

**OCCUPATIONAL SAFETY
AND HEALTH STANDARDS BOARD**

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**CALIFORNIA CODE OF REGULATIONS****NOTICE OF PROPOSED MODIFICATIONS**

Chapter 4, Subchapter 4, Article 29, Section 1710 of the Construction Safety Orders and
Subchapter 7, Article 98, Section 4999 of the General Industry Safety Orders

Securing of Loads Prior to Release from Cranes and Other Hoisting Apparatus

Pursuant to Government Code Section 11346.8(c), the Occupational Safety and Health Standards Board (Standards Board) gives notice of the opportunity to submit written comments on the above-named regulations in which further modifications are being considered as a result of public comments and/or Board staff evaluation.

On March 15, 2001, the Standards Board held a Public Hearing to consider revisions to Title 8, Section 1710 of the Construction Safety Orders and Section 4999 of the General Industry Safety Orders, California Code of Regulations. The Standards Board received one written comment on the proposed revisions. The regulations have been further modified as a result of the written comment and Board consideration.

A copy of the full text of the regulation as originally proposed, and a copy of the modified text clearly indicating the further modifications, is attached for your information. In addition, a summary of all oral and written comments regarding the original proposal and staff responses is included.

Any written comments on these modifications must be received by 5:00 p.m. on May 14, 2001 at the Occupational Safety and Health Standards Board, 2520 Venture Oaks Way, Suite 350, Sacramento, California 95833. These regulations will be scheduled for adoption at a future business meeting of the Standards Board.

The Standards Board's rulemaking files on the proposed action are open to public inspection Monday through Friday, from 8:00 a.m. to 4:30 p.m., at the Standards Board's office at 2520 Venture Oaks Way, Suite 350, Sacramento, California 95833.

Inquiries concerning the proposed changes may be directed to the Executive Officer, John D. MacLeod at (916) 274-5721

PROPOSED MODIFICATIONS
(Modifications are shown in
bold and double underscore for new language and
bold and strikeout for deleted language.)

**STANDARDS PRESENTATION
TO
CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD**

PROPOSED STATE STANDARD,
TITLE 8, CHAPTER 4

Amend Construction Safety Orders, Section 1710 to read:

§1710. Erection of Structures.

(a) Bracing.

(1) Trusses and beams shall be braced laterally and progressively during construction to prevent buckling or overturning.

(2) The first member shall be plumbed, connected, braced and/or guyed against shifting before succeeding members are erected and secured to it.

(3) The total system shall be adequately braced and stabilized to the foundation, to suitable anchors buried in the ground, or by other equivalent method(s).

(4) Beams, trusses and other material being lifted and placed by cranes or other hoisting apparatus shall not be released from the crane or hoisting apparatus until **the person detaching the load has verified that** the load has been secured or supported to prevent inadvertent movement.

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NOTE: Authority cited: Section 142.3, Labor Code. Reference: Sections 142.3, 7252, 7253, 7254, 7258, 7261, 7262 and 7266, Labor Code.

**STANDARDS PRESENTATION
TO
CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD**

PROPOSED STATE STANDARD,
TITLE 8, CHAPTER 4

Amend General Industry Safety Orders, Section 4999 to read:

§4999. Handling Loads.

(a) Size of Load. A crane, derrick, or hoist shall not be loaded beyond the rated capacity or safe working load whichever is smaller, except for test purposes. In all operations where the weight of the load being handled is unknown and may approach the rated capacity, there shall be a qualified person assigned to determine the magnitude of the load, unless the crane or derrick is equipped with a load weighing device. The operator shall not make any lift under these conditions until informed of such weight by the qualified person assigned to that operation.

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(g) Loads shall not be released or detached from a crane or other hoisting apparatus until **the person detaching the load has verified that** the load has been secured or supported to prevent inadvertent movement.

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NOTE: Authority cited: Section 142.3, Labor Code. Reference: Section 142.3, Labor Code.

SUMMARY AND RESPONSE TO COMMENTS

SUMMARY AND RESPONSE TO ORAL AND WRITTEN COMMENTS

I. Written Comments

Mr. Bradley D. Closson, Executive Vice President, North American Crane Bureau by letter dated February 15, 2001.

Comment:

Mr. Closson states that the proposed wording for CSO Section 1710(a)(4) and GISO 4999(g) will be an enhancement to the enforcement effort of the Division of Occupational Safety and Health. However, Mr. Closson expressed concern that the proposed wording will place the responsibility for determining when a load has been secured or supported to prevent inadvertent movement upon the crane operator. Mr. Closson notes that in most situations, the crane operator has no knowledge of the load's stability, or the supporting structure's competence at the time of load placement.

Mr. Closson states that the delineation of responsibilities before an accident in multi-employer workplaces is increasingly important. The expectation of an "omniscient" crane operator at the controls is not realistic and is not an expectation that will lead to a safer work environment.

Mr. Closson believes the wording should clearly indicate that the person detaching the load from the crane should determine when a load has been secured or supported to prevent inadvertent movement. Mr. Closson suggested modification to the proposal by inserting the words, "...until the person detaching the load from the crane has verified that^[1] the load has been secured..." With this recommended wording, proposed Section 4999(g) in final would read, "Loads shall not be released or detached from a crane or other hoisting apparatus until the person detaching the load from the crane has verified that the load has been secured or supported to prevent inadvertent movement.

Response:

The Board concurs with Mr. Closson that in many situations (e.g., tower crane operations) the crane operator may not have a clear view of the load. This is a common occurrence where the crane operator's view is reduced or obstructed by equipment/materials or portions of building structures. In situations where the crane operation is not in full view of the crane operator, Section 5001 requires a signal person to direct the crane operator unless the operator has a signal or control device provided for safe movement and operation of the crane.

Board staff also concurs with Mr. Closson that it is the person or persons detaching or securing the load that is best able to make the determination that the load is secured or supported prior to release. Even when the load is in clear view of the crane operator, the operator relies on those detaching or securing the load to advise him or her that the load has been secured or supported. Therefore, Board staff believes the proposed modifications recommended by Mr. Closson have

^[1] Board staff changed Mr. Closson's proposed modification wording slightly for minor editorial purposes only.

merit. Modifications consistent with Mr. Closson's recommended wording have been added to the proposed regulatory text for CSO Section 1710(a)(4) and GISO 4999(g).

The Board thanks Mr. Closson for his general support of the proposal and for his participation in the Board's rulemaking process.

II. Oral Comments

There were no oral comments at the March 15, 2001 Public Hearing.