WSR 24-04-091
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES
[Filed February 6, 2024, 9:50 a.m.]

Subject of Possible Rule Making: Create a chapter in Title 296 WAC regarding fire resistant materials applicator.

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 49.105.040, 49.17.010, 49.17.040, 49.17.050, and 49.17.060.

Reasons Why Rules on this Subject may be Needed and What They Might Accomplish: The department of labor and industries' (L&I) division of occupational safety and health (DOSH) is required to implement and enforce SHB 1323 passed by the Washington state legislature in the 2023 session. SHB 1323, codified under chapter 49.105 RCW, requires a training and certification program be created for individuals who apply fire-resistant materials and provides for enforcement. The training must be provided by an apprenticeship program registered with the Washington state apprenticeship and training council, fire-resistant material manufacturers, or other certified training providers approved by DOSH. Fire protection measures are critical design elements to control the spread of fire and help protect structural steel, contain fire, and limit damage.

Other Federal and State Agencies that Regulate this Subject and the Process Coordinating the Rule with These Agencies: None.

Process for Developing New Rule: Parties interested in the formulation of these rules for proposal may contact the individual listed below. The public may also participate by commenting after rule language is proposed by providing written comments or giving oral testimony during the public hearing process.

Interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication by contacting Arthur Wagner, L&I, DOSH, P.O. Box 44620, Olympia, WA 98504-4620, phone 360-902-4233, fax 360-902-5619, email Arthur.Wagner@Lni.wa.gov, website https://www.lni.wa.gov/rulemaking-activity.

February 6, 2024
Joel Sacks
Director