

LABOR SERVICES DIVISION[875]

Adopted and Filed

Pursuant to the authority of Iowa Code section 88.5, the Labor Commissioner amends Chapter 10, “General Industry Safety and Health Rules,” and Chapter 26, “Construction Safety and Health Rules,” Iowa Administrative Code.

The amendments adopt by reference changes to federal occupational safety and health standards pertaining to hexavalent chromium and steel erection. These amendments require that employers in general industry and construction notify employees of hexavalent chromium exposure determinations regardless of whether the permissible exposure limit was exceeded. These amendments also add a note to the occupational safety and health standards for construction that notifies the public of a requirement enforced by the Federal Highway Administration (FHWA). The U.S. Department of Labor added the note to the occupational safety and health standards for construction because the FHWA requirement enhances the integrity of structural steel, thus improving employee safety.

The principal reasons for adoption of these amendments are to implement legislative intent, protect the safety and health of Iowa workers, and make Iowa’s regulations current and consistent with federal regulations. Pursuant to Iowa Code subsection 88.5(1)“a” and 29 CFR 1953.5, Iowa must adopt changes to the federal occupational safety and health standards.

Notice of Intended Action was published in the June 16, 2010, Iowa Administrative Bulletin as **ARC 8862B**. No public comment was received on the proposed amendments. These amendments are identical to those published under Notice of Intended Action.

No variance provisions are included in these rules. Variance procedures are set forth in 875—Chapter 5.

These amendments are intended to implement Iowa Code section 88.5.

These amendments shall become effective on September 15, 2010.

The following amendments are adopted.

ITEM 1. Amend rule **875—10.20(88)** by inserting the following at the end thereof:
75 Fed. Reg. 12685 (March 17, 2010)

ITEM 2. Amend rule **875—26.1(88)** by inserting the following at the end thereof:
75 Fed. Reg. 12685 (March 17, 2010)
75 Fed. Reg. 27429 (May 17, 2010)

[Filed 7/22/10, effective 9/15/10]

[Published 8/11/10]

EDITOR’S NOTE: For replacement pages for IAC, see IAC Supplement 8/11/10.