

§ 1910.261, Pulp, paper and paperboard mills; § 1910.268, Telecommunications). The purpose of the proposed amendments was to ensure that all fall protection systems employers provided would meet appropriate standards for performance and strength. OSHA had found that many of the standards did not have design and performance criteria for the fall protection, had outdated criteria or had criteria that allowed the use of body belts for fall arrest.

After the proposal for subpart I was published, OSHA was made aware of other general industry standards where fall hazards were not specifically addressed, where fall protection criteria appear to conflict with proposed subpart I, or where body belts appeared to be permitted for fall arrest. The Powered Industrial Trucks standard, for example, does not include fall protection requirements for employees working on elevated platforms even though those employees are clearly exposed to a fall hazard (§ 1910.178). OSHA seeks comment on the following issues:

57. In your establishment and/or industry, to what extent is fall protection provided for employees working on elevated platforms of powered industrial trucks? What types of fall protection are provided? What has been the safety experience in your establishment and/or industry using those types of fall protection?

58. 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?

59. Should OSHA change the personal fall protection requirements in all of its general industry standards so they meet the personal fall protection requirements in proposed subpart I? Please explain.

C. Other Issues

1. New and Updated National Consensus Standards

Many employers as well as OSHA use the latest versions of national consensus standards for guidance and as references in creating safe workplaces. Indeed, § 6(b)(8) of the Act requires that OSHA whenever the Agency issues a standard that differs substantially from an existing consensus standard it must publish a statement of reasons why the OSHA standard as adopted will better effectuate the purposes of the Act than

the consensus standard (29 U.S.C. 655(b)(8)).

In proposed § 1910.23, OSHA said that ladders employers used would be considered to be in compliance with the standard if they were designed in accordance with specific 1982 ANSI standards for ladders (ANSI A14.1–1982–American National Standard for Ladders–Wood–Safety Requirements; ANSI A14.2–1982–American National Standard for Ladders–Portable Metal–Safety Requirements; ANSI A14.5–1982–American National Standard for Ladders–Portable Reinforced Plastics–Safety Requirements)(§ 1910.23(c)(2), 55 FR 13398). Since the proposal for subpart D was published, these ANSI standards have been amended or reaffirmed (ANSI A14.1–2000, ANSI A14.2–2000, ANSI A14.5–2000). OSHA is adding these updated standards to the rulemaking record and is considering revising proposed § 1910.23(c)(2) to incorporate by reference the updated ANSI standards. OSHA requests comment on incorporating the latest ANSI standards in § 1910.23(c)(2).

In addition, a number of other national consensus standards relating to fall protection and fall protection systems have been updated and new ones have been developed (e.g., ANSI/IWCA I–14.1–2001–Window Cleaning Safety) since proposed subpart D was published. These consensus standards cover a wide range of issues involved in these rulemakings and, in general, represent industry best practices in protecting employees from fall hazards. In addition, many provide detailed explanations on the rationale behind their requirements. OSHA requests comment about how the Agency can make best use of these consensus standards in developing final standards for subparts D and I.

OSHA is adding the following national consensus standards to the rulemaking record on subparts D and I:

ANSI A10.8–2001–Safety Requirements for Scaffolding—American National Standard for Construction and Demolition Operations. (Docket S–029; Ex. 1–1),
ANSI A14.1–2000–American National Standard for Ladders—Wood—Safety Requirements. (Docket S–029; Ex. 1–2),

ANSI A14.2 2000—American National Standard for Ladders—Portable Metal—Safety Requirements. (Docket S–029; Ex. 1–3),

ANSI A14.3–1992—American National Standard for Ladders—Fixed—Safety Requirements. (Docket S–029; Ex. 1–4),

ANSI A14.4–2002—American National Standard—Safety

Requirements for Job-Made Wooden Ladders. (Docket S–029; Ex. 1–5),

ANSI A14.5–2000—American National Standard for Ladders—Portable Reinforced Plastic—Safety Requirements. (Docket S–029; Ex. 1–6),

ANSI A14.7–2000—American National Standard for Mobile Ladder Stands and Mobile Ladder Stand Platforms. (Docket S–029; Ex. 1–7),

ANSI A14.10–2000—American National Standard for Ladders—Portable Special Duty Ladders. (Docket S–029; Ex. 1–8),

ANSI A92.3–1990—American National Standard for Manually Propelled Elevating Aerial Platforms. (Docket S–029; Ex. 1–9),

ANSI A1264.1–1995 (R2002)—American National Standard—Safety Requirements for Workplace Floors and Wall Openings, Stairs and Railing Systems. (Docket S–029; Ex. 1–10),

ANSI A1264.2–2001—American National Standard—Standard for the Provision of Slip Resistance on Walking/Working Surfaces. (Docket S–029; Ex. 1–11),

ANSI/IWCA I–14.1–2001—Window Cleaning Safety. (Docket S–029; Ex. 1–13)

ANSI Z359.1–1992 (R1999)—Safety Requirements for Personal Fall Arrest Systems, Subsystems and Components. (Docket S–029; Ex. 1–12),

ASME B56.1–2000—Safety Standard for Low Lift and High Lift Trucks. (Docket S–029; Ex. 1–14), and

ASME C478–97—Standard Specification for Precast Reinforced Concrete Manhole Sections. (Docket S–029; Ex. 1–15).

OSHA is also requesting comment about other national consensus standards that the Agency should consider adding to the record in these rulemakings.

2. Incorporation of Other Rulemaking Dockets

As discussed above, OSHA believes that information in other OSHA rulemaking records is relevant to the rulemakings on subparts D and I. Many commenters also have drawn upon data and information in other OSHA dockets. OSHA has identified the following rulemaking dockets that it intends to incorporate into the rulemaking records for subparts D and I:

- Docket S–041 Walking and Working Surfaces (proposed April 10, 1990, 55 FR 13360),

- Docket S–057 Personal Protective Equipment (Fall Protection) (proposed April 10, 1990, 55 FR 13360),

- Docket S–045 Personal Protective Equipment for Shipyard Employment (proposed November 29, 1988, 53 FR