

Legislative Regulation Review Committee

2010-031

Department of Labor

**ADOPTION BY REFERENCE OF REVISIONS
TO THE SAFETY AND HEALTH STANDARDS**

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 1910.6	Authority Incorporation by reference	9/9/09 9/9/09	Amended Amended
Subpart G 1910.94	Ventilation	9/9/09	Amended
Subpart I 1910.133	Authority Eye and face protection	9/9/09 9/9/09	Amended Amended
1910.135	Head protection	9/9/09	Amended
1910.136	Foot protection	9/9/09	Amended
Appendix B	Non-Mandatory Compliance Guidelines for Hazard Assessment And Personal Protective Equipment Selection	9/9/09	Amended
Subpart Q 1910.252	General requirements	9/9/09	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>
Subpart A 1915.5	Incorporation by reference	9/9/09	Amended
Subpart I 1915.153	Eye and face protection	9/9/09	Amended
1915.155	Head protection	9/9/09	Amended
1915.156	Foot protection	9/9/09	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	Authority	9/9/09	Amended
Subpart A 1917.3	Incorporation by reference	9/9/09	Amended
Subpart E 1917.91	Eye and face protection	9/9/09	Amended
1917.93	Head protection	9/9/09	Amended
1917.94	Foot protection	9/9/09	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 Subpart A	Authority	9/9/09	Amended
1918.3	Incorporation by reference	9/9/09	Amended
1918.101	Eye and face protection	9/9/09	Amended
1918.103	Head protection	9/9/09	Amended
1918.104	Foot protection	9/9/09	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 September 9, 2009, the federal Occupational Safety and Health Administration published its intent to adopt revisions to specified standards to updating the standards based on National Consensus Standards pertaining to personal protective equipment. The standard revisions became effective in private sector employment on October 9, 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.

OSHA standards relating to personal protective equipment (PPE) require that PPE (such as eye-protective and face-protective devices, head protection, and foot protection) comply with national consensus standards incorporated by reference into the OSHA standards, unless the employer demonstrates that a piece of equipment is as effective as equipment that complies with the incorporated national consensus standard. These design requirements are intended to insure that employees use PPE that will protect them from hazards in the workplace. These proposed adoptions by reference update the references to national consensus standards in the PPE sections of the general industry, shipyard employment, longshoring, and marine terminals rules to explicitly allow employers to use PPE constructed in accordance with the most recent national consensus standards.

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 January 12, 2010 of the notice of the proposal to:

Adopt Amend Repeal such regulations

(If applicable): And the holding of an advertised public hearing on February 2, 2010.

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 4-22-10 | Signed [Signature] (Head of Board, Agency or Commissioner) | Official Title, Duly Authorized

Approved by the Attorney General as to legal sufficiency | Signed [Signature] | Official Title, Duly in accordance with Sec. 4-169, as amended, G.S. 5/14/10 Authorized

- 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 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.