

of fall protection, not just personal fall protection systems.

OSHA solicits comment on the following issues:

46. In your establishment and/or industry, when and in what situations are employees provided with fall protection? Is fall protection provided for working conditions and activities not covered by a specific OSHA standard? Please explain.

47. In your establishment and/or industry, to what extent is the fall protection provided already consistent with proposed subparts D and I? To the extent that fall protection is not consistent with the proposals, please explain whether and why you would have any difficulty coming into compliance. Please address any technological and/or economic obstacles that may be involved.

48. In your establishment and/or industry, how many or what percentage of employees require fall protection on a regular basis? How much of their work requires them to have fall protection? Please explain.

49. Should OSHA add language to Subpart I reinforcing employers' current obligation to provide fall protection whenever employees are exposed to any fall hazard of 4 feet (1.2 m) or more? Please explain.

2. Body Belts for Fall Arrest

In the proposal for subpart I, OSHA proposed to allow the use of body belts for fall arrest as long as the maximum arresting force on the falling employee is limited to 900 pounds (4 kN) (§ 1910.129, 55 FR 13437). However, during the 1990 public hearings, OSHA was made aware of technological improvements in personal fall arrest equipment and of an industry trend away from the use of body belts for fall arrest (Docket S-041, Tr. 9/11/90 pp. 203-9, 240-41; Tr. 9/17/90 p. 1716). A number of fall protection experts consider body belts to be less protective than full body harnesses when arresting a fall and during post-fall suspension (Docket S-057, Exs. 3-31B; Docket S-041, Tr. 9/11/90 pp. 218-19, 230-31). Studies show that body belts can cause significant injury when arresting a fall and may result in injury during post-fall suspension (Docket S-057; Exs. 2-14, 2-24, 2-25).

OSHA and other Federal standards promulgated after the subpart I proposal was published have prohibited or phased out the use of body belts for fall arrest (§ 1926.502, Fall Protection in the construction industry; 49 CFR 214.7 and 49 CFR 214.105, Federal Railroad Administration, Railroad Workplace Safety). OSHA's Fall Protection

standard for the construction industry, finalized in 1994, prohibited the use of body belts for fall arrest after December 31, 1998. In the preamble to that rule, OSHA said evidence in the record (Docket S-206, Exs. 3-7, 3-9, 3-10) as well as the record for the Powered Platforms for Building Maintenance rulemaking (Docket S-700A, Exs. 11-3, 11-4, 11-5, 11-6; Tr. 2/21/86 p. 42) indicated that the concentration of the maximum arresting forces on the body, and the subsequent pressure from post-fall suspension, make body belts unsuitable for fall arrest purposes (59 FR 40672). OSHA also stated that “* * * the evidence in the record clearly demonstrates that employees who fall while wearing a body belt are not afforded the level of protection they would be if the fall occurred while the employee was wearing a full body harness” (59 FR 40703).

Last year the Federal Railroad Administration (FRA) issued an interim final rule prohibiting the use of body belts for fall arrest (49 CFR 214.7 and 49 CFR 214.105)(67 FR 1903, January 15, 2002). In the preamble to the rule, the FRA stated that “it is now obvious that a formerly permitted use of body belts in fall arrest systems presents an undue hazard to the user”.

A 1992 ANSI national consensus standard on safety requirements for personal fall arrest systems declined to address the use of body belts for fall arrest (ANSI Z359.1-1992 (R1999)—Safety requirements for Personal Fall Arrest Systems, Subsystems and Components)(Docket S-029, Ex. 1-12).

While subpart Q, Welding, Cutting and Brazing, currently allows the use of body belts for fall arrest (§ 1910.252), OSHA believes it may be appropriate to prohibit body belts for fall arrest during welding, cutting and brazing operations.

In light of the recent information and regulatory action since proposed subpart I was published, OSHA is considering prohibiting the use of body belts as a personal fall arrest system and only permitting their use as part of a tether (restraint) or positioning system. The body of recent evidence indicates that using body belts for fall arrest may injure employees where strong fall arrest forces are involved, and that body harnesses are safer for employees. OSHA is requesting comment on this issue. OSHA also is requesting comment about whether there are certain unique situations in which body belts should continue to be allowed to be used for fall arrest, and whether it is appropriate to prohibit body belts for fall arrest during welding, cutting and brazing operations.

50. To what extent are body belts used in a personal fall arrest system in your establishment and/or industry? What has been the safety experience in your establishment and/or industry using body belts?

51. To what extent are body harnesses and other restraints being used in place of body belts in your establishment and/or industry? What types of harnesses and restraints are being used? What has been the safety experience in your establishment and/or industry using those types of equipment? Please provide data and comment on the extent to which body harnesses prevent death or injury or reduce the severity of injury.

52. In welding, cutting and brazing operations at your establishment and/or in your industry, what types of personal fall protection are being used? Are body belts being used for fall arrest in those operations? What has been the safety experience in your establishment and/or industry using those types of fall protection?

53. Should OSHA prohibit the use of body belts as part of a personal fall arrest system? Please explain. For how many or what percentage of employees would you need to replace body belts with body harnesses in your establishment or industry?

54. Are there unique situations or work activities where body belts are necessary or preferable to body harnesses, and provide the degree of safety needed against fall hazards? Please provide data and information to support your comments.

55. What are the differences in purchase price, maintenance costs and useful life, if any, between body belts and body harnesses? Please provide cost estimates and an explanation of how those were derived. To what extent, if any, does the use of body harnesses in lieu of body belts affect productivity?

56. To what extent would you and employers in your industry incur significant costs switching from body belts to body harnesses or other types of personal fall arrest systems? Please provide detailed information about the types of costs that would be incurred and an explanation of how those costs were derived.

3. Additional Proposed Amendments to General Industry Standards

In the proposal for subpart D, OSHA proposed to update fall protection provisions in several general industry standards so they would meet the proposed design and performance criteria for personal fall protection in subpart I (§ 1910.67, Vehicle-mounted elevating and rotating work platforms;