WSR 26-16-080
PREPROPOSAL STATEMENT OF INQUIRY
DEPARTMENT OF
LABOR AND INDUSTRIES

[Order 26-14—Filed August 4, 2026, 4:52 p.m.]

Subject of Possible Rule Making: Lead safety and health rules; medical removal. Chapter 296-62 WAC, General occupational health standards, Part 1 Air contaminants (WAC 296-62-07521 Lead); and chapter 296-155 WAC, Safety standards for construction work, Part B-1 Occupational health and environmental control (WAC 296-155-176 through 296-155-17654, lead).

Statutes Authorizing the Agency to Adopt Rules on this Subject: RCW 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: Current medical removal provisions within Washington's occupational lead standards have remained largely unchanged for decades. A previous lead rule-making effort initiated in 2016 was paused in 2020 due to the COVID-19 pandemic and competing priorities. The department of labor and industries (L&I) is now initiating a new rule-making effort with an updated and more targeted scope focused on strengthening medical protections for workers with elevated blood lead levels (BLLs).

This rule making is intended to provide targeted updates to medical removal protections informed by available exposure and blood lead data while maintaining the existing scope of Washington's airborne permissible exposure limits and action levels, exposure control, and methods of compliance. L&I anticipates initiating a subsequent, broader rule-making effort to evaluate additional elements of Washington's occupational lead standard following completion of this targeted update. This phased approach allows L&I to address priority medical removal protections while providing additional opportunities for stakeholder engagement and consideration of other aspects of the lead standards.

L&I is committed to conducting an open and transparent rule-making process that will provide opportunities for participation from interested stakeholders.

Other areas needing adjustment or clarification in this first phase of rule making may include:

- Strengthening medical protections for workers with elevated BLLs.
- Addressing outdated BLL thresholds for medical removal.
- Establishing criteria for safe return-to-work following medical removal.

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 amendments are 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 Asher Brennan, Administrative Regulations Analyst, L&I, Division of Occupational Safety and Health, P.O. Box 44620, Olympia, WA 98504-4620, phone 253-427-1678, fax 360-902-5619, email Asher.Brennan@Lni.wa.gov.

Additional comments: For more information on L&I rule making, visit L&I's rule-making activity web page at https://www.Lni.wa.gov/rulemaking-activity/.

August 4, 2026
Joel Sacks
Director