## A Proposed Revised OSHA Crane and Derrick Standard for Construction

The U.S. Occupational Safety and Health Administration's Crane and Derrick Negotiated Rulemaking Committee (CDAC) has reached consensus on draft language for a revised Crane and Derrick Standard for Construction (Subpart N 29 CFR 1926.550). The CDAC Advisory Committee was composed of 23 industry representatives selected by OSHA to represent key interest groups that would be affected by the new standard, including the International Union of Operating Engineers.

***The following interest groups were represented on the panel:***

- Crane and derrick manufacturers, suppliers, and distributors
- Companies that repair and maintain cranes and derricks
- Crane and derrick leasing companies
- Owners of cranes and derricks
- Construction companies that use leased cranes and derricks
- General contractors
- Labor organizations representing construction employees who operate cranes and derricks and who work in conjunction with cranes and derricks
- Owners of electric power distribution lines
- Civil, structural, and architectural engineering firms and engineering consultants involved with the use of cranes and derricks in construction
- Training organizations
- Crane and derrick operator testing organizations
- Insurance and safety organizations, and public interest groups
- Trade associations
- Government entities involved with construction safety and with construction operations involving cranes and derricks.

The draft standard was negotiated using a consensus process. Consensus was defined as no more than two dissenters from the CDAC group on any single issue. The group held 11 3-to-4-day meetings between July 2003 and July 2004.

***Key provisions of the CDAC proposal include:***

- The scope covers a wide range of new types of cranes that have been developed over the past 30 years.
- A qualified person must address a list of key hazards associated with equipment assembly and disassembly.
- A construction site's "controlling entity" will have the responsibility to make sure ground conditions are adequate for crane set-up to help prevent tipovers.
- In order to prevent electrocution, a leading cause of crane-related deaths, employers must choose from a list of options for ensuring that equipment does not come within a prescribed distance of power lines. When working closer than that distance, a specified list of measures must be taken.
- After a phase-in period, crane operators will have to be certified by (1) any crane-operator testing organization approved by a nationally recognized accrediting agency;

(2) the employer's own qualification program, which must be audited by a testing organization-approved auditor; (3) a state licensing program that meets OSHA requirements; or (4) the U.S. military.

- Signal persons must meet specified qualification requirements.
- Updated requirements for cranes on barges.

Safety devices, operational aids, signals, supplemental requirements for specific types of equipment (such as derricks and tower cranes), inspections, wire rope, prototype design and testing, crushing and overhead hazards, hoisting personnel, fall protection and equipment modification are also addressed.

Drug-alcohol testing and physical qualifications for operators are issues that were discussed but rejected by the committee for inclusion in the draft standard. These items generated a number of potential legal and enforcement concerns.

The proposal places a special emphasis on the leading causes of crane fatalities, including contact with power lines and injuries that occur during crane assembly and disassembly. On average about 80 workers die each year in crane accidents, based on OSHA data from 1992-2000.

## The Next Steps

The final consensus regulatory language will undergo an economic analysis. A Small Business Regulatory Flexibility Act (SBRFA) review may also be required. There will also be a review by the Office of Management and Budget (OMB). Upon completion of these reviews, the proposed standard will be published in the Federal Register. OSHA will draft a preamble before publishing the proposed standard. Following publication, there will be a pubic comment period and possibly a public hearing. OSHA will take into account significant comments and respond to them in the preamble to the final rule, which, along with the final rule, will be published in the *Federal Register.*

“We hope the process will be complete or near completion by mid-2007,” said Emmett Russell, safety and health director for the International Union of Operating Engineers.

**A copy of the consensus draft language for a revised crane and derrick standard for construction is on the web at:**
**http://dockets.osha.gov/vg001/V046A/00/48/45.PDF**