

WAC 173-340-810 Worker health and safety. (1) **General provisions.** Requirements under the Occupational Safety and Health Act of 1970, as amended (29 U.S.C. Sec. 651 et seq.) and the Washington Industrial Safety and Health Act (chapter 49.17 RCW), and regulations promulgated pursuant thereto shall be applicable to remedial actions taken under this chapter. These requirements are subject to enforcement by the designated federal and state agencies. All governmental agencies and private employers are directly responsible for the safety and health of their own employees and compliance with those requirements. Actions taken by the department under this chapter do not constitute an exercise of statutory authority within the meaning of section (4)(b)(1) of the Occupational Safety and Health Act.

(2) **Health and safety plan.** Persons responsible for undertaking remedial actions under this chapter shall prepare a health and safety plan when required by chapter 296-843 WAC. Plans prepared under an order or decree shall be submitted for the department's review and comment. The health and safety plan must be consistent with chapter 49.17 RCW and regulations adopted under that authority.

[Statutory Authority: Chapters 70A.305 and 70A.355 RCW. WSR 23-17-159 (Order 18-09), § 173-340-810, filed 8/23/23, effective 1/1/24. Statutory Authority: Chapter 70.105D RCW. WSR 01-05-024 (Order 97-09A), § 173-340-810, filed 2/12/01, effective 8/15/01; WSR 90-08-086, § 173-340-810, filed 4/3/90, effective 5/4/90.]