

WAC 296-155-17301 Scope and application. (1) This section applies to all construction work as defined in WAC 296-155-005, in which there is exposure to MDA, including but not limited to the following:

(a) Construction, alteration, repair, maintenance, or renovation of structures, substrates, or portions thereof, that contain MDA;

(b) Installation or the finishing of surfaces with products containing MDA;

(c) MDA spill/emergency cleanup at construction sites; and

(d) Transportation, disposal, storage, or containment of MDA or products containing MDA on the site or location at which construction activities are performed.

(2) Except as provided in subsection (7) of this section and WAC 296-155-17311(5), this standard does not apply to the processing, use, and handling of products containing MDA where initial monitoring indicates that the product is not capable of releasing MDA in excess of the action level under the expected conditions of processing, use, and handling which will cause the greatest possible release; and where no "dermal exposure to MDA" can occur.

(3) Except as provided in subsection (7) of this section, this standard does not apply to the processing, use, and handling of products containing MDA where objective data are reasonably relied upon which demonstrate the product is not capable of releasing MDA under the expected conditions of processing, use, and handling which will cause the greatest possible release; and where no "dermal exposure to MDA" can occur.

(4) Except as provided in subsection (7) of this section, this standard does not apply to the storage, transportation, distribution, or sale of MDA in intact containers sealed in such a manner as to contain the MDA dusts, vapors, or liquids, except for the provisions of WAC 296-62-054 and 296-155-17309.

(5) Except as provided in subsection (7) of this section, this standard does not apply to materials in any form which contain less than 0.1% MDA by weight or volume.

(6) Except as provided in subsection (7) of this section, this standard does not apply to "finished articles containing MDA."

(7) Where products containing MDA are exempted under subsections (2) and (6) of this section, you must maintain records of the initial monitoring results or objective data supporting that exemption and the basis for the employer's reliance on the data, as provided in the recordkeeping provision of WAC 296-155-17331.

[Statutory Authority: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060. WSR 16-09-085, § 296-155-17301, filed 4/19/16, effective 5/20/16. Statutory Authority: Chapter 49.17 RCW. WSR 93-04-111 (Order 92-15), § 296-155-17301, filed 2/3/93, effective 3/15/93.]