

## DEPARTMENT OF LABOR

### Notice of Intent to Adopt Regulations

In accordance with the provisions of Section 4-168 of the General Statutes of Connecticut, notice is hereby given that the Labor Commissioner, pursuant to Section 4-8 and 4-167 of the General Statutes of Connecticut, and under the authority of section 31-372 of the General Statutes, proposes to adopt by reference the following changes in the Federal Occupational Safety and Health Standards.

It should be noted that, because the scope of the Connecticut Occupational Safety and Health Act is limited to the public sector employment, these regulations apply only to employment in state and municipal government agencies.

Section 1. Sec. 31-372-107-1926 of the Regulations of Connecticut State Agencies is amended by adding the following:

#### **Section 31-372-107-1926. Safety and Health Regulations for Construction**

<u>Standard Affected</u>	<u>Subject</u>	<u>Date</u>	<u>Fed. Reg. Action</u>
Subpart C	Authority	5/4/14	Amended
Subpart V			
1926.953	Enclosed spaces	5/4/14	Amended
1926.968	Definitions.	5/4/14	Amended
Subpart AA			
1926.1200		5/4/14	Reserved
1926.1201	Scope.	5/4/14	New
1926.1202	Definitions.	5/4/14	New
1926.1203	General requirements.	5/4/14	New
1926.1204	Permit-required confined space program.	5/4/14	New
1926.1205	Permitting process.	5/4/14	New
1926.1206	Entry permit.	5/4/14	New
1926.1207	Training.	5/4/14	New
1926.1208	Duties of authorized entrants.	5/4/14	New
1926.1209	Duties of attendants.	5/4/14	New
1926.1210	Duties of entry supervisors.	5/4/14	New
1926.1211	Rescue and emergency services.	5/4/14	New
1926.1212	Employee participation.	5/4/14	New
1926.1213	Provision of documents to Secretary.	5/4/14	New

**Statement of Purpose:** The adoption by reference of these revisions to the Federal Occupational Safety and Health Standards will serve to update Connecticut Occupational Safety and Health Standards in accordance with Section 31-372 of the Connecticut General Statutes. On May 4, 2015, the federal Occupational Safety and Health Administration (OSHA) published notification

of its additions to the Construction standards, which will be effective in private sector general industry employment on August 3, 2015.

Conn. Gen. Stat. 31-372 requires, as an element of Connecticut's approved Public Sector-Only State Plan, that the Department of Labor's Occupational Safety and Health Division (CONN-OSHA) adopt all occupational health and safety standards, amendments or changes adopted or recognized by the United States Secretary of Labor under the authority of the Occupational Safety and Health Act of 1970.

These revisions add a new subpart to the standard in order to provide protections to employees working in confined spaces in construction. The new subpart replaces OSHA's one training requirement for confined space work with a comprehensive standard that includes a permit program designed to protect employees from exposure to many hazards associated with work in confined spaces, including atmospheric and physical hazards. It is similar in content and organization to the general industry confined spaces standard, but also incorporates several provisions from the proposed rule to address construction-specific hazards, accounts for advancements in technology, and improves enforceability of the requirement.

All interested parties who wish to submit data, views, or arguments may do so in writing within thirty (30) days following publication of this notice. Any such written material should be directed to:

Anne FF Rugens, Principal Attorney  
Office of Program Policy  
Connecticut Labor Department  
200 Folly Brook Boulevard  
Wethersfield, CT 06109  
(860) 263-6755.

Any interested party may request a copy of the fiscal note from the Office of Program Policy at the above address.

A public hearing will be held on March 9, 2016 at 8:30 a.m. in the Office of Program Policy Conference Room at the Connecticut State Labor Department, 200 Folly Brook Boulevard, Wethersfield, CT 06109. Interested parties may submit data, facts, views or arguments, orally or in writing, at this hearing.



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### **Statement of Purpose**

*Pursuant to CGS Section 4-170(b)(3), "Each proposed regulation shall have a statement of its purpose following the final section of the regulation." Enter the statement here.*