

OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD

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PROPOSED PETITION DECISION OF THE OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD (PETITION FILE NO. 488)

INTRODUCTION

The Occupational Safety and Health Standards Board (Board) received a petition on October 19, 2006, from Mr. James L. Meyer, Meyer Consulting Inc. (Petitioner). The Petitioner requests that the Board amend Title 8, California Code of Regulations (CCR), Section 3000(d) of the Elevator Safety Orders (ESO) limiting the scope of the ESO by adding an exclusion for maintenance lifts used to access underground sewage control pumping stations.

Section 142.2 permits interested persons to propose new or revised standards concerning occupational safety and health, and requires the Board to consider such proposals, and render a decision no later than six months following receipt. Further, as required by Labor Code Section 147, any proposed occupational safety or health standard received by the Board from a source other than the Division must be referred to the Division for evaluation, and the Division has 60 days after receipt to submit a report on the proposal.

SUMMARY

The Petitioner stated that pumping station maintenance lifts do not conform to the ESO including Article 12.3. Special Purpose Personnel Elevators¹ (e.g., no lift controls outside the hoistway, no elevator pit, minimum platform size). In the early 1980's, the Division of Occupational Safety and Health (Division) determined that maintenance lifts do not comply with the ESO, and chose not to address the non-compliance issue because of the lack of safety problems associated with their use. However, recently the Division's Elevator Unit responded to a complaint that no inspection certificate was present on a maintenance lift used to access an underground sewage control pumping station operated by the City of West Sacramento and issued an order to remove it from service (Red Tag). The Petitioner stated that after the Division considered the vital role this type of lift plays in the maintenance of underground municipal sewage pumping stations, as well as the safety record of the lift operation, the "red tag" was removed and the lift was allowed to operate pending the petition decision. The Petitioner stated that due to the constraints of the environment in which these lifts are installed (e.g. reduced clearance access to the underground pumping station vault) and operated, they cannot comply with the ESO.

¹ Article 12.3 of the ESO contains standards addressing hoistway design, enclosures, electric wiring, counterweights, pits, runby, top car clearance, overhead machinery beams and supports, rail guides, safeties, car doors and gates, platform capacity, driving machines and sheaves, suspension means and emergency signal and communications.

DIVISION'S EVALUATION

The Division's evaluation report dated February 14, 2007, agreed with the Petitioner to exempt these types of lifts from the ESO. The Division noted that the lift has no fixed landings, is designed solely for use by trained and authorized pumping station personnel, and is custom designed and adapted to safely meet the unique access criteria presented by underground pumping stations. The Division concluded that placing pumping station maintenance lifts on the list of excluded devices included in ESO Section 3000(d) has merit and recommended granting the Petitioner's request.

BOARD STAFF'S EVALUATION

Board staff's evaluation report dated February 8, 2007, also supports the Petitioner's request to limit the scope of the ESO by adding an exclusion for maintenance lifts used to access underground sewage control pumping stations. In addition, Board staff proposed language to ensure that excluded devices were to be installed, maintained, altered, modified and operated in accordance with manufacturer's specifications and recommendations.

Board staff conducted onsite inspections at sewage pumping stations on Southport Parkway and on Jefferson Boulevard in West Sacramento to inspect maintenance elevators that are the subject of this petition.

The lift on Southport Parkway was a newer design and originally equipped with an interlocked platform gate that required the gate to be closed before the lift could be operated. West Sacramento City staff indicated that the gate had been removed because of space restraints of the small maintenance lift and that clothing worn by employees and tools would get caught in the lattice type gate creating a hazard entering and exiting the lift. The Jefferson Boulevard pumping station lift was similar to the Southport pumping station's lift, with the exception that it had never been equipped with an interlocked gate.

Board staff observed that the subject lifts have two landings, the upper landing or street level and the lower landing at the floor level of the underground pumping station, and are only large enough to carry one person on the lift platform at a time. The lifts were manufactured and installed by the underground pumping station designer/builder and are an integral part of the pumping station. At street level, both lift tubes rise approximately 8 feet above the street level. They have a standard, lockable exit door and gate to the side that provide access to the street level and supports the drive machine, a fixed ladder, and support hook for equipment hoisting as well as confined space recovery operations.

The maintenance lifts provide employee access into underground pumping stations, operating at the travel speed of 25 to 35 fpm and being accessed usually less than 15 times a month by authorized personnel when pumping station inspection, maintenance or repairs are required. The fixed ladder running up the side of the lift tube and ladder rungs on the sides of the lift provide access into and out of the underground pumping station in the event the lift becomes nonoperative. The lifts are only operated by trained mechanics and inspectors and are well

maintained, undergoing routine maintenance and inspection documented approximately once a month. The lifts, the pumping station and the pumping station grounds are secured from public access and are locked at all times unless maintenance personnel are present. Because these pumping stations are operated by either local jurisdiction municipalities or quasi governmental improvement districts, the oversight of construction and completion of these facilities is generally consistent with the manufacturer's specifications and performance specifications outlined in construction contracts between the manufacturer and the local jurisdiction municipality or improvement district. The proper performance and completion of these construction contracts are ensured through inspections and final approvals/acceptance by the local building departments, city architects and building inspectors.

Board staff notes that the subject maintenance lifts are not accessible by the public and have an excellent safety history, indicating no reportable accidents occurring in the operation of these types of lifts since first manufactured and installed in California in the 1960's. Additionally, the installation, maintenance and operation of the lifts are generally well supervised and controlled by the municipalities or improvement districts that operate the pumping stations. The lifts are operated only by trained mechanics and inspectors working on the pumping equipment in the underground vaults.

However, staff observed that lift gate modifications to the Jefferson Boulevard lift are not in accordance with the pumping station designer/builder original specifications and recommendations, which is a concern. Unsanctioned modifications could present safety hazards to workers that use such lifts to access underground pumping stations.

CONCLUSION AND ORDER

The Occupational Safety and Health Standards Board has considered the petition of Mr. James L. Meyer, to amend Section 3000(d) of the Elevator Safety Orders (ESO) limiting the scope of the ESO by adding an exclusion for maintenance lifts used to access underground sewage control pumping stations.. The Board has considered the recommendations of the Division and Board staff. The Board has determined that the petition be GRANTED and rulemaking be developed to include pumping station maintenance lifts on the list of excluded services in Section 3000(d).