

**WAC 296-62-07365 Methods of compliance.** (1) Engineering controls and work practices.

(a) The employer must institute engineering controls and work practices to reduce and maintain employee exposure to or below the TWA and to or below the excursion limit, except to the extent that such controls are not feasible.

(b) Wherever the feasible engineering controls and work practices that can be instituted are not sufficient to reduce employee exposure to or below the TWA and to or below the excursion limit, the employer must use them to reduce employee exposure to the lowest levels achievable by these controls and must supplement them by the use of respiratory protection that complies with the requirements of WAC 296-62-07367.

(c) Engineering controls are generally infeasible for the following operations: Collection of quality assurance sampling from sterilized materials removal of biological indicators from sterilized materials; Loading and unloading of tank cars; changing of ethylene oxide tanks on sterilizers; and vessel cleaning. For these operations, engineering controls are required only where the director demonstrates that such controls are feasible.

(2) Compliance program.

(a) Where the TWA or excursion limit is exceeded, the employer must establish and implement a written program to reduce employee exposure to or below the TWA and to or below the excursion limit by means of engineering and work practice controls, as required by subsection (1) of this section, and by the use of respiratory protection where required or permitted under WAC 296-62-07355 through 296-62-07389.

(b) The compliance program must include a schedule for periodic leak detection surveys and a written plan for emergency situations, as specified in WAC 296-62-07369 (1)(a).

(c) Written plans for a program required in this subsection must be developed and furnished upon request for examination and copying to the director, affected employees and designated employee representatives. Such plans must be reviewed at least every twelve months, and must be updated as necessary to reflect significant changes in the status of the employer's compliance program.

(d) The employer must not implement a schedule of employee rotation as a means of compliance with the TWA or excursion limit.

[Statutory Authority: RCW 49.17.010, 49.17.040, 49.17.050, and 49.17.060. WSR 19-01-094, § 296-62-07365, filed 12/18/18, effective 1/18/19. Statutory Authority: Chapter 49.17 RCW. WSR 88-23-054 (Order 88-25), § 296-62-07365, filed 11/14/88; WSR 87-24-051 (Order 87-24), § 296-62-07365, filed 11/30/87.]