



**State of Alaska
Department of Labor and Workforce Development
Division of Labor Standards and Safety**

AKOSH Program Directive 06-09

Date: March 17, 2006,
To: Distribution List
From: Grey R. Mitchell, Director
Subject: **29 CFR 1910.1026; .1915-1918; 29 CFR 1926.1126.
Occupational Exposure to Hexavalent Chromium, Final Rule
Published in the Federal Register February 29, 2006;
pp 10100-10341**

This Program Directive, PD 06-09, is formal notice that the Alaska Department of Labor & Workforce Development, Division of Labor Standards & Safety recognizes and will implement the changes to the final rule having to do with Hexavalent Chromium [Cr(VI)]. Note references to 29 CFR parts 1915 – 1918 are out of Alaska's jurisdiction and will not be adopted.

Authority: AS 18.60.020, AS18.60.030 and AS 18.60.075
References: 8 AAC 61.1010

29 C.F.R. 1910.1026 and 29 C.F.R. 1926.1126 are occupational safety and health standards in this state, as revised in this section and except as provided in 8 AAC 61.1145 - 8 AAC 61.1170.

- a. **8 AAC 61.1100. Additional air contaminants standards** does not reference Hexavalent Chromium (Cr(VI)) in Table Z-1-A of this section which are the Alaska standards to test limits for air contaminants in place of Table Z-1 contained in 29 C.F.R. 1910.1000, as amended.

However Alaska's current Z-1-A table does list Item #137 Chromic Acid and Chromates (as CrO₃) which is referenced in this final rule as the predecessor reference for limits for Cr(IV) on FR page 10333 and referred to in paragraph (c) of the final rule.

Effective Date: The effective date of any amendments to the Code of Federal Regulations (CFR) adopted by reference in this section of the Alaska Administrative Code have the same effective date as published in the Federal Register.

Effective Date: This Final Rule is effective May 30, 2006 covering general industry, construction and maritime. All provisions except engineering controls have a start-up date of November 27, 2006 (May 30, 2007 for small businesses). Engineering controls must be in place by May 31, 2010.

1. On February 29, 2006, OSHA published an amendment to the existing standard which limits occupational exposure to Hexavalent Chromium (Cr(VI)). OSHA has determined based upon the best evidence currently available that at the current permissible exposure limit (PEL) for Cr(VI), workers face a significant risk to material impairment of their health. The evidence in the record for this rulemaking indicates that workers exposed to Cr(VI) are at an increased risk of developing lung cancer. The record also indicates that occupational exposure to Cr(VI) may result in asthma, and damage to the nasal epithelia and skin.

The final rule establishes an 8-hour time-weighted average (TWA) exposure limit of 5 micrograms of Cr(VI) per cubic meter of air ($5 \mu\text{g}/\text{m}^3$). This is a considerable reduction from the previous PEL of 1 milligram per 10 cubic meters of air ($1 \text{ mg}/10 \text{ m}^3$) or ($100 \mu\text{g}/\text{m}^3$)* reported as CrO_3 , which is equivalent to $52 \mu\text{g}/\text{m}^3$ as Cr(VI). The final rule also contains ancillary provisions for worker protection such as requirements for worker protection such as requirements for exposure determination, preferred exposure control methods, including a compliance alternative for a small sector for which the new PEL is infeasible, respiratory protection, protective clothing and equipment, hygiene areas and practices, medical surveillance, recordkeeping, and start-up dates that include four years for the implementation of engineering controls to meet the PEL.

The final standard separately regulates general industry, construction, and shipyards in order to tailor requirements to the unique circumstances found in each of these sectors.

The PEL established by this rule reduces the significant risk posed to workers by occupational exposure to Cr(VI) to the maximum extent that is technologically and economically feasible.

Program Directives affected with regard to chromium:

- 80-9 canceled CPL 2-2-.026 and instructed to cite CrO_3 using the lead Standard 29 CFR 1910.1025
- 90-4 OSHA Technical Manual. CPL 2-2-20B
- 94-1 CPL 2-2-.026

*8 AAC 61.1100 Z-1-A table, Item #137 Chromic Acid and Chromates (as CrO_3)

Please ensure that all members of your staff receive a copy of this program directive.

Attachment: FR Vol. 71, No. 39, February 28, 2006 pp 10100-10340

Distribution List w/o attachment

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