

**WAC 296-307-009 Definitions that apply to this chapter. Approved.** Approved by the director of the department of labor and industries, or by another organization designated by the department. Also means listed or approved by a nationally recognized testing laboratory.

**Authorized person.** Someone you have approved to perform specific duties or to be at a specific location on the job site.

**Biological agents.** Organisms or their by-products.

**Chemical agents (airborne or contact).** A chemical agent is any of the following:

(a) Airborne chemical agent which is any of the following:

(i) Dust. Solid particles suspended in air, generated by handling, drilling, crushing, grinding, rapid impact, detonation, or de-crepitation of organic or inorganic materials such as rock, ore, metal, coal, wood, grain, etc.

(ii) Fume. Solid particles suspended in air, generated by condensation from the gaseous state, generally after volatilization from molten metals, etc., and often accompanied by a chemical reaction such as oxidation.

(iii) Gas. A normally formless fluid that can be changed to the liquid or solid state by the effect of increased pressure or decreased temperature or both.

(iv) Mist. Liquid droplets suspended in air, generated by condensation from the gaseous to the liquid state or by breaking up a liquid into a dispersed state, such as by splashing, foaming or atomizing.

(v) Vapor. The gaseous form of a substance that is normally in the solid or liquid state.

(b) Contact chemical agent which is any of the following:

(i) Corrosives. Substances that in contact with living tissue cause destruction of the tissue by chemical action.

(ii) Irritants. Substances that on immediate, prolonged, or repeated contact with normal living tissue will induce a local inflammatory reaction.

(iii) Toxicants. Substances that have the inherent capacity to produce personal injury or illness to individuals by absorption through any body surface.

**Department.** The department of labor and industries. When this chapter refers to "we" or "us," it means labor and industries staff responsible for enforcing the Washington Industrial Safety and Health Act (WISHA).

**Director.** The director of the department of labor and industries, or a designated representative.

**Employee.** Someone providing personal labor in the business of the employer, including anyone providing personal labor under an independent contract.

**Employer.** A business entity having one or more employees. Also, any person, partnership, or business entity with no employees but having industrial insurance coverage is both an employer and an employee.

**Hazard.** A condition that can cause injury, death, or occupational disease.

**Listed.** Listed by a nationally recognized testing laboratory.

**Must.** Mandatory.

**Nationally recognized testing laboratory.** See 29 C.F.R. 1910.7 (federal OSHA requirements).

**Pesticide:**

(a) Any substance intended to prevent, destroy, control, repel, or mitigate any insect, rodent, snail, slug, fungus, weed, and any

other form of plant or animal life or virus, except virus on or in a living person or other animal which is normally considered to be a pest or which the director may declare to be a pest;

(b) Any substance or mixture of substances intended to be used as a plant regulator, defoliant or desiccant; and

(c) Any spray adjuvant, such as a wetting agent, spreading agent, deposit builder, adhesive, emulsifying agent, deflocculating agent, water modifier, or similar agent with or without toxic properties of its own, intended to be used with any pesticide as an aid to its application or effect, and sold in a package or container separate from that of the pesticide with which it is to be used.

**Safety factor.** The ratio of the ultimate breaking strength of a piece of material or equipment to the actual working stress or safe load when in use.

**Should or may.** Recommended.

**Standard safeguard.** A device designed and constructed to remove a hazard related to the machine, appliance, tool, building, or equipment to which it is attached.

**Working day.** For appeals and accident reporting, means a calendar day, except Saturdays, Sundays, and legal holidays as defined by RCW 1.16.050. To compute the time within which an act is to be completed, exclude the first working day and include the last.

**You.** When this chapter refers to "you," it means the employer or a designated representative.

[Statutory Authority: RCW 49.17.010, 49.17.040, 49.17.050 and 49.17.060. WSR 21-04-128, § 296-307-009, filed 2/2/21, effective 3/8/21; WSR 03-10-068, § 296-307-009, filed 5/6/03, effective 8/1/03. Statutory Authority: RCW 49.17.040. WSR 98-24-096, § 296-307-009, filed 12/1/98, effective 3/1/99. WSR 97-09-013, recodified as § 296-307-009, filed 4/7/97, effective 4/7/97. Statutory Authority: RCW 49.17.040, [49.17.]050 and [49.17.]060. WSR 96-22-048, § 296-306A-009, filed 10/31/96, effective 12/1/96.]