

General Industry Safety and Health Standard Part 62 Plastic Industry Public Hearing
Transcript – January 12, 2021 9:00 a.m.

Shannon - Good morning. I would like to call the hearing to Order. My name is Shannon Matsumoto, Section Manager with the MIOSHA Standards and FOIA Section, I will be facilitating the hearing today. This meeting is being recorded.

This hearing is being called to order at 9:01 a.m., on January 12, 2021, via Microsoft Teams.

This is a public hearing for proposed administrative rules for MIOSHA General Industry Safety and Health Standard Part 62 Plastic Molding.

This hearing is being conducted pursuant to provisions of the

- Administrative Procedures Act 306 of 1969, MCL 24.242;
- MIOSHA Public Act 154 of 1974 as amended, MCL 408.1016, and MCL 408.1021;
- Executive Reorganization Order Nos. 1996-2, 2003-1, 2008-4, 2011-4, and 2019-3, MCL 445.2001, 445.2011, 445.2025, 445.2030, and 125.1998.
- and on behalf of the Michigan Department of Labor and Economic Opportunity.

The public hearing notice was published in three newspapers of general circulation, as well as the January 1, 2021 edition of the *Michigan Register*.

Joining us today from MIOSHA are:

- Bart Pickelman, Director of MIOSHA
- Ron Ray, Director of Technical Services Division
- Daniela Garza, Rules Analyst, Standards and FOIA Section
- Toscha Klopp, Secretary, Standards and FOIA Section
- Laura Basile, General Industry Supervisor, General Industry Safety & Health Division
- Don Trefry, Onsite Safety Supervisor, Consultation Education and Training Division

We are here today to receive your comments only on the proposed rules. Everyone has been muted, that way we won't hear background noise. If you would like to speak please raise your hand and you will be called on by name or by the last four digits of your phone number if your name does not appear. Before you speak, please identify yourself when speaking, remember to speak clearly and slowly, and indicate who you represent. If you have additional comments to submit in writing, you may email them to kloppt@michigan.gov no later than 5 p.m. today, **January 12, 2021**. At this time if you would like to make a comment, please raise your hand and you will be called on.

Marie Gargas - Good morning and thank you for the opportunity to participate in this public hearing of Part 62, we really appreciate the effort to keep this moving by using this platform in these times. I am Marie Gargas senior and technical director regulatory affairs of the Plastics Industry Association, or Plastics.

The Plastics Industry Association (PLASTICS) thanks MIOSHA for advancing its process for proposed amendments to MIOSHA General Industry Safety and Health Standard Part 62.

Plastics Molding (“Part 62”) to reflect current technologies used in the plastics industry. PLASTICS, formerly SPI, is the only organization that supports the entire plastics supply chain, representing nearly one million workers in the \$451 billion U.S. industry. Our members include companies that operate plastics molding machinery in Michigan and companies that sell plastic molding machinery to them. PLASTICS is also an American National Standards Institute (ANSI) accredited standards developer.

We remain grateful for and supportive of MIOSHA’s efforts to address the Part 62 requirement for a mechanical device on horizontal injection molding machines, as reflected in the current proposed amendments. Despite our efforts in this process, upon further reflection and input, members voiced concerns that requirements for safety circuits are unclear; that is, principles and requirements of relevant standards such as ANSI/PLASTICS B151.1-2017 are not sufficiently incorporated. We respectfully oppose parts of the proposed amendments to R 408.16234, requesting new language in these comments to resolve this and further improve Part 62. We also request a definition in R 408.16207 to clarify the term “safety gate.”

Request for Amendment Process – Background

In July 2017, PLASTICS requested initiation of an amendment process to remove the requirement for a mechanical device on plastic horizontal injection molding machines (IMM) built on or after January 7, 2017. Our basis for the request, to amend R408.16234, included:

- A thoroughly documented risk assessment, previously communicated to MIOSHA and conducted by one of the foremost internationally recognized experts in the application of risk assessment to machinery safety, determined the mechanical device to be unnecessary for machines in compliance with ANSI/SPI B151.1-2007; that is, “removing the mechanical device does not impact the risk.”¹
- The 2017 edition of ANSI/PLASTICS B151.1 allows optional use of a mechanical device for horizontal clamp IMMs (but is still required for vertical clamp IMMs), built to the ANSI/PLASTICS B151.1-2017.²
- All machines, whether horizontal or vertical clamp IMMs, built prior to the 2017 ANSI approval date of ANSI/PLASTICS B151.1 (January 6, 2017), are required to have the mechanical device (drop bar/jam bar).
- Brazil is in the process of removing the requirement from its NR-12 standard³, leaving Michigan as the only known jurisdiction globally that requires this “redundant redundancy” on post January 6, 2017 built IMMs.

Our initial proposal in March 2018 sought to incorporate ANSI/PLASTICS B151.1-2017 for horizontal clamp injection molding machines, either manufactured or modified to be compliant with that standard or any later version that provides equivalent reliability and protection.

MIOSHA removed the reference to ANSI/PLASTICS B151.1 in its response, and it remains unclear why its adoption or incorporation was rejected.⁴ Since then, PLASTICS has worked with its members and MIOSHA to propose amendments that provide effective protection to workers performing certain activities and reflect current technology and standards for controlling hazardous energy sources.

Safety Gate definition added – “safety gate means a movable interlocked guard allowing the operator access to the point of operation to perform production related tasks.” If that request is accepted to the definitions, then definitions would need to be renumbered into Part 62.

So now getting into a little bit more of the feedback we have. In rule 6234 in the first part, we would like to add the following sentence. “for injection molding machines manufactured or remanufactured after February 6, 2008, the safety control systems provided shall be monitored to ensure proper function.” We believe these modifications would further improve the proposed amendments. Regarding Rule 6234. (1), we believe monitoring is important; if a failure does occur, it will be known. The date specified in that sentence, February 6, 2008, was the compliance date for monitoring requirements in ANSI/SPI B151.1-2007. For what would be new Rule 6234. (2), for horizontal IMM, this would add clarity on the intent of the requirement, reduce confusion and underscore that two safety concepts/systems must be selected, encourage diversity in safety application, and eliminate the need for newly proposed option (d) by clarifying (b) to better convey our original intent. For what would be new Rule 6234. (3), for vertical IMM, this adds clarity by changing “injection unit” to “mold,” with parallel changes to (2) in the initial text, option (b), and elimination of newly proposed option (c).

For rule 6234 (2) we make the following recommendations:

(2) A horizontal injection molding machine shall have the safety gate interlocked **to stop or prevent mold-closing** by **two** of the following:

(b) Hydraulic, **electric**, or pneumatic **power** control **for** mold closing.

And removing (d) A second electrical mold closing control (all electrical horizontal injection molding machines).

For rule 6234 (3) we make the following recommendations:

(3) A vertical clamp injection molding machine shall have a mechanical restraint device to prevent unintentional gravity descent of the **mold**, and shall have the safety gate interlocked **to stop or prevent mold-closing** by **two** of the following:

(b) Hydraulic, **electric**, or pneumatic **power** control **for** mold closing.

And removing (c) A second electrical mold closing control (all electrical vertical injection molding machines).

In closing we believe the modified language and added definition will increase the clarity for safety circuit requirements and better reflect current technology and standards, resulting in an improved Part 62. This would resolve our opposition to the current proposed amendments of these sections. We hope we demonstrated throughout this process Plastics is committed to the safety of workers including the safety standards in which machines are built and the safety operation and maintenance of machinery. We will submit our written comments before 5pm today showing our recommended changes to rule 6234, three ways with a strike bold to the current standard, a strike bold of the 2020 revisions, and then how it would read with our recommended changes. Please let us know if we can further assist, we appreciate your consideration of our request during this public hearing today. Thank you MIOSHA for the opportunity to participate in the process and may everyone stay safe and well.

Shannon – thank you Marie. At this time, is there anyone else that would like to make a comment, please raise your hand. Before closing this hearing, those that did come in late, could you please comment in the comments of this Teams Meeting, your name and who you are representing so that we can capture that in our report.

If there are no further comments at this time, I will close the hearing, at 9:14 a.m. The record will remain open until 5 p.m. today, **January 12, 2021**, for any additional comments you may wish to share regarding the proposed rules.

Thank you all for calling in today.