On January 9, 2017, federal OSHA adopted final rules for beryllium for general industry, construction, and maritime. Before these rules, the only specific rule for beryllium was an airborne permissible exposure limit (PEL) of 2 micrograms per cubic meter of air (µg/m³). With the adoption of these rules, federal OSHA lowered the PEL from 2 µg/m³ to 0.2 µg/m³, and instituted an action level of 0.1 µg/m³. These rules require an exposure assessment, with periodic monitoring under certain circumstances, requires engineering and work practice controls to reduce exposure levels, institutes a written exposure control plan, requires provisions for regulating employee access to certain areas, respiratory protection, medical surveillance, and employee training and information.


Oregon OSHA also updated the air contaminants rules for general industry and construction, OAR 437-002-0382 and 437-003-1000, to reflect the new beryllium rules.

Two public hearings were held during June of 2017. Oregon OSHA did not receive any comments at these hearings. We received one written comment in support of this rulemaking.

This is Oregon OSHA Administrative Order 3-2017, adopted July 7, 2017 and effective March 12, 2018.

Oregon OSHA contact: Dave McLaughlin, Central Office @ 503-947-7457, or email at dave.mclaughlin@oregon.gov

Please visit our website osha.oregon.gov Click ‘Rule and laws’ in the Topics, rules, guidelines column; and view/print our proposed rules, adopted, or final rules.

Note: In compliance with the Americans with Disabilities Act (ADA), this publication is available in alternative formats by calling 503-378-3272.
I certify that the attached copies are true, full and correct copies of the PERMANENT Rule(s) adopted on Upon filing, by the Department of Consumer and Business Services, Oregon Occupational Safety and Health 437

Agency and Division

Heather Case

Rules Coordinator

350 Winter St. NE, Salem, OR 97301

Address

To become effective 09/12/2018. Rulemaking Notice was published in the June 2017 Oregon Bulletin.

RULE CAPTION


Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

ADOPT:


AMEND:

437-002-0382, 437-003-1000, 437-005-0001

REPEAL:

RENUMBER:

AMEND AND RENUMBER:

Statutory Authority:
ORS 654.025(2), 656.726(4)

Other Authority:

Statutes Implemented:
ORS 654.001 through 654.205, 654.412 through 654.423, 654.750 through 654.780

RULE SUMMARY

On January 9, 2017, federal OSHA adopted final rules for beryllium for general industry, construction, and maritime. Before these rules, the only specific rule for beryllium was an airborne permissible exposure limit (PEL) of 2 micrograms per cubic meter of air (µg/m³). With the adoption of these rules, federal OSHA lowered the PEL from 2 µg/m³ to 0.2 µg/m³, and instituted an action level of 0.1 µg/m³. These rules require an exposure assessment, with periodic monitoring under certain circumstances, requires engineering and work practice controls to reduce exposure levels, institutes a written exposure control plan, requires provisions for regulating employee access to certain areas, respiratory protection, medical surveillance, and employee training and information.

Oregon OSHA combined the requirements of the general industry and construction rules into one set of rules applicable to both industries, as new Oregon-initiated rules OAR 437-002-2024 through 437-002-2038.

Oregon OSHA also updated the air contaminants rules for general industry and construction, OAR 437-002-0382 and 437-003-1000, to reflect the new beryllium rules.

Heather Case
Rules Coordinator Name

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SECRETARY OF STATE
Certificate and Order for Filing
PERMANENT ADMINISTRATIVE RULES

I certify that the attached copies* are true, full and correct copies of the PERMANENT Rule(s) adopted on July 7, 2017 by the

Department of Consumer & Business Services/Oregon Occupational Safety & Health Division 437
Agency and Division

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Rules Coordinator Address Telephone

to become effective March 12, 2018 as Oregon OSHA Administrative Order 3-2017.
Date upon filing or later

Rulemaking Notice was published in the June 2017 Oregon Bulletin.**
Month and Year

RULE CAPTION

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION


ORS 654.025(2), 656.726(4)

ORS 654.001 through 654.295, 654.412 through 654.423, 654.750 through 654.780
Stats. Implemented

RULE SUMMARY

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Please visit our web site osha.oregon.gov Click 'Rule changes' in the Topics, rules, guidelines column and view our proposed rules; or, select other rule activity from the left vertical column on the Proposed Rules page.

Authorized Signer  Michael D. Wood  7/7/2017
Printed name  Date

*With this original, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules.
**The Oregon Bulletin is published on the 1st of each month and updates rules found in the OAR Compilation. For publication in Bulletin, rule and notice filings must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, when filings are accepted until 5:00 pm on the preceding workday.
ARC 930-2005