

CHAPTER 5205
DEPARTMENT OF LABOR AND INDUSTRY
OCCUPATIONAL SAFETY AND HEALTH STANDARDS

5205.0010 ADOPTION OF FEDERAL OCCUPATIONAL SAFETY AND HEALTH STANDARDS BY REFERENCE.

5205.0650 SCOPE.

5205.0730 WINDOW CLEANING; BUILDING MAINTENANCE.

5205.0010 ADOPTION OF FEDERAL OCCUPATIONAL SAFETY AND HEALTH STANDARDS BY REFERENCE.

[For text of subps 1 and 1a, see M.R.]

Subp. 2. **Part 1910.** Part 1910: Occupational Safety and Health Standards as published in Volume 43, No. 206 of the Federal Register on October 24, 1978, and corrected in Volume 43, No. 216 on November 7, 1978, which incorporates changes, additions, deletions, and corrections made up to November 7, 1978; and subsequent changes as follows:

[For text of items A to E, see M.R.]

F. Federal Register, Volume 48:

[For text of subitems (1) to (4), see M.R.]

(5) Federal Register, Vol. 48, No. 228, pages 53282-53348, dated 11/25/83; "Hazard Communication; Final Rule."

[For text of items G and H, see M.R.]

I. Federal Register, Volume 51:

[For text of subitems (1) to (7), see M.R.]

(8) Federal Register, Vol. 51, No. 189, pages 34590-34597, dated September 30, 1986; "Hazard Communication; Definition of Trade Secret and Disclosure of Trade Secrets to Employees, Designated Representatives and Nurses; Final Rule."

(9) Federal Register, Vol. 51, No. 201, dated October 17, 1986; "Occupational Exposure to Asbestos, Tremolite, Anthophyllite, and Actinolite (1910.1101); Partial Administrative Stay of Final Rules and Redesignation and Amendment of Final Rule."

(10) Federal Register, Vol. 51, No. 244, dated December 19, 1986; "Hazardous Waste Operations and Emergency Response (1910.120); Interim Final Rule."

J. Federal Register, Volume 52:

[For text of subitems (1) to (3), see M.R.]

(4) Federal Register, Vol. 52, No. 163, pages 31852-31886, dated August 24, 1987; "Occupational Safety and Health Administration; Hazard Communication; Final Rule."

(5) Federal Register, Vol. 52, No. 176, dated September 11, 1987; "Occupational Exposure to Benzene (1910.1028); Final Rule."

(6) Federal Register, Vol 52, No. 187, dated September 28, 1987; "Revision of Telecommunications Training Records (1910.268); Final Rule."

(7) Federal Register, Vol. 52, No. 233, dated December 4, 1987; "Occupational Exposure to Formaldehyde (1910.1048); Final Rule."

(8) Federal Register, Vol. 52, No. 251, dated December 31, 1987; "Grain Handling Facilities (1910.272); Final Rule."

[For text of item K, see M.R.]

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L. Federal Register, Volume 54:

(1) Federal Register, Vol. 54, No. 12, dated January 19, 1989; "Air Contaminants (1910.1000) - Final Rule."

(2) Federal Register, Vol. 54, No. 30, pages 6886-6888, dated February 15, 1989; "Hazard Communication; Final Rule; Technical Amendments; Notice Regarding Enforcement."

(3) Federal Register, Vol. 54, No. 42, dated March 6, 1989; "Hazardous Waste Operations and Emergency Response (1910.120) - Final Rule."

(4) Federal Register, Vol. 54, No. 127, dated July 5, 1989; "Air Contaminants (1910.1000); Corrections to Final Rule."

(5) Federal Register, Vol. 54, No. 131, dated July 11, 1989; "Occupational Exposure to Lead (1910.1025); Statement of Reasons-Final Rule."

(6) Federal Register, Vol. 54, No. 133, dated July 13, 1989; "Occupational Exposure to Formaldehyde (1910.1048); Corrections and Technical Amendments to Final Rule."

(7) Federal Register, Vol. 54, No. 133, dated July 13, 1989; "Occupational Exposure to Asbestos (1910.1001); Approval of Collection of Information Requirements."

(8) Federal Register, Vol. 54, No. 139, dated July 21, 1989; "Occupational Exposure to Asbestos, Tremolite, Anthophyllite, and Actinolite; Extension of Partial Stay and Amendment of Final Rule (1910.1001 and 1910.1101)."

(9) Federal Register, Vol. 54, No. 144, dated July 28, 1989; "Powered Platforms for Building Maintenance (1910.66)-Final Rule."

(10) Federal Register, Vol. 54, No. 146, dated August 1, 1989; "Occupational Exposure to Formaldehyde (1910.1048); Correction."

(11) Federal Register, Vol. 54, No. 166, dated August 29, 1989; "Occupational Exposure to Formaldehyde (1910.1048); Extension of Administrative Stay."

(12) Federal Register, Vol. 54, No. 169, dated September 1, 1989; "Control of Hazardous Energy Sources - Lockout/Tagout (1910.147)."

(13) Federal Register, Vol. 54, No. 170, dated September 5, 1989; "Air Contaminants; Final Rule - Grant of Petitions for Reconsideration of Three Exposure Limits and Partial Stays of Effective Dates for Four Substances (1910.1000)."

(14) Federal Register, Vol. 54, No. 174, dated September 11, 1989; "Occupational Exposure to Formaldehyde (1910.1048); Correction."

(15) Federal Register, Vol. 54, No. 193, dated October 6, 1989; "Air Contaminants (1910.1000); Final Rule Partial Stay of Effective Date for Two Substances."

(16) Federal Register, Vol. 54, No. 199, dated October 17, 1989; "Control of Hazardous Energy Sources - Lockout/Tagout (1910.147); Final Rule Approval of Information Collection Requirements."

(17) Federal Register, Vol. 54, No. 213, dated November 6, 1989; "Control of Hazardous Energy Sources - Lockout/Tagout (1910.147); Final Rule Extension of Effective Date."

(18) Federal Register, Vol. 54, No. 219, dated November 15, 1989; "Air Contaminants; Final Rule Corrections."

(19) Federal Register, Vol. 54, No. 233, dated December 6, 1989; "Air Contaminants; Final Rule Partial Stay of Effective Date for Two Substances."

(20) Federal Register, Vol. 54, No. 243, dated December 20, 1989; "Occupational Exposure to Asbestos, Tremolite, Anthophyllite, and Actinolite (1910.1001); Partial Response to Court Remand."

[For text of items M to P, see M.R.]

Q. Federal Register, Volume 59:

(1) Federal Register, Vol. 59, No. 20, dated January 31, 1994, "Electric Power Generation, Transmission and Distribution; Electrical Protective Equipment."

(2) Federal Register, Vol. 59, No. 27, pages 6126-6184, dated February 9, 1994; "Hazard Communication; Final Rule," with the exception of 1910.1200 (b)(6)(xi) and (xii).

(3) Federal Register, Vol. 59, No. 63, dated April 1, 1994, "Grain Handling Facilities; Final Decision Statement."

(4) Federal Register, Vol. 59, No. 66, dated April 6, 1994, "Personal Protective Equipment for General Industry; Final Rule."

(5) Federal Register, Vol. 59, No. 96, dated May 19, 1994: "Permit-Required Confined Spaces; Final Rule; Technical Amendment."

(6) Federal Register, Vol. 59, No. 125, dated June 30, 1994, "Electric Power Generation, Transmission, and Distribution; Electrical Protective Equipment; Final Rule--Stay of Enforcement of Certain Provisions and Correction."

(7) Federal Register, Vol. 59, No. 126, dated July 1, 1994, "Personal Protective Equipment for General Industry; Final Rule; Corrections."

(8) Federal Register, Vol. 59, No. 128, dated July 6, 1994, "Personal Protective Equipment for General Industry; Final Rule; Administrative Stay."

(9) Federal Register, Vol. 59, No. 137, dated July 19, 1994, "Retention of DOT Markings, Placards, and Labels (1910.1201); Final Rule."

(10) Federal Register, Vol. 59, No. 152, dated August 9, 1994, "Safety Standards for Fall Protection in the Construction Industry; Final Rule and Amended Reference in 1910.269(g)(2)(i)."

(11) Federal Register, Vol. 59, No. 153, dated August 10, 1994, "Occupational Exposure to Asbestos (1910.1001); Final Rule."

(12) Federal Register, Vol. 59, No. 161, dated August 22, 1994, "Hazardous Waste Operations and Emergency Response (1910.120 and 1926.65); Amendments to Final Rule."

(13) Federal Register, Vol. 59, No. 196, dated October 12, 1994, "Logging Operations, Final Rule (1910.266) and Amendment to 1910.269(r)(5)."

(14) Federal Register, Vol. 59, No. 213, dated November 4, 1994: "Permit-Required Confined Spaces; Final Rule; Technical Amendment to Preamble."

(15) Federal Register, Vol. 59, No. 245, pages 65947-65948, dated December 22, 1994; "Hazard Communication; Correction."

[For text of items R to GG, see M.R.]

HH. Federal Register, Volume 76:

(1) Federal Register, Vol. 76, No. 84, pages 24576-24711, dated May 2, 2011: "General Working Conditions in Shipyard Employment; Final rule."

(2) Federal Register, Vol. 76, No. 110, pages 33590-33612, dated June 8, 2011: "Standards Improvement Project - Phase III."

(3) Federal Register, Vol. 76, No. 233, pages 75782-75786, dated December 5, 2011: "Revising Standards Referenced in the Acetylene Standard; Direct Final Rule; request for comment."

II. Federal Register, Volume 77:

(1) Federal Register, Vol. 77, No. 46, pages 13969-13970, dated March 8, 2012: "Revising Standards Referenced in the Acetylene Standard; Final Rule; confirmation of effective date."

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(2) Federal Register, Vol. 77, No. 58, pages 17574-17896, dated March 26, 2012: "Hazard Communication: Final Rule," with the exception of 1910.1200 (b)(6)(xi) and (xii).

Subp. 3. **Part 1915.** Part 1915: Occupational Safety and Health Standards for Shipyard Employment as published in Volume 47, No. 76 of the Federal Register on April 20, 1982; all changes made prior to December 31, 1986, which consolidated Part 1915 and Part 1916; technical amendments and redesignations published in Volume 58, No. 125, of the Federal Register on July 1, 1993; and additional changes as follows:

[For text of item A, see M.R.]

B. Federal Register, Vol. 52, No. 163, pages 31852-31886, dated August 24, 1987; "Hazard Communication; Final Rule."

C. Federal Register, Vol. 54, No. 30, pages 6886-6888, dated February 15, 1989; "Hazard Communication; Final Rule; Technical Amendments; Notice Regarding Enforcement."

D. Federal Register, Vol. 57, No. 178, dated September 14, 1992: "Occupational Exposure to Cadmium (1915.1027); Final Rule."

E. Federal Register, Vol. 57, No. 211, dated October 30, 1992: "Occupational Exposure to Cadmium (1915.1027); Approval of Information Collection Requirements."

F. Federal Register, Vol. 58, No. 77, dated April 23, 1993, "Occupational Exposure to Cadmium; Corrections and Amendments to Final Rule."

G. Federal Register, Vol. 59, No. 1, dated January 3, 1994, "Occupational Safety and Health Standards for Cadmium in Shipyard Employment and Construction; Final Rule; Miscellaneous Corrections and Technical Amendments."

H. Federal Register, Vol. 59, No. 27, pages 6126-6184, dated February 9, 1994; "Hazard Communication; Final Rule," with the exception of 1910.1200 (b)(6)(xi) and (xii).

I. Federal Register, Vol. 59, No. 137, dated July 19, 1994, "Retention of DOT Markings, Placards, and Labels (1915.100); Final Rule."

J. Federal Register, Vol. 59, No. 141, dated July 25, 1994, "Confined and Enclosed Spaces and Other Dangerous Atmospheres in Shipyard Employment; Final Rule."

K. Federal Register, Vol. 59, No. 153, dated August 10, 1994, "Occupational Exposure to Asbestos (1915.1001); Final Rule."

L. Federal Register, Vol. 59, No. 245, pages 65947-65948, dated December 22, 1994; Hazard Communication; Correction."

M. Federal Register, Vol. 60, No. 34, dated February 21, 1995: "Occupational Exposure to Asbestos (1915.1001), Final Rule; Extension of Start-up Dates for Compliance."

N. Federal Register, Vol. 60, No. 40, dated March 1, 1995: "Occupational Exposure to Asbestos (1915.1001), Correction."

O. Federal Register, Vol. 60, No. 51, dated March 16, 1995: "Confined and Enclosed Spaces and Other Dangerous Atmospheres in Shipyard Employment (1915.12, 1915.14, and 1915.15); Final Rule, Correction."

P. Federal Register, Vol. 60, No. 124, dated June 28, 1995: "Occupational Exposure to Asbestos (1915.1001), Final Rule; Extension of Start-up Dates for Compliance."

Q. Federal Register, Vol. 60, No. 125, dated June 29, 1995: "Occupational Exposure to Asbestos (1915.1001); Corrections to Final Rule."

R. Federal Register, Vol. 60, No. 134, dated July 13, 1995: "Occupational Exposure to Asbestos (1915.1001); Corrections to Final Rule."

S. Federal Register, Vol. 60, No. 189, dated September 29, 1995: "Occupational Exposure to Asbestos (1915.1001), Final Rule; Amendments."

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T. Federal Register, Vol. 61, No. 46, page 9228, dated March 7, 1996: "Miscellaneous Minor and Technical Amendments; Final Rule; Corrections and Technical Amendments."

U. Federal Register, Vol. 61, No. 102, page 26322, dated May 24, 1996: "Personal Protective Equipment for Shipyard Employment (PPE); Final Rule."

V. Federal Register, Vol. 61, No. 115, page 29957, dated June 13, 1996: "Personal Protective Equipment for Shipyard Employment (PPE); Final Rule; Corrections."

W. Federal Register, Vol. 61, No. 120, page 31427, dated June 20, 1996: "Consolidation of Repetitive Provisions; Technical Amendments; Final Rule; Technical Amendments and Recodifications."

X. Federal Register, Vol. 61, No. 165, page 43454, dated August 23, 1996: "Occupational Exposure to Asbestos, Tremolite, Anthophyllite and Actinolite; Final Rule: corrections."

Y. Federal Register, Vol. 61, No. 214, page 56746, dated November 4, 1996: "Occupational Exposure to 1,3-Butadiene; Final Rule."

Z. Federal Register, Vol. 62, No. 7, page 1494, dated January 10, 1997: "Occupational Exposure to Methylene Chloride; Final Rule."

AA. Federal Register, Vol. 62, No. 119, page 33547, dated June 20, 1997: "Personal Protective Equipment for Shipyard Employment; Effective Date and Office of Management and Budget Control Numbers Under Paperwork Reduction Act; Final Rule; amendment; announcement of effective date and OMB approval of information collection requirements."

BB. Federal Register, Vol. 63, No. 53, page 13338, dated March 19, 1998: "Office of Management and Budget Control Numbers Under Paperwork Reduction Act for Miscellaneous General Industry, Shipyard Employment and Construction Industry Rules and Regulations; Final Rule; Amendments and Announcements of OMB Approval of Information Collection Requirements."

CC. Federal Register, Vol. 63, No. 124, page 35137, dated June 29, 1998: "Occupational Exposure to Asbestos; Final Rule."

DD. Federal Register, Vol. 63, No. 230, page 66238, dated December 1, 1998: "Powered Industrial Truck Operator Training; Final Rule."

EE. Federal Register, Vol. 64, No. 80, page 22552, dated April 27, 1999: "Powered Industrial Truck Operator Training; Correction to Final Rule."

FF. Federal Register, Vol. 67, No. 128, pages 44533-44546, dated July 3, 2002: "Occupational Safety and Health Standards for Shipyard Employment; final rule; technical amendments."

GG. Federal Register, Vol. 69, No. 178, pages 55668-55708, dated September 15, 2004: "Fire Protection in Shipyard Employment; final rule."

HH. Federal Register, Vol. 70, No. 3, pages 1112-1144, dated January 5, 2005: "Standards Improvement Project - Phase II; final rule."

II. Federal Register, Volume 71:

(1) Federal Register, Vol. 71, No. 39, pages 10110-10385, dated February 28, 2006: "Occupational Exposure to Hexavalent Chromium; final rule."

(2) Federal Register, Vol. 71, No. 164, pages 50122-50192, dated August 24, 2006: "Assigned Protection Factors; Final Rule."

(3) Federal Register, Vol. 71, No. 200, pages 60843-60847, dated October 17, 2006: "Updating National Consensus Standards in OSHA's Standard for Fire Protection in Shipyard Employment; direct final rule."

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JJ. Federal Register, Vol. 72, No. 1, pages 7-8, dated January 3, 2007: "Updating National Consensus Standards in OSHA's Standard for Fire Protection in Shipyard Employment; final rule; confirmation of effective date."

KK. Federal Register, Vol. 73, No. 240, pages 75567-75589, dated December 12, 2008: "Clarification of Employer Duty to Provide Personal Protective Equipment and Train Each Employee; Final Rule."

LL. Federal Register, Vol. 74, No. 173, pages 46350-46361, dated September 9, 2009: "Updating OSHA Standards Based on National Consensus Standards; Personal Protective Equipment; Final rule."

MM. Federal Register, Volume 75:

(1) Federal Register, Vol. 75, No. 51, pages 12681-12686, dated March 17, 2010: "Revising the Notification Requirements in the Exposure Determination Provisions of the Hexavalent Chromium Standards; Direct Final rule."

(2) Federal Register, Vol. 75, No. 93, pages 27188-27189, dated May 14, 2010: "Revising the Notification Requirements in the Exposure Determination Provisions of the Hexavalent Chromium Standards; Final rule; confirmation of effective date."

NN. Federal Register, Volume 76:

(1) Federal Register, Vol. 76, No. 84, pages 24576-24711, dated May 2, 2011: "General Working Conditions in Shipyard Employment; Final rule."

(2) Federal Register, Vol. 76, No. 110, pages 33590-33612, dated June 8, 2011: "Standards Improvement Project - Phase III."

OO. Federal Register, Vol. 77, No. 58, pages 17574-17896, dated March 26, 2012: "Hazard Communication: Final Rule," with the exception of 1910.1200 (b)(6)(xi) and (xii).

Subp. 4. **Part 1917.** Part 1917: Safety and Health Standards for Marine Terminals as published in Volume 48, No. 129 of the Federal Register on July 5, 1983; and subsequent changes as follows:

A. Federal Register, Vol. 52, No. 163, pages 31852-31886, dated August 24, 1987; "Hazard Communication; Final Rule."

B. Federal Register, Vol. 52, No. 186, dated September 25, 1987; "Servicing of Single Piece and Multipiece Rim Wheels at Marine Terminals (1917.44); Final Rule."

C. Federal Register, Vol. 52, No. 251, dated December 31, 1987; "Grain Handling Facilities (1917.1 and 1917.72-[removed]); Final Rule."

D. Federal Register, Vol. 54, No. 30, pages 6886-6888, dated February 15, 1989; "Hazard Communication; Final Rule; Technical Amendments; Notice Regarding Enforcement."

E. Federal Register, Vol. 59, No. 27, pages 6126-6184, dated February 9, 1994; "Hazard Communication; Final Rule," with the exception of 1910.1200 (b)(6)(xi) and (xii).

F. Federal Register, Vol. 59, No. 137, dated July 19, 1994, "Retention of DOT Markings, Placards, and Labels (1917.29); Final Rule."

G. Federal Register, Vol. 59, No. 245, pages 65947-65948, dated December 22, 1994; "Hazard Communication; Correction."

H. Federal Register, Vol. 62, No. 143, page 40142, dated July 25, 1997: "Longshoring and Marine Terminals; Final Rule."

I. Federal Register, Vol. 63, No. 230, page 66238, dated December 1, 1998: "Powered Industrial Truck Operator Training; Final Rule."

J. Federal Register, Vol. 64, No. 80, page 22552, dated April 27, 1999: "Powered Industrial Truck Operator Training; Correction to Final Rule."

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K. Federal Register, Vol. 64, No. 166, page 46846, dated August 27, 1999: "Powered Industrial Truck Operator Training; Final Rule; Stay of Compliance Dates."

L. Federal Register, Vol. 76, No. 110, pages 33590-33612, dated June 8, 2011: "Standards Improvement Project - Phase III."

M. Federal Register, Vol. 71, No. 39, pages 10110-10385, dated February 28, 2006: "Occupational Exposure to Hexavalent Chromium; final rule."

N. Federal Register, Volume 73:

(1) Federal Register, Vol. 73, No. 238, pages 75246-75290, dated December 10, 2008: "Longshoring and Marine Terminals; Vertical Tandem Lifts; Final Rule."

(2) Federal Register, Vol. 73, No. 240, pages 75567-75589, dated December 12, 2008: "Clarification of Employer Duty to Provide Personal Protective Equipment and Train Each Employee; Final Rule."

O. Federal Register, Vol. 74, No. 173, pages 46350-46361, dated September 9, 2009: "Updating OSHA Standards Based on National Consensus Standards; Personal Protective Equipment; Final rule."

P. Federal Register, Vol. 76, No. 110, pages 33590-33612, dated June 8, 2011: "Standards Improvement Project - Phase III."

Subp. 5. **Part 1918.** Part 1918: Safety and Health Regulations for Longshoring as published in Part II, Volume 39, No. 119 of the Federal Register on June 19, 1974, incorporating changes, additions, deletions and corrections made up to June 3, 1974; and subsequent changes as follows:

A. Federal Register, Vol. 42, No. 141, dated 7/22/77; "Commercial Diving Operations, adding 1918.99."

B. Federal Register, Vol. 52, No. 163, pages 31852-31886, dated August 24, 1987; "Hazard Communication; Final Rule."

C. Federal Register, Vol. 43, No. 88, dated 5/5/78; "Occupational Exposure to Benzene; supersedes standards in Part 1918."

D. Federal Register, Vol. 54, No. 30, pages 6886-6888, dated February 15, 1989; "Hazard Communication; Final Rule; Technical Amendments; Notice Regarding Enforcement."

E. Federal Register, Vol. 59, No. 27, pages 6126-6184, dated February 9, 1994; "Hazard Communication; Final Rule," with the exception of 1910.1200 (b)(6)(xi) and (xii).

F. Federal Register, Vol. 59, No. 137, dated July 19, 1994, "Retention of DOT Markings, Placards, and Labels (1918.100); Final Rule."

G. Federal Register, Vol. 59, No. 245, pages 65947-65948, dated December 22, 1994; "Hazard Communication; Correction."

H. Federal Register, Vol. 62, No. 143, page 40142, dated July 25, 1997: "Longshoring and Marine Terminals; Final Rule."

I. Federal Register, Vol. 63, No. 230, page 66238, dated December 1, 1998: "Powered Industrial Truck Operator Training; Final Rule."

J. Federal Register, Vol. 64, No. 80, page 22552, dated April 27, 1999: "Powered Industrial Truck Operator Training; Correction to Final Rule."

K. Federal Register, Vol. 64, No. 166, page 46846, dated August 27, 1999: "Powered Industrial Truck Operator Training; Final Rule; Stay of Compliance Dates."

L. Federal Register, Vol. 76, No. 110, pages 33590-33612, dated June 8, 2011: "Standards Improvement Project - Phase III."

M. Federal Register, Vol. 71, No. 39, pages 10110-10385, dated February 28, 2006: "Occupational Exposure to Hexavalent Chromium; final rule."

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N. Federal Register, Volume 73:

(1) Federal Register, Vol. 73, No. 238, pages 75246-75290, dated December 10, 2008: "Longshoring and Marine Terminals; Vertical Tandem Lifts; Final Rule."

(2) Federal Register, Vol. 73, No. 240, pages 75567-75589, dated December 12, 2008: "Clarification of Employer Duty to Provide Personal Protective Equipment and Train Each Employee; Final Rule."

O. Federal Register, Vol. 74, No. 173, pages 46350-46361, dated September 9, 2009: "Updating OSHA Standards Based on National Consensus Standards; Personal Protective Equipment; Final rule."

P. Federal Register, Vol. 76, No. 110, pages 33590-33612, dated June 8, 2011: "Standards Improvement Project - Phase III."

Subp. 6. **Part 1926.** Part 1926: Construction Safety and Health Regulations as published in Part VII, Volume 44, No. 29 of the Federal Register on February 9, 1979, which incorporates changes, additions, deletions, and corrections made up to October 17, 1978, the incorporation and redesignation of the regulatory text of the General Industry Occupational Safety and Health Standards (29 CFR Part 1910) that have been identified as applicable to construction work as published in the Federal Register, Volume 58, No. 124, dated June 30, 1993, and corrected in Volume 58, No. 143, dated July 28, 1993; and additional changes as follows:

[For text of items A and B, see M.R.]

C. Federal Register, Volume 52:

(1) Federal Register, Vol. 52, No. 163, pages 31852-31886, dated August 24, 1987; "Hazard Communication; Final Rule."

(2) Federal Register, Vol. 52, No. 187, dated September 28, 1987; "Revision of Construction Industry Test and Inspection Records (1926.500, 1926.552, and 1926.903); Final Rule."

(3) Federal Register, Vol. 52, No. 233, dated December 4, 1987; "Occupational Exposure to Formaldehyde--1926.55."

[For text of item D, see M.R.]

E. Federal Register, Volume 54:

(1) Federal Register, Vol. 54, No. 30, pages 6886-6888, dated February 15, 1989; "Hazard Communication; Final Rule; Technical Amendments; Notice Regarding Enforcement."

(2) Federal Register, Vol. 54, No. 105, dated June 2, 1989: "Underground Construction (1926.800) Final Rule."

(3) Federal Register, Vol. 54, No. 139, dated July 21, 1989: "Occupational Exposure to Asbestos, Tremolite, Anthophyllite, and Actinolite (1926.58); Extension of Partial Stay and Amendment of Final Rule."

(4) Federal Register, Vol. 54, No. 192, dated October 5, 1989: "Concrete and Masonry Construction Safety Standards (Subpart O of 29 CFR Part 1926); Final Rule Technical Amendment."

(5) Federal Register, Vol. 54, No. 209, dated October 31, 1989: "Excavations (Subpart P of 29 CFR Part 1926)."

(6) Federal Register, Vol. 54, No. 243, dated December 20, 1989: "Occupational Exposure to Asbestos, Tremolite, Anthophyllite, and Actinolite (1926.58); Partial Response to Court Remand."

[For text of items F to I, see M.R.]

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J. Federal Register, Volume 59:

(1) Federal Register, Vol. 59, No. 1, dated January 3, 1994, "Occupational Safety and Health Standards for Cadmium in Shipyard Employment and Construction; Final Rule; Miscellaneous Corrections and Technical Amendments."

(2) Federal Register, Vol. 59, No. 27, pages 6126-6184, dated February 9, 1994; "Hazard Communication; Final Rule," with the exception of 1910.1200 (b)(6)(xi) and (xii).

(3) Federal Register, Vol. 59, No. 137, dated July 19, 1994, "Retention of DOT Markings, Placards, and Labels (1926.61); Final Rule."

(4) Federal Register, Vol. 59, No. 152, dated August 9, 1994, "Safety Standards for Fall Protection in the Construction Industry."

(5) Federal Register, Vol. 59, No. 153, dated August 10, 1994, "Occupational Exposure to Asbestos (1926.1101); Final Rule."

(6) Federal Register, Vol. 59, No. 161, dated August 22, 1994, "Hazardous Waste Operations and Emergency Response (1910.120 and 1926.65); Amendments to Final Rule."

(7) Federal Register, Vol. 59, No. 245, pages 65947-65948, dated December 22, 1994; "Hazard Communication; Correction."

[For text of items K to V, see M.R.]

W. Federal Register, Vol. 76, No. 110, pages 33590-33612, dated June 8, 2011: "Standards Improvement Project - Phase III."

Subp. 7. **Part 1928.** Part 1928: Occupational Safety and Health Standards for Agriculture as published in Part II, Volume 40, No. 81 of the Federal Register on April 25, 1975, and subsequent changes as follows:

[For text of items A to D, see M.R.]

E. Federal Register, Vol. 52, No. 163, pages 31852-31886, dated August 24, 1987; "Hazard Communication; Final Rule."

F. Federal Register, Volume 53, No. 185, dated September 23, 1988; "Occupational Exposure to Asbestos, Tremolite, Anthophyllite, and Actinolite; Corrections to September 14, 1988 Federal Register notice."

G. Federal Register, Vol. 54, No. 30, pages 6886-6888, dated February 15, 1989; "Hazard Communication; Final Rule; Technical Amendments; Notice Regarding Enforcement."

H. Federal Register, Volume 58, No. 77, dated April 23, 1993, "Occupational Exposure to Cadmium (1928.1027)."

I. Federal Register, Vol. 59, No. 27, pages 6126-6184, dated February 9, 1994; "Hazard Communication; Final Rule," with the exception of 1910.1200 (b)(6)(xi) and (xii).

J. Federal Register, Vol. 59, No. 137, dated July 19, 1994, "Retention of DOT Markings, Placards, and Labels (1928.21); Final Rule."

K. Federal Register, Vol. 59, No. 196, dated October 12, 1994, "Logging Operations, Final Rule (1928.21(a)(3))."

L. Federal Register, Vol. 76, No. 110, pages 33590-33612, dated June 8, 2011: "Standards Improvement Project - Phase III."

M. Federal Register, Vol. 70, No. 249, pages 76979-77025, dated December 29, 2005: "Roll-Over Protective Structures; direct final rule."

N. Federal Register, Volume 71:

(1) Federal Register, Vol. 71, No. 39, Page 9909, dated February 28, 2006: "Roll-Over Protective Structures; final rule; confirmation of effective date."

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(2) Federal Register, Vol. 71, No. 139, pages 41127-41161, dated July 20, 2006: "Roll-Over Protective Structures; Final Rule; Corrections and Technical Amendments."

O. Federal Register, Vol. 76, No. 110, pages 33590-33612, dated June 8, 2011: "Standards Improvement Project - Phase III."

Statutory Authority: *MS s 182.655*

History: *36 SR 567; 37 SR 364*

5205.0650 SCOPE.

Parts 5205.0650 to 5205.0720 apply to building and in plant maintenance and repair necessary to maintain buildings and equipment in safe operating condition.

Statutory Authority: *MS s 182.655*

History: *36 SR 874*

5205.0730 WINDOW CLEANING; BUILDING MAINTENANCE.

Subpart 1. **Scope.** This standard applies to all window cleaning operation, building maintenance operation, or a combination of both, that is performed on the inside or outside of any building, structure, or skyway, when the work is performed at a level that is suspended more than 14 feet above grade or on an adjoining flat roof or other flat surface. This requirement does not apply to a window washing operation or building maintenance operation that is performed from grade level or from a ladder supported at grade.

Subp. 2. **Definitions.** The terms used in this part have the meanings given them in this subpart.

A. "Building maintenance" means operations such as window cleaning, caulking, metal polishing, reglazing, and general maintenance on building surfaces.

B. "Building owner" means a person who exercises control over any management relating to a building or facility, or both, in which window cleaning operations or maintenance operations covered by this standard take place.

C. "Competent person" means an experienced and trained individual who is capable of identifying existing and predictable hazards in the surroundings or working conditions that are hazardous or dangerous to employees, and who has authorization to take prompt corrective measures to eliminate the hazards.

D. "Lifeline" means a flexible line for connection to an anchorage at one end to hang vertically (vertical lifeline), or for connection to anchorages at both ends to stretch horizontally (horizontal lifeline), and which serves as a means for connecting other components of a personal fall-arrest system to the anchorage.

E. "Person" means an individual or legal entity, including a lessee.

F. "Qualified individual" means an individual who, by possession of a recognized degree, certificate, or professional standing, and who by extensive knowledge, training, and experience has successfully demonstrated the ability to solve or resolve problems relating to the equipment and systems pertaining to the work or project, and the development of plans for the work or project.

G. "Rope descent system" means an assembly of components that supports one employee in a chair or seat board and allows the user to descend in a controlled manner and to stop at any time at a desired level of descent. A rope descent system is a variation of the single-point adjustable suspension scaffold, which is also known as a controlled descent device, controlled descent equipment, or controlled descent apparatus.

H. "Window cleaning" means operations such as window washing, window restoration, window scraping, window sealing, waxing, or metal polishing, or any combination of the six.

Subp. 3. **Written plan.** Any person performing window cleaning operations or building maintenance operations shall provide a written plan developed by the employer or qualified individual before the work begins. The written plan shall be reviewed with the employees doing the work and the building owner or the building owner's operating agent. The written plan shall include the following:

- A. the location of work where workers may utilize suspended equipment, and where workers are exposed to falls and other known hazards;
- B. the identification of hazardous areas or drop zones, and safety features to be used, which shall include self-rescue;
- C. a step-by-step procedure on the control of each hazardous area or drop zone; and
- D. an on-site evaluation of the plan implementation by the employer or a qualified individual.

Subp. 4. **Building exterior; visual inspection.** Prior to using any equipment, the building exterior shall be visually inspected by a competent person and appropriate measures shall be taken to ensure that building features such as sharp edges of parapets, window frames, ledges, cornices, or overhangs cannot impair the structural integrity of the rope descent system, or other suspension equipment, and any associated fall-protection rigging. Padding shall be secured in a manner that prevents the padding from dislodging from the surface to be protected. A written signed log of the inspection shall be maintained on site for the duration of the operation and retained by the employer for one year.

Subp. 5. **Anchorage.** A qualified individual shall determine that there are identified and certified anchorages for:

- A. independent safety lines; tiebacks for outriggers, parapet clamps, and cornice hooks; and powered and manual boatswain's chairs;
- B. descent systems; and
- C. lifelines.

The building owner or its representative shall provide written documentation of the identified and certified anchorages to window cleaning contractors and building maintenance contractors. Building owners shall not allow suspended work to be performed at their facility, and window cleaning contractors and building maintenance contractors shall not perform suspended work at a facility, until a qualified individual has determined that there are identified and certified anchorages for items A to C.

Subp. 6. **Rope descent systems.**

- A. The use of a rope descent system is prohibited for heights greater than 300 feet unless the qualified individual can demonstrate that access cannot otherwise be attained safely and practicably.
- B. When a rope descent system is used, each employer and competent person shall:
 - (1) ensure the use of equipment according to the instructions, warnings, and design limitations of the manufacturer and distributor;
 - (2) inspect all equipment in every rope descent system prior to its use for each day used, and remove damaged equipment from service;
 - (3) inspect equipment after each descent and when moved to a new area or location to ensure the rope descent system is properly assembled before descending again. Damaged equipment shall be removed from service;
 - (4) ensure the use of proper rigging, including structural anchorages and tiebacks, with a particular emphasis on providing tiebacks when counterweights, cornice hooks, and parapet clamps, or similar nonpermanent anchorages, are used;

(5) ensure the use of a separate, independent personal fall-arrest system with a separate anchorage point;

(6) ensure that all lifelines are capable of sustaining a minimum tensile load of 5,000 pounds;

(7) provide for prompt rescue of employees in the event of a fall, which shall include self-rescue;

(8) ensure ropes are effectively padded where they contact edges of the building, anchorage, obstructions, and other surfaces which might cut or weaken the rope as required by subpart 4;

(9) provide for stabilization at the specific work location when descents are greater than 130 feet;

(10) prohibit window cleaning or building maintenance when the work area is exposed to excessive wind. Excessive wind is considered to be any wind which constitutes a hazard to a worker, the public, or property;

(11) require each employee to secure equipment, such as tools, squeegees, or buckets by a tool lanyard or similar method to prevent equipment from falling;

(12) protect suspension ropes and lifelines from exposure to open flames, hot work, corrosive chemicals, or other destructive conditions; and

(13) prepare a written daily log of each of subitems (1) to (12), which shall be signed by the competent person and maintained on site for the duration of the operation, and retained for one year thereafter.

Subp. 7. Fall protection.

A. Fall protection, perimeter guarding, personal fall-arrest systems, or personal fall-restraint systems shall be provided by the employer for every employee in all work areas that expose the employee to a fall hazard.

B. Each employee using a rope descent system shall be protected from falling four feet or more to lower levels by a personal fall-arrest system.

C. Employees shall wear and completely assemble their personal fall-arrest equipment, and be securely tied back prior to approaching the point of suspension.

Subp. 8. Training requirements.

A. The employer shall provide training for each employee who uses personal fall-protection equipment. The training shall enable each employee to recognize fall hazards and the procedures to be followed to minimize those hazards.

B. The employer shall ensure that each employee is trained by a qualified individual or competent person. The employee shall be trained in the following areas:

(1) the nature of fall hazards in the work area;

(2) the correct procedures for erecting, maintaining, disassembling, and inspecting the fall-protection systems to be used;

(3) the use, operation, and limitations of personal fall-protection systems, including proper hookup, anchoring, and tie-off techniques; methods of use; and proper methods of equipment inspection and storage as recommended by the manufacturer; and

(4) the use and operation of self-rescue equipment or systems.

C. The employer shall ensure that each employee is trained in the proper care, use, and inspection of equipment covered by this part before the employee is permitted to use the equipment.

D. The employer shall ensure that each employee who uses a rope descent system is trained and retrained as necessary in the proper rigging and safe use of the equipment.

E. The employer shall retrain an employee when any of the following occur:

(1) changes in the workplace render previous training invalid;

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(2) changes in the types of fall-protection systems or equipment to be used render previous training invalid; or

(3) inadequacies in an affected employee's knowledge or use of fall-protection systems or equipment indicate that the employee has not retained the requisite understanding or skill.

F. The employer shall provide information and training to each employee in a manner that is understandable to that employee.

G. The employer shall maintain training records, which shall include:

(1) the dates training was conducted;

(2) the name, title, and qualifications of the person who conducted the training;

(3) the names and job titles of the employees who completed the training; and

(4) a brief summary or outline of the information that was included in the training.

Statutory Authority: *MS s 182.655*

History: *36 SR 874*