

Legislative Regulation Review Committee

2009-037

Department of Labor

**SAFETY & HEALTH STANDARDS FOR
GENERAL INDUSTRY**

REGULATIONS OF CONNECTICUT STATE AGENCIES
TITLE 31. LABOR
DEPARTMENT OF LABOR
OCCUPATIONAL SAFETY AND HEALTH STANDARDS

Section 1. Sec. 31-372-101-1910 of the Regulations of Connecticut State Agencies is amended by adding the following:

Section 31-372-101-1910. Safety and health standards for general industry

<u>Standard Affected</u>	<u>Subject</u>	<u>Fed. Reg. Date</u>	<u>Action</u>
Subpart A	Authority	12/12/08	Amended
1910.9	Compliance duties owed to each employee	12/12/08	Added
Subpart G	Authority	12/12/08	Amended
1910.95	Occupational noise exposure	12/12/08	Amended
Subpart I	Authority	12/12/08	Amended
1910.134	Respiratory protection.	12/12/08	Amended
Subpart L	Authority	12/12/08	Amended
1910.156	Fire brigades	12/12/08	Amended
Subpart Z	Authority	12/12/08	Amended
1910.1001	Asbestos	12/12/08	Amended
1910.1003	13 Carcinogens (4-Nitrobiphenyl, etc.)	12/12/08	Amended
1910.1017	Vinyl chloride	12/12/08	Amended
1910.1018	Inorganic arsenic	12/12/08	Amended
1910.1025	Lead	12/12/08	Amended
1910.1026	Chromium (VI)	12/12/08	Amended
1910.1027	Cadmium	12/12/08	Amended
1910.1028	Benzene	12/12/08	Amended
1910.1029	Coke oven emissions	12/12/08	Amended
1910.1030	Bloodborne pathogens	12/12/08	Amended
1910.1043	Cotton dust	12/12/08	Amended
1910.1044	1, 2-dibromo-3-chloropropane	12/12/08	Amended
1910.1045	Acrylonitrile	12/12/08	Amended
1910.1047	Ethylene oxide	12/12/08	Amended
1910.1048	Formaldehyde	12/12/08	Amended
1910.1050	Methylenedianiline	12/12/08	Amended
1910.1051	Butadiene	12/12/08	Amended
1910.1052	Methylene chloride	12/12/08	Amended

Sec. 2. Section 31-372-102-1915 of the Regulations of Connecticut State Agencies is amended by adding the following:

Section 31-372-102-1915. Safety and Health Regulations for Ship Repairing

<u>Standard Affected</u>	<u>Subject</u>	<u>Fed. Reg. Date</u>	<u>Action</u>
1915	Authority	12/12/08	Amended
Subpart A			
1915.9	Compliance duties owed to each employee	12/12/08	Added
Subpart Z			
1915.1001	Asbestos	12/12/08	Amended
1915.1026	Chromium (IV)	12/12/08	Amended

Sec. 3. Section 31-372-104-1917 of the Regulations of Connecticut State Agencies is amended by adding the following:

Section 31-372-104-1917. Safety and health standards for Shipbreaking

<u>Standard Affected</u>	<u>Subject</u>	<u>Fed. Reg. Date</u>	<u>Action</u>
1917 Subpart A	Authority	12/12/08	Amended
1917.5	Compliance duties owed to each employee	12/12/08	Amended

Sec. 4. Section 31-372-105-1918 of the Regulations of Connecticut State Agencies is amended by adding the following:

Section 31-372-105-1918. Safety and Health Regulations for Longshoring

<u>Standard Affected</u>	<u>Subject</u>	<u>Fed. Reg. Date</u>	<u>Action</u>
1918	Authority	12/12/08	Amended
1918.5	Compliance duties owed to each employee	12/12/08	Amended

Sec. 5. Section 31-372-107-1926 of the Regulations of Connecticut State Agencies is amended by adding the following:

Section 31-372-107-1926. Safety and Health Regulations for Construction

<u>Standard Affected</u>	<u>Subject</u>	<u>Fed. Reg. Date</u>	<u>Action</u>
Subpart C	Authority	12/12/08	Amended
1926.20	General safety and health provisions	12/12/08	Amended
Subpart D	Authority	12/12/08	Amended
1926.60	Methylenedianiline	12/12/08	Amended
1926.62	Lead	12/12/08	Amended
Subpart R	Authority	12/12/08	Amended
1926.761	Training	12/12/08	Amended
Subpart Z	Authority	12/12/08	Amended
1926.1101	Asbestos	12/12/08	Amended
1926.1126	Chromium (IV)	12/12/08	Amended
1926.1127	Cadmium	12/12/08	Amended

Statement of Purpose: The adoption by reference of these revisions to the Federal Occupational Safety and Health Standards will serve to update Connecticut Occupational Safety and Health Standards in accordance with Section 31-372 of the Connecticut General Statutes. On December 12, 2008, the federal Occupational Safety and Health Administration published its intent to adopt revisions to specified standards relating to vertical tandem lifts. The standard revisions became effective in private sector employment on January 12, 2009.

Conn. Gen. Stat. 31-372 requires, as an element of Connecticut's approved Public Sector-Only State Plan, that the Department of Labor's Occupational Safety and Health Division (CONN-OSHA) adopt all occupational health and safety standards, amendments or changes adopted or recognized by the United States Secretary of Labor under the authority of the Occupational Safety and Health Act of 1970.

These proposed adoptions by reference clarify that an employer's existing responsibility to provide personal protective equipment (PPE) and training pertains to each and every employee. The amendments add no new compliance obligations, but simply clarify that the requirements apply to each employee.

The clarification of an employer's existing responsibility to provide personal protective equipment and training programs to each employee attaches to a number of safety and health standards presently in place, thus ensuring the health and safety and of these employees.

Section One of the proposed regulations directly cites the federal clarification for health and safe standards for the general industry and amends twenty-one existing standards by directly applying the clarification to each of them. These standards are: occupational noise exposure, respiratory protection, fire brigades, asbestos, 13 Carcinogens (4-Nitrobiphenyl, etc.), vinyl chloride, inorganic arsenic, lead, chromium (VI), cadmium, benzene, coke oven emissions, bloodborne pathogens, cotton dust, 1, 2-dibromo-3-chloropropane, acrylonitrile, ethylene oxide, formaldehyde, methylenedianiline, butadiene, and methylene chloride.

Section 2 of the proposed regulations of the proposed regulations directly cites the federal clarification for health and safe standards for the ship repairing industry and amends two existing standards by directly applying the clarification to each of them. These standards are: asbestos, and chromium (IV).

Section 3 of the proposed regulations directly cites the federal clarification for health and safe standards for the ship breaking industry.

Section 4 of the proposed regulations directly cites the federal clarification for health and safe standards for the long shoring industry.

Section 5 of the proposed regulations directly cites the federal clarification for health and safe standards for the construction industry and amends seven existing standards by directly applying the clarification to each of them. These standards are: general safety and health provisions, methylenedianiline, lead, training, asbestos, chromium (IV), and cadmium.

CERTIFICATION

R-39 REV. 1/77

Be it known that the foregoing:

Regulations Emergency Regulations

Are:

Adopted Amended as hereinabove stated Repealed

By the aforesaid agency pursuant to:

Section 31-372 of the General Statutes.

Section _____ of the General Statutes, as amended by Public Act No. _____ of the _____ Public Acts.

Public Act No. _____

After publication in the Connecticut Law Journal on March 17, 2009 of the notice of the proposal to:

Adopt Amend Repeal such regulations

(If applicable): And the holding of an advertised public hearing on April 15, 2009.

WHEREFORE, the foregoing regulations are hereby:

Adopted Amended as hereinabove stated Repealed

Effective:

When filed with the Secretary of the State.

(OR)

_____ the _____ day of _____ 2008.

In Witness Whereof: | Date _____ | Signed (Head of Board, Agency or Commissioner) | Official Title, Duly Authorized

4/21/09 [Signature]

Approved by the Attorney General as to legal sufficiency | Signed _____ | Official Title, Duly in accordance with Sec. 4-169, as amended, C.G.S. | Authorized

Will B. Hill 5/14/09 ASSOC. ATTY GENERAL

Approved

Disapproved

Disapproved in part, (Indicate Section Numbers disapproved only)

Rejected without prejudice

By the Legislative Regulation Review Committee in accordance | Date _____ | Signed (Clerk of the Legislative with Sec. 4-170, as amended, of the General Statutes Regulation Review Committee)

Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal Publications in accordance with Section 4-172, as amended, of the General Statutes.

Date _____ | Signed (Secretary of the State) _____ | By _____

Instructions

1. One copy of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the Attorney General for his determination of legal sufficiency. Section 4-169 of the General Statutes.
2. Seventeen copies of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the standing Legislative Regulation Review Committee for its approval. Section 4-170 of the General Statutes.
3. Each regulation must be in the form intended for publication and must include the appropriate regulation section number and section heading. Section 4-172 of the General Statutes.
4. Indicate by "(NEW)" in heading if new regulation. Amended regulation must contain new language in capital letters and deleted language in brackets. Section 4-170 of the General Statutes.