

CANCELLED

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

AKOSH Program Directive PD 95-20

Date: December 20, 1994

To: All AKOSH Staff



From: Dennis L. Smythe, CI, Acting Director

Subject: Asbestos; General Industry and Construction, 1910.1001 and 1926.1101

This program directive, PD 95-20, conveys the attached final rule for 1910.1001 and 1926.1101, Asbestos; General Industry and Construction, which was published in the Federal Register on August 10, 1994 in Volume 59, No. 153, 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 10, 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 1910.1001 and 1926.1101, enforce this standard following established procedures for the General Duty Requirement.

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