


CANCELLED

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

AKOSH Program Directive PD 95-19

Date: December 20, 1994
To: All AKOSH Staff
From: Dennis L. Smythe, CI, Acting Director 
Subject: Hazardous Waste Operations and Emergency Response,
29 C.F.R. 1910.120 and 29 C.F.R. 1926.65

This program directive, PD 95-19, conveys the attached final rule for 29 C.F.R. 1910.120 and 29 C.F.R. 1926.65, Hazardous Waste Operations and Emergency Response, which was published in the Federal Register on August 22, 1994 in Volume 59, No. 161, effective on the national level as of October 11, 1994. This standard is currently part of a package under review by Department of Law, AG File #993-95-0070.

Delays in regulations' processing will prevent the state from officially adopting this standard within the six months allowed by OSHA. The six-month deadline is February 22, 1995. However, a requirement of our OSHA state plan 18(e) certification is that the program enforce this standard under the General Duty Requirement until the standard is adopted at the state level.

The State of Alaska's General Duty Requirement is found in AS 18.60.075(a)(4), which requires that "An employer shall do everything necessary to protect the life, health and safety of employees including, but not limited to: furnishing to each of his employees employment and a place of employment which are free from recognized hazards which, in the opinion of the Commissioner, are causing or are likely to cause death or serious physical harm to his employees." The Alaska Compliance Manual also discusses the General Duty Requirement under Chapter IV, A. 2. (pages IV-5 through IV-22).

Effective immediately and until the adoption of a state-specific standard as effective as that adopted under 29 C.F.R. 1910.120 and 29 C.F.R. 1926.65, enforce this standard following established procedures for the General Duty Requirement.

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