

9. Rigging procedures.  
10. Requirements for fail-safe, warning, and other safety-related devices/technologies.

11. Verification criteria for the structural adequacy of crane components.

12. Stability testing requirements.

13. Blind pick procedures.

14. Hydraulic cranes.

#### Authority

This document was prepared under the direction of John L. Henshaw, Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Avenue, NW, Washington, D.C. 20210, pursuant to the Negotiated Rulemaking Act of 1990, (5 U.S.C. 561 *et seq.*), the Federal Advisory Committee Act (5 U.S.C. Appendix 2), the Occupational Safety and Health Act of 1970 (29 U.S.C. 651 *et seq.*), and Secretary of Labor's Order No. 5-2002 (67 FR 65008).

Signed at Washington, DC, this 9th day of June, 2003.

**John L. Henshaw,**

*Assistant Secretary of Labor for Occupational Safety and Health.*

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## DEPARTMENT OF LABOR

### Occupational Safety and Health Administration

#### 29 CFR Part 1926

[Docket No. S-030]

RIN 1218-AC01

#### Safety Standards for Cranes and Derricks

**AGENCY:** Occupational Safety and Health Administration (OSHA), U.S. Department of Labor.

**ACTION:** Notice of first meeting of Negotiated Rulemaking Committee.

**SUMMARY:** The Occupational Safety and Health Administration (OSHA) announces the first meeting of the Crane and Derrick Negotiated Rulemaking Advisory Committee (C-DAC). Members will be sworn in; the committee will be charged with its duties and will address certain procedural matters and substantive issues. The meeting will be open to the public.

**DATES:** The meeting will be on July 30, 31, and August 1, 2003. It will begin each day at 8:30 a.m.

**ADDRESSES:** The meeting will be held at The U.S. Department of Labor, 200 Constitution Avenue, NW., Washington,

DC 20210 in conference room N3437 A, B and C.

Written comments to the committee may be submitted in any of three ways: by mail, by fax, or by email. Please include "Docket No. S-030" on all submissions.

By mail, the address is: OSHA Docket Office, Docket No. S-030, U.S. Department of Labor, 200 Constitution Avenue, NW., Room N-2625, Washington, DC 20210, telephone (202) 693-2350. Note that receipt of comments submitted by mail may be delayed by several weeks.

By fax, written comments that are 10 pages or fewer may be transmitted to the OSHA Docket Office at telephone number (202) 693-1648.

Electronically, comments may be submitted through OSHA's Webpage at <http://ecomments.osha.gov>. Please note that you may not attach materials such as studies or journal articles to your electronic comments. If you wish to include such materials, you must submit three copies to the OSHA Docket Office at the address listed above. When submitting such materials to the OSHA Docket Office, clearly identify your electronic comments by name, date, subject, and Docket Number, so that we can attach the materials to your electronic comments.

#### FOR FURTHER INFORMATION CONTACT:

Michael Buchet, Office of Construction Standards and Guidance, Occupational Safety and Health Administration, U.S. Department of Labor, Room N-3468, 200 Constitution Avenue, NW., Washington, DC 20210; Telephone: (202) 693-2345.

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#### I. Background

On July 16, 2002, OSHA published a notice of intent to establish a negotiated rulemaking committee (Volume 67 of the **Federal Register**, page 46612). The notice requested nominations for membership on the C-DAC and comments on the appropriateness of using negotiated rulemaking to develop a proposed rule for cranes and derricks used in construction. In addition, the notice described the negotiated rulemaking process and identified some key issues anticipated to be addressed in the negotiation.

Fifty-five nominations for membership on the Committee and several comments were received during

the comment period. There was broad support for using negotiated rulemaking to update the standard and OSHA decided to go forward with the negotiated rulemaking process. On June 12, 2003 the Department of Labor published a notice establishing the Committee (Volume 68 of the **Federal Register**, page 35172).

#### II. Agenda

Following registration, assembly and a welcome by the Agency, the Facilitator will offer a brief overview of negotiated rulemaking and then address the matters that must be resolved by the Committee at its first meeting, including adoption of ground rules. These are the procedural rules that the Committee will use for conducting the meetings. In addition there will be discussion of a tentative list of C-DAC workgroups.

The Facilitator will initiate discussions on identifying the substantive issues to be addressed by C-DAC. OSHA requests that committee members and all interested parties bring their calendars to facilitate the development of a tentative schedule of committee and workgroup meetings.

#### III. Anticipated Key Issues for Negotiation

OSHA anticipates that key issues to be addressed as part of these negotiations will include:

1. The identification/description of what constitutes "cranes and derricks" for purposes of determining the equipment that will be covered by the proposed rule.

2. Qualifications of individuals who operate, maintain, repair, assemble, and disassemble cranes and derricks.

3. Work zone control.

4. Crane operations near electric power lines.

5. Qualifications of signal-persons and communication systems and requirements.

6. Load capacity and control procedures.

7. Wire rope criteria.

8. Crane inspection/certification records.

9. Rigging procedures.

10. Requirements for fail-safe, warning, and other safety-related devices/technologies.

11. Verification criteria for the structural adequacy of crane components.

12. Stability testing requirements.

13. Blind pick procedures.

#### IV. Public Participation

All interested parties are invited to attend this public meeting at the time and place indicated above. No advanced