

Proposed Rules  
of  
Department of Labor and Workforce Development  
Division of Occupational Safety and Health

Chapter 0800-1-1  
Occupational Safety and Health Standards for General Industry

Chapter 0800-1-6  
Occupational Safety and Health Standards for Construction

Chapter 0800-1-7  
Occupational Safety and Health Standards for Agriculture

Presented herein are proposed amendments of the Department of Labor and Workforce Development, Division of Occupational Safety and Health submitted pursuant to T.C.A. §4-5-202 in lieu of a rulemaking hearing. It is the intent of the Department of Labor and Workforce Development to promulgate these proposed amendments without a rulemaking hearing unless a petition requesting such hearing is filed within thirty (30) days of the publication date of the issue of the Tennessee Administrative Register in which the proposed amendments are published. Such petition to be effective must be filed in the Legal Services Office of the Department of Labor and Workforce Development, 8<sup>th</sup> Floor, Andrew Johnson Tower, 710 James Robertson Parkway, Nashville, TN 37243-0655, and in the Administrative Procedures Division of the Department of State, 8<sup>th</sup> Floor, William R. Snodgrass Building, 312 8<sup>th</sup> Avenue North, Nashville, TN 37243-0310, and must be signed by twenty-five (25) persons who will be affected by the proposed amendments or submitted by a municipality which will be affected by the proposed amendments, or an association of twenty-five (25) or more members, or any standing committee of the General Assembly.

For a copy of the proposed amendments, contact: Michael M. Maenza, Manager of Standards and Procedures, Tennessee Department of Labor and Workforce Development, Division of Occupational Safety and Health, 3<sup>rd</sup> Floor, Andrew Johnson Tower, 710 James Robertson Parkway, Nashville, TN 37243-0659, (615) 741-7036.

The text of the proposed amendments is as follows:

Amendments

Paragraph (2) of Rule 0800-1-1-.06 Adoption and Citation of Federal Standards is amended by changing the date in the second line from “July 1, 2006” to “January 1, 2007”, so that as amended the paragraph shall read:

- (2) The Commissioner of Labor and Workforce Development adopts the federal occupational safety and health standards codified in Title 29, Code of Federal Regulations, Part 1910, as of January 1, 2007 except as provided in Rule 0800-1-1-.07 of this chapter.

Authority: T.C.A. §§ 4-3-1411 and 50-3-201.

Paragraph (3) of Rule 0800-1-1-.07 Exceptions to Adoption of Federal Standards in 29 CFR Part 1910 is amended by replacing the number “0” with the number “4170” in the TWA mg/m<sup>3</sup> column of the table entry for “1,1,2,2-Tetrachloro-1,2-difluoroethane, CAS No. 76-12-0”, so that as amended the entry shall read:

- (3) TABLE Z - 1 - A — Limits For Air Contaminants.

Substance	CAS No.	TWA		STEL		Ceiling		Skin designation
		ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	ppm	mg/m <sup>3</sup>	
1,1,2,2-Tetrachloro-1,2-difluoroethane	76-12-0	500	4170	—	—	—	—	—

Authority: T.C.A. §§ 4-3-1411, 50-3-105, 50-3-201 and 50-3-202.

Paragraph (2) of Rule 0800-1-6-.02 Adoption and Citation of Federal Standards is amended by changing the date in the second line from “July 1, 2006” to “January 1, 2007”, so that as amended the paragraph shall read:

- (2) The Commissioner of Labor and Workforce Development adopts the federal occupational safety and health standards codified in Title 29, Code of Federal Regulations, Part 1926, as of January 1, 2007 except as provided in Rule 0800-1-6-.03 of this chapter.

Authority: T.C.A. §§ 4-3-1411, 50-3-103 and 50-3-201.

Paragraph (2) of Rule 0800-1-7-.01 Adoption and Citation of Federal Standards is amended by changing the date in the second line from “July 1, 2006” to “January 1, 2007”, so that as amended the paragraph shall read:

- (2) The Commissioner of Labor and Workforce Development adopts the federal occupational safety and health standards codified in Title 29, Code of Federal Regulations, Part 1928, as of January 1, 2007 except as provided in Rule 0800-1-7-.02 of this chapter.

Authority: T.C.A. §§4-3-1411 and 50-3-201.

Paragraph (1) of Rule 0800-1-7-.02 Exceptions to Adoption of Federal Standards in 29 CFR Part 1928 is amended by changing the date from “July 1, 2006” to “January 1, 2007”, so that as amended the paragraph shall read:

- (1) As of January 1, 2007, there are no exceptions.

Authority: T.C.A. §§4-3-1411 and 50-3-201.

Legal Contact and/or party who will approve final copy for publication:  
Michael M. Maenza, Manager of Standards and Procedures  
Tennessee Department of Labor and Workforce Development  
Division of Occupational Safety and Health  
3<sup>rd</sup> Floor, Andrew Johnson Tower  
710 James Robertson Parkway  
Nashville, TN 37243-0659  
(615) 741-7036

Contact for disk acquisition:  
Michael M. Maenza, Manager of Standards and Procedures  
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3<sup>rd</sup> Floor, Andrew Johnson Tower  
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Signature of the agency officer or officers directly responsible for proposing and/or drafting these rules:

\_\_\_\_\_  
Michael M. Maenza  
Manager of Standards and Procedures

I certify that this is an accurate and complete copy of proposed rules lawfully promulgated and adopted by the Department of Labor and Workforce Development on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_. The Secretary of State is hereby instructed that, in the absence of a petition for rulemaking hearing being filed under the conditions set out herein and in the locations described, he is to treat the proposed rules as being placed on file in his office as rules at the expiration of thirty (30) days after the publication date of the issue of the Tennessee Administrative Register in which these proposed rules are published.

\_\_\_\_\_  
James G. Neeley  
Commissioner

Subscribed and sworn to before me this the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public

My commission expires on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

All proposed rules provided for herein have been examined by the Attorney General and Reporter of the State of Tennessee and are approved as to legality pursuant to the provisions of the Administrative Procedures Act, Tennessee Code Annotated, Title 4, Chapter 5.

\_\_\_\_\_  
Michael E. Moore  
Acting Attorney General and Reporter

The proposed rules set out herein were properly filed in the Department of State on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, and pursuant to the instructions set out above, and in the absence of the filing of an appropriate petition calling for a rulemaking hearing, will become effective on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Riley C. Darnell  
Secretary of State

By: \_\_\_\_\_