REQUEST FOR RULEMAKING (RFR)

Under the Administrative Procedures Act (APA), 1969 PA 306, the agency that has the statutory authority to promulgate rules must electronically file a RFR with the Office of Regulatory Reinvention (ORR) before initiating any changes or additions to the rules. Submit copy to the ORR at **orr@michigan.gov**.

1. Agency Information

Agency name:	Michigan Occupational Safety and Health Administration (MIOSHA)
Division/Bureau/Office:	MIOSHA Technical Services Division - MIOSHA Regulatory Services
Agency contact person name, e-mail, and phone:	Shannon Matsumoto, Program Manager matsumotos@michigan.gov 517.284.7734

2. Rule Set Information

Title of proposed rule set:	General Industry Safety and Health Standard Part 17 Refuse Packer Units	
Rule number(s) or range of numbers:	R 408.11701 to R 408.11732	
Included in agency's annual regulatory plan as rule to be processed in current year?		No

3. Estimated timetable for completion, or statutory deadline, if applicable:

6 months

4. Describe the general purpose of these rules, including any problem(s) the changes are intended to address:

GI Part 17 Refuse Packer Units gives direction to employers and employees on protecting Michigan employees from health and safety hazards in the workplace when using refuse packer units.

This standard is being amended due to the recently revised federal regulations 1910 Subpart D, in order to be as effective as the federal Occupational Safety and Health Administration (OSHA) standards.

In addition, minor editorial and formatting changes are being made, including changing the title of the standard.

5. Cite the specific rule promulgation authority (i.e. agency director, commission, board, etc., listing all applicable statutory references. If the rule(s) are mandated by any applicable constitutional or statutory provision, please explain.

The Williams-Steiger Occupational Safety and Health Act of 1970 requires that the Michigan Occupational Safety and Health Act promulgate standards that are "at least as effective as" those promulgated under Section 6 of the Act; Sections 16 and 21 of Act No. 154 of 1974, as amended, being MCL 408.1016 and MCL 408.1021.

6. Describe the extent to which the rule(s) conflict with, duplicate, or exceed similar regulations, compliance requirements, or other standards adopted at the state, regional, or federal level. Include applicable public act and statutory references.

MIOSHA is not aware of any conflict or duplication.

7. Is the subject matter of the rule(s) currently contained in any guideline, manual, handbook, instructional bulletin, form with instructions, or operational memo?

None, that MIOSHA is aware of.

8. Explain whether the rule(s) will be promulgated under Sections 44 or 48 of the APA or the full rulemaking process:

These rules are being amended to be "at least as effective as" OSHA.   Therefore, this rule revision is being promulgated under APA Section 44(2).

9. Do the rule(s) incorporate the recommendations of any Advisory Rules Committee formed pursuant to Executive Order 2011-5? If yes, explain.

No

10. Is there an applicable decision record as defined in Section 3(6) and required by Section 39(2) of the APA? If so, please attach the decision record.

None

11. Reviewed by the following Departmental Regulatory Affairs Officer:

Liz Arasim
Department of Licensing and Regulatory Affairs

↓ To be completed by the ORR ↓

Date RFR received:2-1-2019

☒ **Based on the information in this RFR, the ORR concludes that there are sufficient policy and legal bases for approving the RFR.**

ORR assigned rule set number:	**2019-008 LR**
Date of approval:	**2/6/19**

☐ **Based on the information in this RFR, the ORR is not approving the RFR at this time.**

Date of disapproval:	
Explanation:	