

**Michigan Office of Administrative Hearings and Rules**  
**Administrative Rules Division (ARD)**

611 W. Ottawa Street  
Lansing, MI 48909  
Phone: 517-335-8658 Fax: 517-335-9512

**REQUEST FOR RULEMAKING (RFR)**

**1. Department:**

Labor and Economic Opportunity

**2. Bureau:**

MIOSHA

**3. Promulgation type:**

MCL 24.244 (2)

**4. Title of proposed rule set:**

General Industry and Construction Safety and Health Standard Part 451. Respiratory Protection

**5. Rule numbers or rule set range of numbers:**

R 325.60051 to R 325.60052

**6. Estimated time frame:**

6 months

**Name of person filling out RFR:**

Daniela Garza

**E-mail of person filling out RFR:**

GarzaD@michigan.gov

**Phone number of person filling out RFR:**

517-284-7738

**Address of person filling out RFR:**

530 West. Allegan Street, Lansing, MI 48933

**7. Describe the general purpose of these rules, including any problems the changes are intended to address.**

The Michigan Occupational Health Standards for Respiratory Protection protect Michigan workers by controlling occupational diseases caused by breathing air contaminated with harmful dusts, fog, fumes, mists, gases, smokes, spray, or vapors, with the primary objective being to prevent atmospheric contamination.

These rules are being amended, in order to be as effective as the federal Occupational Safety and Health Administration (OSHA) standard 29 CFR 1910.134 "Respiratory Protection".

**8. Please cite the specific promulgation authority for the rules (i.e. department director, commission, board, etc.).**

The director of the department has the specific promulgation authority for the rules.

**A. Please list all applicable statutory references (MCLs, Executive Orders, etc.).**

The Williams-Steiger Occupational Safety and Health Act of 1970 requires MIOSHA to promulgate standards that are at least as effective as those promulgated under Section 6 of the Act; sections 14 and 24 of 1974 PA 154, MCL 408.1014 and 408.1024; and Executive Reorganization Order Nos. 1996-1, 1996-2, 2003-1, 2008-4, 2011-4, and 2019-3, MCL 330.3101, 445.2001, 445.2011, 445.2025 445.2030, and 125.1998.

**B. Are the rules mandated by any applicable constitutional or statutory provision? If so, please explain.**

Michigan Occupational Safety and Health Act of 1974 PA 154, MCL 408.1014(5).

**9. Please describe the extent to which the rules conflict with or duplicate similar rules, compliance requirements, or other standards adopted at the state, regional, or federal level.**

MIOSHA is not aware of any rules that conflict with or duplicate similar rules, compliance requirements, or other standards adopted at the state, or regional. These rules are duplicative in order to be as effective as federal OSHA regulations.

**10. Is the subject matter of the rules currently contained in any guideline, handbook, manual, instructional bulletin, form with instructions, or operational memoranda?**

None that MIOSHA is aware of.

**11. Are the rules listed on the department's annual regulatory plan as rules to be processed for the current year?**

No

**12. Will the proposed rules be promulgated under Section 44 of the Administrative Procedures Act, 1969 PA 306, MCL 24.244, or under the full rulemaking process?**

MCL 24.244 (2)

**A. Explain why the rules are being promulgated under 24.244.**

These rules are being amended, in order to be as effective as the federal Occupational Safety and Health Administration (OSHA) standard.