

DEPARTMENT OF LABOR**Occupational Safety and Health Administration****29 CFR Parts 1917 and 1918****[Docket No. S-025A]****RIN 1218-AA56****Longshoring and Marine Terminals; Vertical Tandem Lifts****AGENCY:** Occupational Safety and Health Administration (OSHA), Labor.**ACTION:** Proposed rule.

SUMMARY: OSHA published a final standard on July 25, 1997, revising all of the Longshoring Standard and related sections of the Marine Terminals Standard. In the preamble to the final rule, OSHA discussed the practice, hereafter referred to as "vertical tandem lifts" (VTLs), of lifting two empty intermodal containers together, one on top of the other, connected by semi-automatic twistlocks (SATLs). The final standard did not cover this practice because the rulemaking record contained insufficient information to enable OSHA to determine how to regulate the practice. The proposed standard published today would permit VTLs of two containers with a combined weight of the containers and cargo not exceeding 20 tons.

DATES: Comments and hearing requests must be submitted by the following dates:

Hard Copy: Comments and hearing requests must be submitted (postmarked or sent) by December 15, 2003.

Facsimile and electronic transmission: Comments and hearing requests must be sent by December 15, 2003. (Please see the Public Participation section provided under **SUPPLEMENTARY INFORMATION** for additional information on submitting comments and making hearing requests.)

ADDRESSES: Written Comments and Hearing Requests:

Regular mail, express delivery, hand-delivery, and messenger service: Submit three copies of your comments or hearing requests to the OSHA Docket Office, Docket No. S-025A, Room N-2625, U.S. Department of Labor, 200 Constitution Avenue, NW., Washington, DC 20210. OSHA Docket Office and Department of Labor hours of operation are 8:15 a.m. to 4:45 p.m., e.s.t. Because of security-related problems, there may be a significant delay in the receipt of submissions by regular mail. Please contact the OSHA Docket Office at (202) 693-2350 for information about security

procedures concerning the delivery of materials by express delivery, hand delivery, and messenger service.

Facsimile: If your submissions, including any attachments, are 10 pages or fewer, you may fax them to the OSHA Docket Office at (202) 693-1648. You must include the docket number of this notice, Docket No. S-025A, in your comments or hearing request.

Electronic: You may submit comments or electronic documents through the Internet at <http://ecomments.osha.gov>. If you have additional materials that you would like to send through the mail, you must submit three copies of them to the OSHA Docket Office at the address above. The additional materials must clearly identify your electronic comments by name, date, subject, and docket number so we can attach them to your comments.

All comments will be available for inspection and copying at the OSHA Docket Office at the address above. Comments posted on OSHA's Web page are available at <http://www.osha.gov>. OSHA cautions you about submitting personal information such as social security numbers and birth dates. Contact the OSHA Docket Office at (202) 693-2350 for information about materials not available through the OSHA Web page and for assistance in using the Web page to locate docket submissions.

FOR FURTHER INFORMATION CONTACT: For technical inquiries, contact Paul Rossi, OSHA, Office of Maritime, Directorate of Standards and Guidance, U.S. Department of Labor, Room N-3621, 200 Constitution Avenue, NW., Washington, DC 20210; telephone: (202) 693-2222. For general information and press inquiries, contact Ms. Bonnie Friedman, OSHA, Office of Communications, U.S. Department of Labor, Room N-3647, 200 Constitution Avenue, NW., Washington, DC 20210; telephone: (202) 693-1999. For additional copies of this **Federal Register** notice, contact OSHA, Office of Publications, U.S. Department of Labor, Room N-3101, 200 Constitution Avenue, NW., Washington, DC 20210; telephone (202) 693-1888. Electronic copies of this **Federal Register** notice, as well as news releases and other relevant documents, are available at OSHA's Web page on the Internet at <http://www.osha.gov>.

SUPPLEMENTARY INFORMATION: This preamble to the proposed rule for vertical tandem lifts in the Longshoring and Marine Terminals Standards discusses the events leading to the proposal, the necessity for the standard,

and the rationale behind the specific provisions set forth in the proposal. The preamble also includes the Preliminary Economic Analysis, a summary of the paperwork issues under the Paperwork Reduction Act of 1995, and sections on other requirements necessary for an OSHA standard. The discussion follows this outline:

- I. Background
- II. Summary and Explanation of the Proposal
- III. Issues for Discussion
- IV. Preliminary Economic Analysis and Preliminary Regulatory Flexibility Analysis
- V. Environmental Impact
- VI. OMB Review under the Paperwork Reduction Act of 1995
- VII. Public Participation
- VIII. State Plan Requirements
- IX. Federalism
- X. Unfunded Mandates
- XI. Authority and Signature

I. Background

Since the 1970s, intermodalism (the containerization of cargo) has become the dominant mode of cargo transport in the maritime industry, replacing centuries-old, break-bulk cargo handling. In the marine cargo handling industry, intermodalism involves three key components: standardized containers with uniform corner castings; interbox connectors (such as SATLs) to secure the containers, either to each other at the four corners or to the deck of the ship; and a type of crane called a container gantry crane that has specialized features for the rapid loading and unloading of containers. Equipment and operational standards have been developed by the international community to facilitate intermodalism.

The International Organization for Standardization (ISO) is a worldwide federation of national standards bodies whose mission is to promote the development of international standards to reduce technical barriers to trade. There are several ISO standards addressing the design and operational handling of intermodal containers and interbox connectors. In particular, ISO 3874 Freight Containers addresses the size and strength of containers and corner castings, the size and strength of the interbox connectors, and proper lifting techniques. During shipment, containers are secured by interbox connectors to each other and to the deck of the ship. In the conventional loading and unloading process, the container gantry crane lifts one container (either 20 or 40 feet long) at a time, using the crane's specially developed spreader beam. ISO 3874 Freight Containers also addresses the lifting of two 20-foot