

DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS

Amendments to Chapters 12-64.1, 12-73.1,
12-145.1, 12-146, 12-147, 12-148.1, 12-170, 12-202,
and 12-206
Hawaii Administrative Rules

Date

1. Section 12-64.1-1, Hawaii Administrative Rules, is amended to read as follows:

"§12-64.1-1 Incorporation of federal standard.

Title 29, Code of Federal Regulations, Subpart I, entitled "Personal Protective Equipment", published by the Office of the Federal Register, National Archives and Records Administration, on June 27, 1974; and the amendments published on October 24, 1978; February 10, 1984; April 6, 1984; June 30, 1993; January 31, 1994; April 6, 1994; June 30, 1994; July 1, 1994; March 7, 1996; May 2, 1996; May 9, 1996; January 8, 1998; April 23, 1998; August 4, 2004; [and] April 3, 2006[,]; and August 24, 2006, are made a part of this chapter." [Eff 9/30/94; am 8/10/95; am 11/16/96; am 2/8/97; am 7/6/98; am 3/29/99; 05/05/05; am 9/01/05; am 12/21/2006; am] (Auth: HRS §396-4) (Imp: HRS §396-4)

2. Section 12-73.1-1, Hawaii Administrative Rules, is amended to read as follows:

"§12-73.1-1 Roll-over protective structures (ROPS) for tractors used in agricultural operations.

[(a) 29 CFR 1910.178 Powered industrial trucks, shall not apply to agricultural operations.

(b) Material handling equipment and agricultural tractors used in agriculture shall meet the following requirements.

- (1) Equipment manufactured after October 25, 1976 shall be equipped with roll-over protective structures (ROPS) meeting the minimum performance standards prescribed in subsection (e) below.
- (2) Equipment manufactured on or before October 25, 1976, shall be equipped with ROPS that meet the minimum performance standards prescribed in subsections (e) or (f) below, as applicable, when operated by an employee under any one of these conditions:
 - (A) Parallel to and within 3 feet of a slope steeper than 3 feet horizontal to 1 foot vertical; or
 - (B) Within 3 feet of a vertical or nearly vertical drop-off exceeding 1 foot in height; or
 - (C) On any grade exceeding 15 per cent (10 feet horizontal to 1-1/2 feet vertical).
- (3) When ROPS are required by this section, the employer shall:
 - (A) Provide each tractor with an operational seatbelt which meets the requirements of this paragraph;
 - (B) Ensure that each employee is trained in the use of and uses the seatbelt when the tractor is on or moving; and
 - (C) Ensure that each employee tightens the seatbelt sufficiently to confine the employee to the protected area provided by the ROPS.
- (4) Each seatbelt shall meet the requirements set forth in SAE Standard J4c, except as noted hereafter. (Copies may be obtained from the Society of Automotive Engineers, 400 Commonwealth Drive, Warrendale, PA 15096).
 - (A) Where a suspended seat is used, the seatbelt shall be fastened to the movable portion of the seat to

accommodate the ride motion of the operator;

- (B) The seatbelt anchorage shall be capable of withstanding a static tensile load of 1,000 pounds (453.6 kg) at 45 degrees to the horizontal equally divided between the anchorages. The seat mounting shall be capable of withstanding this load plus a load equal to 4 times the weight of all applicable seat components applied at 45 degrees to the horizontal in a forward and upward direction. In addition, the seat mounting shall be capable of withstanding a 500 pound (226.8 kg) belt load plus 2 times the weight of all applicable seat components both applied at 45 degrees to the horizontal in an upward and rearward direction. Floor and seat deformation is acceptable provided there is no structural failure or release of the seat adjusting mechanism or other locking device.
 - (C) The seatbelt webbing material shall have a resistance to acids, alkalis, mildew, aging, moisture, and sunlight equal to or better than that of untreated polyester fiber.
- (5) Batteries, fuel tanks, oil reservoirs, and coolant systems shall be constructed and located, or sealed, to minimize the possibility of spillage which may come in contact with the operator in the event of an upset.
 - (6) All sharp edges and corners at the operator's station shall be designed to minimize operator injury in the event of an upset.
 - (7) Paragraphs (1) and (2) above do not apply to:

- (A) "Low profile" tractors while they are used in orchards, vineyards, or hop yards where the vertical clearance requirements would substantially interfere with normal operations, and while their use is incidental to the work performed;
 - (B) "Low profile" tractors while used inside a farm building or greenhouse in which the vertical clearance is insufficient to allow a ROPS equipped tractor to operate, and while their use is incidental to the work performed; and
 - (C) Tractors while used with mounted equipment which is incompatible with ROPS (e.g., Mark II seed cutters, Vee-cutters, four-wheel drive sprayers, S75 harvesters, Stubenberg buggies, two and four line planters, and Toft harvesters).
- (8) When ROPS are removed for any reason, they shall be remounted so as to meet the requirements of this subsection.
- (c) Each ROPS shall have a label, permanently affixed to the structure, which states:
- (1) Manufacturer's or fabricator's name and address;
 - (2) ROPS model number, if any;
 - (3) Tractor makes, models, or series numbers that the structure is designed to fit; and
 - (4) That the ROPS model was tested in accordance with the Society of Automotive Engineer's requirements.
- (d) Every employee who operates an agricultural tractor shall be informed of the safe operating practices dictated by the work environment. Such information shall be provided at the time of initial assignment and as necessary thereafter.
- (e) Roll-over protective structures for wheel-type agriculture tractors shall meet the test

procedures and performance requirements of SAE Standard J1194.

(f) Overhead protection for wheel-type agriculture tractors shall meet the test procedures and performance requirements of SAE Standard J167a.] Incorporation of federal standard. Title 29, Code of Federal Regulations, Part 1928 entitled "Occupational Safety and Health Standards For Agriculture", Subpart C, entitled "Roll-Over Protective Structures" published by the Office of the Federal Register, National Archives and Records Administration, on April 25, 1975; March 7, 1996; April 9, 2004; December 29, 2005; and July 20, 2006, are made a part of this chapter." [Eff 12/29/01; am 4/29/02; am] (Auth: HRS §396-4)(Imp: HRS §396-4)

3. Section 12-145.1-1, Hawaii Administrative Rules, is amended to read as follows:

"§12-145.1-1 Incorporation of federal standard. Title 29, Code of Federal Regulations, section 1926.58, entitled "Asbestos, tremolite, anthophyllite, and actinolite", published by the Office of the Federal Register, National Archives and Records Administration, on June 20, 1986; and the amendments published on October 17, 1986; April 30, 1987; May 12, 1987; July 20, 1988; September 14, 1988; June 7, 1989; July 21, 1989; December 20, 1989; February 5, 1990; August 24, 1990; December 10, 1990; June 8, 1992; June 30, 1992; August 10, 1994 (redesignated as section 1926.1101); February 21, 1995; March 1, 1995; June 28, 1995; June 29, 1995; July 13, 1995; September 29, 1995; August 23, 1996; January 8, 1998; April 3, 1998; June 29, 1998; January 5, 2005; [and] April 3, 2006[,]; and August 24, 2006, are made a part of this chapter, except as provided in section 12-145.1-2." [Eff 8/10/95; am 1/26/96; am 11/16/96; am 2/8/97; am 7/6/98; am 3/29/99; am 3/31/06; am 12/21/2006; am] (Auth: HRS §396-4)(Imp: HRS §396-4)

4. Section 12-146-1, Hawaii Administrative Rules, is amended to read as follows:

"§12-146-1 Incorporation of federal standard.

Title 29, Code of Federal Regulations, chapter 1926.60, entitled "Methylenedianiline", published by the Office of the Federal Register, National Archives and Records Administration, on August 10, 1992; and the amendments published on June 20, 1996; January 8, 1998; December 6, 2004; January 5, 2005; [and] April 3, 2006[,]; and August 24, 2006, are made a part of this chapter, except as provided in section 12-146-2." [Eff 2/26/93; am 11/16/96; am 7/6/98; am 9/1/05; am 3/31/06; am 12/21/2006; am] (Auth: HRS §396-4) (Imp: HRS §396-4)

5. Section 12-147-1, Hawaii Administrative Rules, is amended to read as follows:

"§12-147-1 Incorporation of federal standard.

Title 29, Code of Federal Regulations, section 1926.63, entitled "Cadmium", published by the Office of the Federal Register, National Archives and Records Administration, on September 14, 1992, and the amendments published on April 23, 1993; January 3, 1994 (redesignated as section 1926.1127); June 20, 1996; January 8, 1998; January 5, 2005; [and] April 3, 2006[,]; and August 24, 2006, are made a part of this chapter, except as provided in section 12-147-2." [Eff 2/26/93; am 11/5/93; am 7/25/94; am 8/10/95; am 11/16/96; am 7/6/98; am 3/31/06; am 12/21/2006; am] (Auth: HRS §396-4)(Imp: HRS §396-4)

6. Section 12-148.1-1, Hawaii Administrative Rules, is amended to read as follows:

"§12-148.1-1 Incorporation of federal standard.

Title 29, Code of Federal Regulations, section 1926.62, entitled "Lead", published by the Office of the Federal Register, National Archives and Records

Administration, on May 4, 1993, and the amendments published on June 24, 1993; January 8, 1998; January 5, 2005; [and] April 3, 2006[,]; and August 24, 2006, are made a part of this chapter, except as provided in section 12-148.1-2." [Eff 11/5/93; am 8/10/95; am 7/6/98; am 3/31/06; am 12/21/2006; am] (Auth: HRS §396-4) (Imp: HRS §396-4)

7. Section 12-170-1, Hawaii Administrative Rules, is amended to read as follows:

"§12-170-1 Incorporation of federal standard.

Title 29, Code of Federal Regulations, Part 1915 entitled "Occupational Safety and Health Standards for Shipyard Employment", published by the Office of the Federal Register, National Archives and Records Administration, on April 20, 1982; and the amendments published on April 30, 1984; July 7, 1986; September 29, 1986; August 24, 1987; April 27, 1988; February 15, 1989; June 7, 1989; September 14, 1992; October 30, 1992; April 23, 1993; January 3, 1994; February 9, 1994; July 19, 1994; July 25, 1994; August 10, 1994; December 22, 1994; February 21, 1995; March 16, 1995; June 28, 1995; June 29, 1995; July 13, 1995; September 29, 1995; February 13, 1996; March 7, 1996; May 24, 1996; June 13, 1996; June 20, 1996; August 23, 1996; November 4, 1996; January 10, 1997; June 20, 1997; March 19, 1998; June 29, 1998; December 1, 1998; March 1, 1999; July 3, 2002; September 15, 2004; January 5, 2005; March 21, 2005; February 28, 2006; [and] April 3, 2006[,]; August 24, 2006; and October 17, 2006, are made a part of this chapter." [Eff 3/23/01; am 1/10/03; am 9/01/05; am 3/31/06; am 12/21/2006; am] (Auth: HRS §396-4) (Imp: HRS §396-4)

8. Section 12-202-3.1, Hawaii Administrative Rules, is amended to read as follows:

"§12-202-3.1 Access to employee exposure and medical records. (a) Incorporation of federal standard. Title 29, Code of Federal Regulations, section 1910.1020, entitled "Access to employee exposure and medical records", published by the Office of the Federal Register, National Archives and Records Administration, on September 29, 1988; and the amendments published on December 13, 1988; June 7, 1989; June 28, 1990; March 7, 1996, and redesignated June 20, 1996[,]; and April 3, 2006, are made a part of this section, except as provided in subsection (b).

(b) Definitions. As used in 29 CFR section 1910.1020 and applied to this section:

"§1913.10" means chapter 12-55." [Eff 12/29/00; am 12/21/2006; am] (Auth: HRS §396-4) (Imp: HRS §396-4)

Historical note: §12-202-3.1 is based substantially upon section 12-202-3. [Eff 7/12/82; am 6/16/84; am 3/22/91; R 12/29/00]

9. Section 12-202-28.1, Hawaii Administrative Rules, is amended to read as follows:

"§12-202-28.1 Vinyl Chloride. (a) Incorporation of federal standard. Title 29, Code of Federal Regulations, section 1910.1017, entitled "Vinyl Chloride", published by the Office of the Federal Register, National Archives and Records Administration, on October 4, 1974; and the amendments published on December 3, 1974; March 25, 1975; Redesignated May 28, 1975; Amendments October 24, 1975; May 23, 1980; June 7, 1989; June 30, 1993; February 13, 1996; January 8, 1998; June 18, 1998; January 5, 2005; [and] April 3, 2006[,]; and August 24, 2006, are made a part of this section, except as provided in subsection (b).

(b) Definitions. As used in 29 CFR section

1910.1017 and applied to this section:

"§1910.20" means section [1910.20] 1910.1020 in section [12-202-3.] 12-202-3.1." [Eff 7/6/98; am 3/29/1999; am 3/31/06; am 12/21/2006; am] (Auth: HRS §396-4) (Imp: HRS §396-4)

Historical note: §12-202-28.1 is based substantially upon section 12-202-28. [Eff 7/12/82; R 7/6/98]

10. Section 12-202-30.1, Hawaii Administrative Rules, is amended to read as follows:

"§12-202-30.1 Acrylonitrile. (a) Incorporation of federal standard[,]. Title 29, Code of Federal Regulations, section 1910.1045, entitled "Acrylonitrile", published by the Office of the Federal Register, National Archives and Records Administration, on October 3, 1978; and the amendments published on May 23, 1980; June 7, 1989; June 30, 1993; February 13, 1996; January 8, 1998; April 23, 1998; January 5, 2005; [and] April 3, 2006[,]; and August 24, 2006, are made a part of this section, except as provided in subsection (b).

(b) Definitions. As used in 29 CFR section 1910.1045 and applied to this section:

"§1910.20" means section [1910.20] 1910.1020 in section [12-202-3.] 12-202-3.1.

"§1910.132" means section 1910.132 in section 12-64.1-1.

"§1910.133" means section 1910.133 in section 12-64.1-1.

"§1910.141" means section 1910.141 in chapter 12-67." [Eff 7/6/98; am; 3/29/99; am 3/31/06; am 12/21/2006; am] (Auth: HRS §396-4) (Imp: HRS §396-4)

Historical note: §12-202-30.1 is based substantially upon section 12-202-30. [Eff 7/12/82; R 7/6/98]

11. Section 12-202-31.1, Hawaii Administrative Rules, is amended to read as follows:

"§12-202-31.1 Inorganic arsenic.

(a) Incorporation of federal standard. Title 29, Code of Federal Regulations, section 1910.1018, entitled "Inorganic Arsenic", published by the office of the [federal] Federal Register, National Archives and Records Administration, on May 5, 1978; and the amendments published on June 30, 1978; May 23, 1980; June 2, 1989; June 30, 1993; February 13, 1996; March 2, 1996; January 8, 1998; June 18, 1998; January 5, 2005; [and] April 3, 2006[,]; and August 24, 2006, are made a part of this section, except as provided in subsection (b).

(b) Definitions. As used in 29 CFR section [1910.1045] 1910.1018 and applied to this section:

"§1910.20" means section [1910.20] 1910.1020 in section [12-202-3.] 12-202-3.1.

"§1910.132" means section 1910.132 in section 12-64.1-1.

"§1910.133" means section 1910.133 in section 12-64.1-1.

"§1910.141" means section 1910.141 in chapter 12-67." [Eff 7/6/98; am 3/29/99; am 3/31/06; am 12/21/2006; am] (Auth: HRS §396-4) (Imp: HRS §396-4)

Historical note: §12-202-31.1 is based substantially upon section 12-202-31. [Eff 7/12/82; R 7/6/98]

12. Section 12-202-32.1, Hawaii Administrative Rules, is amended to read as follows:

"§12-202-32.1 Cotton dust. (a) Incorporation of federal standard. Title 29, Code of Federal Regulations, section 1910.1043, entitled "Cotton dust", published by the Office of the Federal Register, National Archives and Records Administration on, June 23, 1978; and the amendments published on June 30, 1978; August 8, 1978; December 5, 1978; February 26, 1980; May 23, 1980; October 10, 1980; December 13, 1985; July 3, 1986; June 7, 1989; February 13, 1996; January 8, 1998; December 7, 2000 January 5, 2005; [and] April 3, 2006[,]; and

August 24, 2006, are made a part of this section, except as provided in subsection (b).

(b) Definitions. As used in 29 CFR section 1910.1043 and applied to this section:

"§1910.20" means section [1910.20] 1910.1020 in section [12-202-3.] 12-202-3.1." [Eff 7/6/98; am 12/29/01; 3/31/06; am 12/21/2006; am] (Auth: HRS §396-4) (Imp: HRS §396-4)

Historical note: §12-202-32.1 is based substantially upon section 12-202-32. [Eff 7/12/82, am 8/5/88; R 7/6/98]

13. Section 12-202-33.1, Hawaii Administrative Rules, is amended to read as follows:

"§12-202-33.1 Lead. (a) Incorporation of federal standard. Title 29, Code of Federal Regulations, section 1910.1025, entitled "Lead", published by the Office of the Federal Register[.], National Archives and [published on] Records Administration on, November 14, 1978; and the amendments published on October 23, 1979; November 30, 1979; November 12, 1982; March 8, 1983; April 30, 1984; May 31, 1991; October 11, 1995; January 8, 1998; April 23, 1998; January 5, 2005; [and] April 3, 2006[,]; and August 24, 2006, are made a part of this section, except as provided in subsection (b).

(b) Definitions. As used in 29 CFR section 1910.1025 and applied to this section:

"§1910.133" means section 1910.133 in chapter 12-64.1.

"§1910.141" means chapter 12-67.

"29 CFR 1910.134" means section 12-64.1-2.

"29 CFR 1910.20" means section [12-202-3.] 1910.1020 in section 12-202-3.1.

"Assistant Secretary" means the director, department of labor and industrial relations, or the director's designee.

"OSHA" means occupational safety and health division, State of Hawaii." [Eff 9/21/96; am 2/8/97; am 7/6/98; am 3/29/99; am 3/31/06; am 12/21/2006;

am] (Auth: HRS §396-4) (Imp: HRS §396-4)

Historical note: Section 12-202-33.1 is based substantially upon section 12-202-33. [Eff 7/12/82; am 12/6/82; am 5/28/83; am 8/5/88; am 3/22/91; R 9/21/96]

14. Section 12-202-35.1, Hawaii Administrative Rules, is amended to read as follows:

"§12-202-35.1 Ethylene oxide. (a) Incorporation of federal standard. Title 29, Code of Federal Regulations, section 1910.1047, entitled "Ethylene Oxide", published by the Office of the Federal Register, National Archives and Records Administration, on June 22, 1984; and the amendments published on March 12, 1985; October 11, 1985; July 10, 1986; April 5, 1988; July 26, 1988; June 7, 1989; February 13, 1996; January 8, 1998; and November 7, 2002; January 5, 2005; [and] April 3, 2006[,]; and August 24, 2006, are made a part of this section, except as provided in subsection (b).

(b) Definitions. As used in 29 CFR section 1910.1047 and applied to this section:

"§1910.20" means section [1910.20] 1910.1020 in section [12-202-3.] 12-202-3.1.

"§1910.132" means section 1910.132 in section 12-64.1-1.

"§1910.134" means section 1910.134 in section 12-64.1-1." [Eff 7/6/98; am 5/21/04; am 3/31/06; am 12/21/2006; am] (Auth: HRS §396-4) (Imp: HRS §396-4)

Historical note: §12-202-35.1 is based substantially upon section 12-202-35. [Eff 6/16/84, am 8/5/88; R 7/6/98]

15. Section 12-202-36.1, Hawaii Administrative Rules, is amended to read as follows:

"§12-202-36.1 Benzene. (a) Incorporation of federal standard. Title 29, Code of Federal Regulations, section 1910.1028, entitled "Benzene", published by the Office of the Federal Register, National Archives and Records Administration, on

September 11, 1987; and the amendments published on June 7, 1989; December 13, 1996; January 8, 1998; April 23, 1998; January 5, 2005; [and] April 3, 2006[,]; and August 24, 2006, are made a part of this section, except as provided in subsection (b).

(b) Definitions. As used in 29 CFR section 1910.1028 and applied to this section:

"§1910.20" means section [1910.20] 1910.1020 in section [12-202-3.] 12-202-3.1.

"§1910.133" means section 1910.133 in section 12-64.1-1.

"§1910.134" means section 1910.134 in section 12-64.1-1.

"§1910.1200" means section 1910.1200 in chapter 12-203.1." [Eff 7/6/98; am 3/31/06; am 12/21/2006; am] (Auth: HRS §396-4) (Imp: HRS §396-4)

Historical note: §12-202-36.1 is based substantially upon section 12-202-36. [Eff 11/24/88; R 7/6/98]

16. Section 12-202-37.1, Hawaii Administrative Rules, is amended to read as follows:

"§12-202-37.1 Formaldehyde. (a) Incorporation of federal standard. Title 29, Code of Federal Regulations, section 1910.1048, entitled "Formaldehyde", published by the Office of the Federal Register, National Archives and Records Administration, on December 4, 1987; and the amendments published on March 2, 1988; November 8, 1988; December 13, 1988; June 7, 1989; July 13, 1989; August 1, 1989; June 13, 1990; May 27, 1992; June 10, 1992; February 13, 1996; January 8, 1998; April 23, 1998; January 5, 2005; [and] April 3, 2006[,]; and August 24, 2006, are made a part of this section, except as provided in subsection (b).

(b) Definitions. As used in 29 CFR section 1910.1048 and applied to this section:

"§1910.20" means section [1910.20] 1910.1020 in section [12-202-3.] 12-202-3.1.

"§1910.132" means section 1910.132 in section

12-64.1-1.

"§1910.133" means section 1910.133 in section 12-64.1-1.

"§1910.134" means section 1910.134 in section 12-64.1-1.

"§1910.1200" means section 1910.1200 in chapter 12-203.1." [Eff 7/6/98; am 3/31/06; am 12/21/2006; am] (Auth: HRS §396-4) (Imp: HRS §396-4)

Historical note: §12-202-37.1 is based substantially upon section 12-202-37. [Eff 11/24/88, am 3/22/91, am 6/8/92, 12/5/92; R 7/6/98]

17. Section 12-202-38, Hawaii Administrative Rules, is amended to read as follows:

"§12-202-38 4,4-Methylenedianiline. (a) Incorporation of federal standard. Title 29, Code of Federal Regulations, section 1910.1050, entitled "Methylenedianiline", published by the Office of the Federal Register, National Archives and Records Administration, on August 10, 1992, and the amendments published on January 8, 1998; April 23, 1998; November 7, 2002; [and] April 3, 2006[,]; and August 24, 2006, are made a part of this section, except as provided in subsection (b).

(b) Definitions. As used in 29 CFR 1910.1050 and applied to this section:

"Act" means chapter 396, Hawaii Revised Statutes.

"Assistant Secretary" means the director of the department of labor and industrial relations, State of Hawaii.

"OSHA" means occupational safety and health division, State of Hawaii.

"Startup dates" means six months following the dates listed in paragraph (r) of 29 CFR 1910.1050.

"29 CFR 1910.12(b)" means section 12-50-2.

"29 CFR 1910.20" means section [12-202-3.] 1910.1020 in section 12-202-3.1.

"29 CFR 1910.38" means chapter 12-71.1.

"29 CFR 1910.133" means section 1910.133 in chapter 12-64.1.

"29 CFR 1910.134" means section [12-64.1-2.]

1910.134 in chapter 12-64.1.

"29 CFR 1910.141" means chapter 12-67.2

"29 CFR 1910.1200" means chapter 12-203.1."

[Eff 2/26/93; am 9/21/96; am 7/6/98; am 5/21/04;
am 12/21/2006; am] (Auth: HRS
§396-4) (Imp: HRS §396-4)

18. Section 12-202-39, Hawaii Administrative Rules, is amended to read as follows:

"§12-202-39 Cadmium. (a) Incorporation of federal standard. Title 29, Code of Federal Regulations, section 1910.1027, entitled "Cadmium", published by the Office of the Federal Register, National Archives and Records Administration, on September 14, 1992, and the amendments published by the Office of the Federal Register, National Archives and Records Administration, on April 23, 1993, January 8, 1998; January 5, 2005; [and] April 3, 2006[,]; and August 24, 2006, are made a part of this section, except as provided in subsection (b).

(b) Definitions. As used in 29 CFR 1910.1027 and applied to this chapter:

"Assistant Secretary" means the director of the department of labor and industrial relations, State of Hawaii.

"Effective date" means March 14, 1993.

"OSHA" means occupational safety and health division, State of Hawaii.

"OSH Act" means chapter 396, Hawaii Revised Statutes.

"Startup dates" means six months following the dates listed in paragraph (p) of 29 CFR 1910.1027.

"29 CFR 1910.20" means section [12-202-3.]

1910.1020 in section 12-202-3.1.

"29 CFR 1910.133" means section 1910.133 in chapter 12-64.1.

"29 CFR 1910.134" means section [12-64.1-2.]
1910.134 in chapter 12-64.1.

"29 CFR 1910.141" means chapter 12-67.

"29 CFR 1910.1200" means chapter 12-203.1."

[Eff 2/26/93; am 11/5/93; am 9/21/96; am 7/6/98;
am 3/31/06; am 12/21/2006; am]
(Auth: HRS §396-4) (Imp: HRS §396-4)

19. Section 12-202-41, Hawaii Administrative Rules, is amended to read as follows:

"§12-202-41 Methylene Chloride. (a) Incorporation of federal standard. Title 29, Code of Federal Regulations, section 1910.1052, entitled "Methylene Chloride", published by the Office of the Federal Register, National Archives and Records Administration, on January 10, 1997; and the amendments published on August 8, 1997; September 15, 1997; October 20, 1997; December 18, 1997; January 8, 1998; April 23, 1998; September 22, 1998; [and] April 3, 2006[,]; and August 24, 2006, are made a part of this section, except as provided in subsection (b).

(b) Definitions. As used in 29 CFR 1910.1052 and applied to this section:

"29 CFR 1910.120" means chapter 12-99.1.

"29 CFR 1910.133" means section 1910.133 in chapter 12-64.1.

"29 CFR 1910.134" means section 1910.134 in chapter 12-64.1.

"29 CFR 1910.307" means section [12-89-8.] 12-89.1-1.

"29 CFR 1910.141" means chapter 12-67.

"29 CFR 1910.1000" means section 12-202-4.02.

"29 CFR 1910.1020" means section [12-202-3.] 1910.1020 in section 12-202-3.1.

"29 CFR 1910.1200" means section 1910.1200 in chapter 12-203.1.

"29 CFR 1926.59" means section 1910.1200 in chapter 12-203.1.

"Assistant Secretary" means the director of the department of labor." [Eff 7/10/97; am 4/11/98; am 7/6/98; am 12/21/2006; am]

(Auth: HRS §396-4) (Imp: HRS §396-4)

20. Section 12-202-42, Hawaii Administrative Rules, is amended to read as follows:

"§12-202-42 Chromium (VI). Incorporation of federal standard. Title 29, Code of Federal Regulations, section 1910.1026, entitled "Chromium (VI)", published by the Office of the Federal Register, National Archives and Records

Administration, on February 28, 2006[,]; and
October 30, 2006, are made part of this chapter." [Eff
12/21/2006; am] (Auth: HRS §396-4)
(Imp: HRS §396-4)

21. Section 12-206-1, Hawaii Administrative
Rules, is amended to read as follows:

"§12-206-1 Incorporation of federal standard.

Title 29, Code of Federal Regulations, section
1910.1001, entitled "Asbestos", published by the
Office of the Federal Register, National Archives and
Records Administration, on June 20, 1986; and the
amendments published on October 17, 1986;
May 12, 1987; September 14, 1988; June 7, 1989;
July 13, 1989; December 20, 1989; February 5, 1990;
August 24, 1990; June 8, 1992; August 10, 1994;
February 21, 1995; March 1, 1995; June 28, 1995;
June 29, 1995; August 23, 1996; January 8, 1998;
January 5, 2005; [and] April 3, 2006[,]; and
August 24, 2006, are made a part of this chapter,
except as provided in section 12-206-2." [Eff 8/10/95;
am 1/26/96; am 2/8/97; am 7/6/98; am 3/31/06;
am 12/21/2006; am] (Auth:
HRS §396-4) (Imp: HRS §396-4)

22. Material, except source notes, to be repealed
is bracketed. New material is underscored.

23. Additions to update source notes to reflect
these amendments are not underscored.

24. These amendments to chapters 12-64.1, 12-73.1, 12-145.1, 12-146, 12-147, 12-148.1, 12-170, 12-202, and 12-206, Hawaii Administrative Rules, shall take effect ten days after filing with the Office of the Lieutenant Governor.

I certify that the foregoing are copies of the rules, drafted in the Ramseyer format pursuant to the requirements of section 91-4.1, Hawaii Revised Statutes, which were adopted on _____, and filed with the Office of the Lieutenant Governor.

NELSON B. BEFITEL, DIRECTOR
Department of Labor
and Industrial Relations

APPROVED AS TO FORM:

Deputy Attorney General