

February 22, 2010

Oregon OSHA - Adopted Changes To Acetylene Rules in General Industry

On August 11, 2009, Federal OSHA published in the Federal Register a direct final rule to revise 1910.102, Acetylene, by updating references to standards developing organizations (SDO standards). Federal OSHA also revised 1910.6, Incorporation by reference, to reflect updated documents.

Oregon OSHA formed an advisory committee with representatives from organized labor, employers, distributors, and manufacturers to review and discuss the existing rules and the requirement to adopt the Federal OSHA direct final rule for Acetylene. It was determined through examining 1910.102 Acetylene, and the SDO standards, that Oregon OSHA would develop an Oregon-initiated rule to replace the federal standard.

New Oregon rule 437-002-2102 Acetylene, includes general requirements for work practices and definitions used in paragraph (1), Cylinders. Piped systems and generators and filling cylinders retains language from 1910.102 for those topics.

Oregon OSHA revised Division 2/H, General Industry/Hazardous Materials, rules which will:

- Repeal the current Acetylene rule, 1910.102, that is based on the Compressed Gas Association (CGA) Pamphlets; G-1-1966, G1.3-1959, G1.4-1966
- Adopt new rule, OAR 437-002-2102, Acetylene, that updates references to standards developing organizations (SDO standards) making them consistent with current industry practices which will improve employee safety by clarifying employer obligations, and eliminate confusing requirements.

Based on comments received at the public hearing and during the open comment period, the following are added to the new acetylene rule:

- Compliance with Compressed Gas Association (CGA) Pamphlet G-1-2009 ("Acetylene") (Compressed Gas Association, Inc., 12th ed., 2009.)
- Clarification to store and use cylinders valve end up.
- Note to allow minimal movement by hand of cylinders to get them on and off carts or pallets.
- Install reverse flow check valves and flashback arrester according to manufacturer recommendations.

Oregon OSHA will adopt the federal changes to 1910.6 Incorporation by reference, as they appear in the August 11, 2009 Federal Register with the exception of 1910.6(k)(3). This references the CGA Pamphlet G-1 Acetylene. In Oregon, the 12th edition 2009 applies.

Oregon OSHA standards must be at least as effective as Federal OSHA standards. With the creation of the new Oregon-initiated rule for acetylene, Oregon has all the protective measures referenced in the Federal OSHA standard, as well as expanded work practices language and definitions used in 437-002-2102(1) Cylinders.

This is Oregon OSHA Administrative Order 1-2010, **adopted and effective February 19, 2010.**

Please visit Oregon OSHA's web site www.orosha.org for proposed, adopted, and final rules, as well as current publications, training opportunities, and much more.

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Secretary of State
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PERMANENT ADMINISTRATIVE RULES

I certify that the attached copies* are true, full and correct copies of the PERMANENT Rule(s) adopted on February 19, 2010 by the
Date prior to or same as filing date

Department of Consumer & Business Services/Oregon Occupational Safety & Health Division 437
Agency and Division Administrative Rules Chapter Number

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to become effective February 19, 2010 as OR-OSHA Administrative Order 1-2010.
Date upon filing or later

Rulemaking Notice was published in the December 2009 *Oregon Bulletin*.**
Month and Year

RULE CAPTION

Adopt changes to acetylene rules in general industry.
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

AMEND: OAR 437-002-0005, 437-002-0100

ADOPT: OAR 437-002-2102

ORS 654.025(2), 656.726(4)
Stat. Auth.

ORS 654.001 through 654.295
Stats. Implemented

RULE SUMMARY

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Oregon OSHA also adopted the Federal OSHA revisions published in the August 11, 2009 Federal Register to 1910.6 Incorporation by reference.

Please visit OR-OSHA's web site at www.orosha.org

<u>/s/Michael D. Wood</u>	<u>Michael D. Wood</u>	<u>2/18/2010</u>
Authorized Signer	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 the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00 pm on the preceding workday.
ARC 930-2005