

ensure that climbers are able to rest during long climbs? What is the safety experience in your establishment and/or industry using those practices? Would the use of platforms introduce new hazards in your establishment and/or industry?

20. Should OSHA allow climbers to use short lanyards to tie off and rest during climbing activities? Please explain.

21. If OSHA requires climbers to be equipped with lanyards for resting during climbs, is there additional need to have permanent rest platforms installed every 150 feet on ladders? Please explain and provide data and information to support your comments.

Fall protection during training. The proposal for subpart D would require qualified climbers to successfully complete a training or apprenticeship program that includes hands-on training (§ 1910.32(b)(5)(ii)). A proposed non-mandatory appendix also recommends that climbers use personal fall protection equipment while training. Subpart D, Appendix A; 55 FR 13408, 13420). The Electric Power Generation standard requires that trainees use fall protection "any time they are more than 4 feet (1.2 m) above the ground" (§ 1910.269(g)(2)(v)). In a note to that provision, OSHA said that fall protection during training was necessary because employees still undergoing training were not yet considered "qualified" for purposes of being covered by the exception to using fall protection during climbing. The preamble to the Electric Power Generation final rule said:

These employees would not be able to judge for themselves whether or not a safety strap should be used (and, in some cases, may not even be qualified in its use). Additionally, the record indicates that training and experience is one of the reasons a line worker can climb a pole or structure safely without fall protection * * * and that employees in training are at increased risk of injury due to falling (59 FR 4374).

OSHA believes that the reasoning in the Electric Power Generation standard supporting the use of fall protection during training of qualified persons also is applicable to the training of qualified climbers, and OSHA is considering whether to incorporate the language from Appendix A into the requirements of subpart D to further enhance employee safety.

22. In your establishment and/or industry, how are employees currently protected from falls while they are being trained to be qualified climbers? What is the safety experience in your establishment and/or industry using those practices?

23. Should OSHA require that employees always use fall protection equipment while being trained to be qualified climbers? Please explain.

24. Would a requirement to provide fall protection during training significantly affect costs, revenues or overall profitability in your establishment and/or industry? Please provide estimates of impacts on costs, revenues and/or profits and an explanation of how the estimates were derived.

25. How many and what percentage of employees at your establishment would be affected by adding such a requirement?

3. Rung Width on Fixed Ladders

Proposed subpart D carried over from the existing subpart A a requirement that ladder rungs on fixed ladders have a minimum clear width of 16 inches (41 cm) (§ 1910.23(c)(9), 55 FR 13399). OSHA also proposed to replace the ladder requirements contained in the Telecommunications standard (§ 1910.268(h)) with a cross-reference to the revised ladder requirements of proposed subpart D (55 FR 13423). The existing Telecommunications standard requires a 12-inch (31 cm) minimum clearance width for rungs on fixed ladders. Commenters from the Telecommunications industry opposed the proposed revision, saying that telecommunications towers were highly specialized structures that do not have the space available for wider ladder rungs (Docket S-041, Ex. 3-116).

26. In the telecommunications industry, how many or what percentage of fixed ladders have rungs that are less than 16 (41 cm) wide? What has been the safety experience using these ladders?

27. At telecommunication centers and field installations, should OSHA continue to allow rungs on fixed ladders to have a minimum clearance width of 12 inches (31 cm)? Please explain and provide supporting data and information.

4. Hierarchy of Fall Protection Controls

Existing subpart D requires guardrails to protect employees from fall hazards (§ 1910.22(c)). However, because it may not be feasible to provide guardrails in all situations, OSHA proposed to establish a hierarchy of controls for protecting employees from fall hazards under subpart D (§ 1910.28(a)(1), 55 FR 13401). Under the proposal, guardrails would be required as the primary means of fall protection. However, other fall protection methods such as personal fall protection systems, hole covers and safety nets would be permitted where

installing guardrails was infeasible. OSHA had proposed a similar provision in the 1973 proposed rule that was withdrawn. In 1978, OSHA issued a compliance directive, which is still in effect, allowing the use of alternate fall protection, which would include the use of personal fall protection, where the use of guardrails is not feasible (STD 1-1.7, October 30, 1978) (Docket S-029; Ex. 1-22).

The construction Fall Protection final rule did not have a hierarchy fall protection. The standard included a list of options any of which employers would be permitted to follow (51 FR 42718, November 25, 1986). For consistency between OSHA's construction standards and general industry standards, the Agency believes it would be appropriate to delete the hierarchy for fall protection controls in general industry. OSHA also notes that the fall protection requirements in a number of general industry standards do not establish a hierarchy of controls for protecting employees against fall hazards. See e.g., § 1910.252, Welding, Cutting and Brazing General Requirements; § 1910.268, Telecommunications; § 1910.269, Electric Power Generation.

In light of this, OSHA is reconsidering whether to delete the proposed hierarchy from subpart D. OSHA recognizes that there may be many situations in which employers may find it preferable to provide guardrails. For example, if multiple employees are exposed to fall hazards on a regular basis, employers may find it is more efficient and cost-effective to install guardrails than to use personal fall protection systems.

28. Does your establishment and/or industry follow a hierarchy of controls for providing fall protection? If so, what is that hierarchy? If not, why? What is the safety experience in your establishment and/or industry using those practices?

29. In your establishment and/or industry, what types of fall protection are provided for employees?

30. Should OSHA include a provision on hierarchy of controls for fall protection in subpart D or allow employers to choose any type of fall protection in proposed § 1910.28 that the employer can demonstrate will be appropriate for the specific work location and activities being performed? Please explain. Are there certain situations in which employers should be required to follow the hierarchy of controls in protecting employees from fall hazards? Please explain and provide examples.