including handicap parking. People needing any accommodation to participate should contact Toscha Klopp at 517.284.7740 or kloppt@michigan.gov, at least 14 days in advance to request mobility, visual, hearing, or other assistance. Individuals attending the hearing are requested to refrain from using heavily scented personal care products, in order to enhance accessibility for everyone.