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ARCHIVES DIVISION
STEPHANIE CLARK
DIRECTOR

800 SUMMER STREET NE
SALEM, OR 97310
503-373-0701

NOTICE OF PROPOSED RULEMAKING
INCLUDING STATEMENT OF NEED & FISCAL IMPACT

CHAPTER 437
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES
OREGON OCCUPATIONAL SAFETY AND HEALTH DIVISION

FILED
02/26/2021 1:58 PM
ARCHIVES DIVISION
SECRETARY OF STATE

FILING CAPTION: Cranes and Derricks in Construction: Railroad Roadway Work

LAST DAY AND TIME TO OFFER COMMENT TO AGENCY: 04/16/2021 5:00 PM

The Agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing negative economic impact of the rule on business.

CONTACT: Lisa Appel
503-947-7449
lisa.appel@oregon.gov

350 Winter St. NE
Salem, OR 97301

Filed By:
Lisa Appel
Rules Coordinator

HEARING(S)

Auxiliary aids for persons with disabilities are available upon advance request. Notify the contact listed above.

DATE: 03/24/2021

TIME: 11:00 AM - 1:00 PM

OFFICER: Lisa Appel

ADDRESS: Virtual Hearing

350 Winter St. NE

Salem, OR 97301-3882

SPECIAL INSTRUCTIONS:

Please find registration information
under Need for the Rule

NEED FOR THE RULE(S):

Please register for the Public Hearing for Cranes and Derricks in Construction: Railroad Roadway Work on March 24, 2021 11:00 AM PST at:

<https://attendee.gotowebinar.com/register/952991121447045643>

Oregon OSHA is proposing these rules in response to Federal OSHA rules filed in the Federal Register on September 15, 2020. Oregon OSHA as a State Plan is required to amend our standards to be identical or "at least effective as" rules adopted by Federal OSHA. This particular rulemaking is deregulatory in nature and provides exemptions from several of the rules in Subdivision CC of the construction rules. The rules also serve to clarify the situations in which either OSHA or the Federal Railway Administration (FRA) holds primary jurisdiction over worker safety during railroad construction and maintenance work.

DOCUMENTS RELIED UPON, AND WHERE THEY ARE AVAILABLE:

Federal Register filing by Federal OSHA. Federal Register Volume 85, Number 179 Tuesday, September 15, 2020. This

document can be accessed at <https://www.regulations.gov/>

FISCAL AND ECONOMIC IMPACT:

See the impacts to the general public under the Cost of Compliance.

COST OF COMPLIANCE:

(1) Identify any state agencies, units of local government, and members of the public likely to be economically affected by the rule(s). (2) Effect on Small Businesses: (a) Estimate the number and type of small businesses subject to the rule(s); (b) Describe the expected reporting, recordkeeping and administrative activities and cost required to comply with the rule(s); (c) Estimate the cost of professional services, equipment supplies, labor and increased administration required to comply with the rule(s).

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)):

Due to the fact that this rulemaking is deregulatory in nature, Oregon OSHA does not anticipate any additional costs as part of this.

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule: Federal OSHA estimates that there are roughly 767 firms classified as small businesses in this category nationwide. For the railroad industry the Small Business Administration (SBA) classifies an entity as "small" if it employs less than 1,501 people. Federal OSHA projects that this rulemaking will result in a nationwide cost savings of \$2.5 million per year with a discount rate of 3% for employers in this category. This rulemaking will not impose new costs on small businesses in the state.

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services.

This rulemaking is largely deregulation and regulatory agency jurisdictional deconfliction. There is no foreseeable expectation that this rulemaking will increase administrative costs to affected employers because it does not require that any new or additional actions be taken.

c. Equipment, supplies, labor and increased administration required for compliance.

This rulemaking will not require new equipment as it allows the unmodified use of equipment already owned by employers for their core business tasks. The rule will not require new supplies as the supplies used and quantities of those supplies are purposefully unaffected by this rulemaking. The training requirements of railroad maintenance workers will not change in response to this rulemaking. There will not be any driver of extra costs in this category due to this rulemaking.

DESCRIBE HOW SMALL BUSINESSES WERE INVOLVED IN THE DEVELOPMENT OF THESE RULE(S):

Small businesses were part of the original Federal OSHA construction crane rulemaking process in the form of the Small Business Advocacy Review Panel (SBAR) and Small Entity Representatives (SERs).

This rulemaking concerns adopting federal rules as written and will only affect federal rules previously adopted by Oregon OSHA. A stakeholder meeting was held on February 16, 2021 and all stakeholders that attended were in

support of adoption.

WAS AN ADMINISTRATIVE RULE ADVISORY COMMITTEE CONSULTED? YES

HOUSING IMPACT STATEMENT:

HOUSING COST IMPACT STATEMENT

FOR ESTIMATING THE EFFECT OF A PROPOSED RULE OR ORDINANCE ON THE COST OF DEVELOPING
A *TYPICAL 1,200 SQ FT DETACHED SINGLE FAMILY DWELLING ON A 6,000 SQ FT PARCEL OF LAND.
(ORS 183.534) FOR ADMINISTRATIVE RULES

Description of proposed change:

See attached Notice of Proposed Rulemaking Hearing.

Description of the need for, and objectives of the rule:

See attached Notice of Proposed Rulemaking Hearing.

List of rules adopted or amended:

AMEND: OAR 437-003-0001

Materials and labor costs increase or savings:

This rulemaking is focused on deregulating equipment and processes commonly used in railroad roadway construction and maintenance. Oregon OSHA expects this rule to have no effect on labor costs in the residential construction industry. Oregon OSHA does not expect this rule to incur any cost increases on materials in the residential construction industry.

Estimated administrative construction or other costs increase or savings:

There is no projected effect on administrative costs in the residential construction industry in Oregon.

Land costs increase or savings:

This rulemaking will not have any direct effect on right of way requirements in the railroad industry.

Other costs increase or savings:

Oregon OSHA foresees no other cost impacts on housing construction in Oregon.

*Typical-Single story 3 bedrooms, 1 1/2 bathrooms, attached garage (calculated separately) on land with good soil conditions with no unusual geological hazards.

AMEND: 437-003-0001

RULE SUMMARY: Oregon OSHA is proposing these rules in response to Federal OSHA rules filed in the Federal Register on September 15, 2020. Oregon OSHA as a State Plan is required to amend our standards to be identical or "at least effective as" rules adopted by Federal OSHA. This particular rulemaking is deregulatory in nature and provides exemptions from several of the rules in Subdivision CC of the construction rules. The rules also serve to clarify the situations in which either OSHA or the Federal Railway Administration (FRA) holds primary jurisdiction over worker safety during railroad construction and maintenance work.

CHANGES TO RULE:

437-003-0001

Adoption by Reference ¶¶

In addition to, and not in lieu of, any other safety and health codes contained in OAR Chapter 437, the Department adopts by reference the following federal regulations printed as part of the Code of Federal Regulations, in the Federal Register:¶¶

(1) Subdivision A - GENERAL¶¶

- (a) 29 CFR 1926.1 Purpose and Scope, published 4/6/79, FR vol. 44, p. 20940.¶¶
- (b) 29 CFR 1926.2 Variances from safety and health standards, published 4/6/79, FR vol. 44, p. 20940.¶¶
- (c) 29 CFR 1926.3 Inspections - right of entry, published 4/6/79, FR vol. 44, p. 20940.¶¶
- (d) 29 CFR 1926.4 Rules of practice for administrative adjudications for enforcement of safety and health standards, published 4/6/79, FR vol. 44, p. 20940.¶¶
- (e) 29 CFR 1926.6 Incorporation by reference, published 3/25/16, FR vol. 81, no. 58, p. 16085, amended 5/14/19, FR vol. 84, no. 93, p. 21457.¶¶

(2) Subdivision B - GENERAL INTERPRETATIONS¶¶

- (a) 29 CFR 1926.10 Scope of subpart, published 4/6/79, FR vol. 44, p. 20940.¶¶
- (b) 29 CFR 1926.11 Coverage under section 103 of the act distinguished, published 4/6/79, FR vol. 44, p. 20940.¶¶
- (c) 29 CFR 1926.12 Reorganization plan No. 14 of 1950, published 4/6/79, FR vol. 44, p. 20940.¶¶
- (d) 29 CFR 1926.13 Interpretation of statutory terms, published 4/6/79, FR vol. 44, p. 20940.¶¶
- (e) 29 CFR 1926.14 Federal contracts for mixed' types of performance, published 4/6/79, FR vol. 44, p. 20940.¶¶
- (f) 29 CFR 1926.15 Relationship to the service contract act; Walsh-Healey Public Contracts Act, published 4/6/79, FR vol. 44, p. 20940.¶¶
- (g) 29 CFR 1926.16 Rules of construction, published 4/6/79, FR vol. 44, p. 20940.¶¶

(3) Subdivision C - GENERAL SAFETY AND HEALTH PROVISIONS¶¶

- (a) 29 CFR 1926.20 General safety and health provisions, published 12/12/08, FR vol. 73, no. 240, pp. 75568-75589.¶¶
- (b) 29 CFR 1926.21 Safety training and education, published 4/6/79, FR vol. 44, p. 20940; amended with Oregon OSHA AO 6-2012, repealed (b)(6), f. 9/28/12, ef. 4/1/13.¶¶
- (c) 29 CFR 1926.22 Recording and reporting of injuries (Reserved)¶¶
- (d) 29 CFR 1926.23 First aid and medical attention, published 4/6/79, FR vol. 44, p. 20940.¶¶
- (e) 29 CFR 1926.24 Fire protection and prevention, published 4/6/79, FR vol. 44, p. 20940.¶¶
- (f) 29 CFR 1926.25 Housekeeping, published 4/6/79, FR vol. 44, p. 20940.¶¶
- (g) 29 CFR 1926.26 Illumination, published 4/6/79, FR vol. 44, p. 20940.¶¶
- (h) 29 CFR 1926.27 Sanitation, published 4/6/79, FR vol. 44, p. 20940.¶¶
- (i) 29 CFR 1926.28 Personal protective equipment. REPEALED with Oregon OSHA Admin. Order 2-2013, filed 2/15/13, effective 4/1/13. In Oregon, OAR 437-003-0134 applies.¶¶
- (j) 29 CFR 1926.29 Acceptable certifications, published 4/6/79, FR vol. 44, p. 20940.¶¶
- (k) 29 CFR 1926.30 Shipbuilding and ship repairing, published 3/7/96, FR vol. 61, no. 46, p. 9249.¶¶
- (l) 29 CFR 1926.31 (Reserved).¶¶
- (m) 29 CFR 1926.32 Definitions, published 6/30/93, FR vol. 58, no. 124, p. 35078.¶¶
- (n) 29 CFR 1926.33 Access to employee exposure and medical records, published 6/20/96, FR vol. 61, no. 46, p.

31427.¶

(o) 29 CFR 1926.34 Means of egress, published 6/30/93, Federal Register, vol. 58, no. 124, p. 35083.¶

(4) Subdivision D - OCCUPATIONAL HEALTH AND ENVIRONMENTAL CONTROLS¶

(a) 29 CFR 1926.50 Medical services and first aid, published 6/18/98, FR vol. 63, no. 117, p. 33469, amended 5/14/19, FR vol. 84, no. 93, p. 21576.¶

(b) 29 CFR 1926.51 Sanitation, published 6/30/93, FR vol. 58, no. 124, p. 35084.¶

(c) 29 CFR 1926.52 Occupational noise exposure, published 4/6/79, FR vol. 44, p. 20940.¶

(d) 29 CFR 1926.53 Ionizing radiation, published 4/6/79, FR vol. 44, p. 20940.¶

(e) 29 CFR 1926.54 Nonionizing radiation, published 4/6/79, FR vol. 44, p. 20940.¶

(f) 29 CFR 1926.55 Gases, vapors, fumes, dusts, and mists, Note: Oregon OSHA did not adopt 1926.55. In Oregon, 437-003-1000 applies.¶

(g) 29 CFR 1926.56 Illumination, published 4/6/79, FR vol. 44, p. 20940.¶

(h) 29 CFR 1926.57 Ventilation, published 1/8/98, FR vol. 63, no. 5, p. 1295.¶

(i) 29 CFR 1926.58 Reserved, ¶1926.58, Asbestos, tremolite, anthophyllite and actinolite is redesignated as 1926.1101, Asbestos, and 1926.58 is reserved (8/10/94, FR vol. 59, no. 153, pp. 41131-62).¶

(j) 29 CFR 1926.59 Hazard Communication, published 6/20/96, FR vol. 61, p. 31427.¶

(k) 29 CFR 1926.60 Methylenedianiline (MDA), published 5/14/19, FR vol. 84, no. 93, p. 21576.¶

(l) 29 CFR 1926.61 Retention of DOT markings, placards and labels, published 6/20/96, FR vol. 61, p. 31427.¶

(m) 29 CFR 1926.62 Lead, published 5/14/19, FR vol. 84, no. 93, p. 21416.¶

NOTE: Cadmium has been redesignated as 1926.1127.¶

(n) 29 CFR 1926.64, Process Safety Management of Highly Hazardous Chemicals¶

NoteOTE: Division 2/H, 1910.119, Process Safety Management of Highly Hazardous Chemicals, applies to Construction.¶

(o) 29 CFR 1926.65 Hazardous Waste Operations and Emergency Response¶

NOTE: Division 2/H, 1910.120, Hazardous Waste Operations and Emergency Response, applies to Construction.¶

(5) Subdivision E - PERSONAL PROTECTIVE AND LIFE SAVING EQUIPMENT¶

(a) 29 CFR 1926.95 Criteria for personal protective equipment. REPEALED with Oregon OSHA Admin. Order 2-2013, filed 2/15/13, effective 4/1/13. In Oregon, OAR 437-003-0134 applies.¶

(b) 29 CFR 1926.97 Electrical protective equipment, published 4/11/14, FR vol. 79, no. 70, p. 20316.¶

(c) 29 CFR 1926.100 Head protection. REPEALED with Oregon OSHA Admin. Order 2-2013, filed 2/15/13, effective 4/1/13. In Oregon, OAR 437-003-0134 applies.¶

(d) 29 CFR 1926.101 Hearing protection. REPEALED with Oregon OSHA Admin. Order 2-2013, filed 2/15/13, effective 4/1/13. In Oregon, OAR 437-003-0134 applies.¶

(e) 29 CFR 1926.102 Eye and face protection. REPEALED with Oregon OSHA Admin. Order 2-2013, filed 2/15/13, effective 4/1/13. In Oregon, OAR 437-003-0134 applies.¶

(f) 29 CFR 1926.103 Respiratory protection, published 1/8/98, FR vol. 63, no. 5, p. 1297.¶

NOTE: 29 CFR 1926.104 Removed, 8/9/94, FR vol. 59, no. 152, p. 40729.¶

(g) 29 CFR 1926.105 Reserved, 8/9/94, FR vol. 59, no. 152, p. 40729.¶

(h) 29 CFR 1926.106 Working over or near water, published 4/6/79, FR vol. 44, p. 20940.¶

(i) 29 CFR 1926.107 Definitions applicable to this subpart, published 8/9/94, FR vol. 59, no. 152, p. 40729.¶

(6) Subdivision F - FIRE PROTECTION AND PREVENTION¶

(a) 29 CFR 1926.150 Fire protection, published 4/6/79, FR vol. 44, p. 20940.¶

(b) 29 CFR 1926.151 Fire prevention, published 7/11/86, FR vol. 51, p. 25318.¶

(c) 29 CFR 1926.152 Flammable and combustible liquids, published 6/30/93, FR vol. 58, no. 124, p. 35162.¶

(d) 29 CFR 1926.153 Liquefied petroleum gas (LP-Gas), published 6/30/93, FR vol. 58, no. 124, p. 35170.¶

(e) 29 CFR 1926.154 Temporary heating devices, published 4/6/79, FR vol. 44, p. 20940.¶

(f) 29 CFR 1926.155 Definitions applicable to this subpart, published 4/6/79, FR vol. 44, p. 20940.¶

(7) Subdivision G - SIGNS, SIGNALS, AND BARRICADES¶

- (a) 29 CFR 1926.200 Accident prevention signs and tags, published 6/13/13, FR vol. 78, no. 114, p. 35559; 11/6/13, FR vol. 78, no. 215, p. 66641, amended 5/14/19, FR vol. 84, no. 93, p. 21576.¶
- (b) 29 CFR 1926.201 Signaling, REPEALED with OR-OSHA Admin. Order 2-2003, f. 1/30/03, ef. 1/30/03.¶
- (c) 29 CFR 1926.202 Barricades, REPEALED with OR-OSHA Admin. Order 2-2003, f. 1/30/03, ef. 1/30/03.¶
- (d) 29 CFR 1926.203 Definitions applicable to this subpart, published 4/6/79, FR vol. 44, p. 20940; amended with OR-OSHA Admin. Order 2-2003, f. 1/30/03, ef. 1/30/03, repealed 5/14/19, FR vol. 84, no. 93, p. 21576.¶
- (8) Subdivision H - MATERIALS HANDLING, STORAGE, USE AND DISPOSAL¶
- (a) 29 CFR 1926.250 General requirements for storage, published 6/30/93, FR vol. 58, no. 124, p. 35173, amended 5/14/19 FR vol. 84, no. 93, p. 21576.¶
- (b) 29 CFR 1926.251 Rigging equipment for material handling, published 4/18/12, FR vol. 77, no. 75, p. 23117.¶
- (c) 29 CFR 1926.252 Disposal of waste materials, published 4/6/79, FR vol. 44, p. 20940.¶
- (9) Subdivision I - TOOLS - HAND AND POWER¶
- (a) 29 CFR 1926.300 General requirements, published 3/7/96, FR vol. 61, no. 46, p. 9250.¶
- (b) 29 CFR 1926.301 Hand tools, published 4/6/79, FR vol. 44, p. 20940.¶
- (c) 29 CFR 1926.302 Power operated hand tools, published 6/30/93, FR vol. 58, no. 124, p. 35175.¶
- (d) 29 CFR 1926.303 Abrasive wheels and tools, published 6/30/93, FR vol. 58, no. 124, p. 35175.¶
- (e) 29 CFR 1926.304 Woodworking tools, published 3/7/96, FR vol. 61, no. 46, p. 9251.¶
- (f) 29 CFR 1926.305 Jacks - lever and ratchet, screw, and hydraulic, published Federal Register vol. 58, no. 124, p. 35176.¶
- (10) Subdivision J - WELDING AND CUTTING¶
- (a) 29 CFR 1926.350 Gas welding and cutting. Repealed. Oregon OSHA Admin. Order 6-2014, f. 10/28/14, ef. 5/1/15. In Oregon, OAR 437-002-2253 applies.¶
- (b) 29 CFR 1926.351 Arc welding and cutting, published 7/11/86, FR vol. 51, p. 25318.¶
- (c) 29 CFR 1926.352 Fire prevention, published 4/6/79, FR vol. 44, p. 20940.¶
- (d) 29 CFR 1926.353 Ventilation and protection in welding, cutting, and heating, published 6/30/93, FR vol. 58, no. 124, p. 35179.¶
- (e) 29 CFR 1926.354 Welding, cutting, and heating in way of preservative coatings, published 4/6/79, FR vol. 44, p. 20940.¶
- (11) Subdivision K - ELECTRICAL¶
- (a) 29 CFR 1926.400 Introduction, published 7/11/86, FR vol. 51, no. 133, pp. 25294-25335.¶
- (b) 29 CFR 1926.401 (Reserved)¶
- (c) 29 CFR 1926.402 Applicability, published 7/11/86, FR vol. 51, no. 133, pp. 25294-25335.¶
- (d) 29 CFR 1926.403 General requirements, published 7/11/86, FR vol. 51, no. 133, pp. 25294-25335.¶
- (e) 29 CFR 1926.404 Wiring design and protection, published 7/11/86, FR vol. 51, no. 133, pp. 25294-25335; amended with AO 5-2002, repeal (b)(1), f. 6/28/02, ef. 10/1/03.¶
- (f) 29 CFR 1926.405 Wiring methods, components, and equipment for general use, published 7/11/86, FR vol. 51, no. 133, pp. 25294-25335.¶
- (g) 29 CFR 1926.406 Specific purpose equipment and installations, published 7/11/86, FR vol. 51, no. 133, pp. 25294-25335.¶
- (h) 29 CFR 1926.407 Hazardous (classified) locations, published 7/11/86, FR vol. 51, no. 133, pp. 25294-25335.¶
- (i) 29 CFR 1926.408 Special systems, published 7/11/86, FR vol. 51, no. 133, pp. 25294-25335.¶
- (j) 29 CFR 1926.409 (Reserved)¶
- (k) 29 CFR 1926.415 (Reserved)¶
- (l) 29 CFR 1926.416 General requirements, published 8/12/96, FR vol. 61, no. 156, p. 41738.¶
- (m) 29 CFR 1926.417 Lockout and tagging of circuits, published 8/12/96, FR vol. 61, no. 156, p. 41739.¶
- (n) 29 CFR 1926.418 (Reserved)¶
- (o) 29 CFR 1926.430 (Reserved)¶
- (p) 29 CFR 1926.431 Maintenance of equipment, published 7/11/86, FR vol. 51, no. 133, pp. 25294-25335.¶
- (q) 29 CFR 1926.432 Environmental deterioration of equipment, published 7/11/86, FR vol. 51, no. 133, pp.

25294-25335.¶

(r) 29 CFR 1926.433 - 29 CFR 1926.440 (Reserved)¶

(s) 29 CFR 1926.441 Battery locations and battery charging, published 7/11/86, FR vol. 51, no. 133, pp. 25294-25335.¶

(t) 29 CFR 1926.442 - 29 CFR 1926.448 (Reserved)¶

(u) 29 CFR 1926.449 Definitions applicable to this subpart, published 7/11/86, FR vol. 51, no. 133, pp. 25294-25335.¶

(12) Subdivision L - SCAFFOLDING¶

(a) 29 CFR 1926.450 Scope, application and definitions applicable to this subpart, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(b) 29 CFR 1926.451 General requirements, published 11/25/96, FR vol. 61, no. 228, p. 59831.¶

(c) 29 CFR 1926.452 Additional requirements applicable to specific types of scaffolds, published 8/30/96, FR vol. 61, no. 170, p. 46113.¶

(d) 29 CFR 1926.453 Aerial lifts, published 11/25/96, FR vol. 61, no. 228, p. 59832.¶

(e) 29 CFR 1926.454 Training, published 8/30/96, FR vol. 61, no. 170, p. 46117.¶

(f) Appendix A to Subpart L Scaffold Specifications, published 8/30/96, FR vol. 61, no. 170, p. 46117.¶

(g) Appendix B to Subpart L Criteria for determining the feasibility of providing safe access and fall protection for scaffold erectors and dismantlers (Reserved), published 8/30/96, FR vol. 61, no. 170, p. 46122.¶

(h) Appendix C to Subpart L List of National Consensus Standards, published 8/30/96, FR vol. 61, no. 170, p. 46122.¶

(i) Appendix D to Subpart L List of training topics for scaffold erectors and dismantlers, published 8/30/96, FR vol. 61, no. 170, p. 46122.¶

(j) Appendix E to Subpart L Drawing and illustrations, published 11/25/96, FR vol. 61, no. 228, p. 59832.¶

(13) Subdivision M - FALL PROTECTION¶

(a) 29 CFR 1926.500 Scope, application, and definitions applicable to this subpart, published 4/11/14, FR vol. 79, no. 70, p. 20316; amended with AO 1-2016, f. 3/1/16, ef. 1/1/17.¶

(b) 29 CFR 1926.501 Duty to have fall protection. REPEALED with AO 1-2016, f. 3/1/16, ef. 1/1/17. In Oregon, 437-003-1501 applies.¶

(c) 29 CFR 1926.502 Fall protection systems criteria and practices, published 8/9/94, FR vol. 59, no. 152, p. 40733-40738; amended with AO 6-2002, f. and ef. 7/19/02.¶

(d) 29 CFR 1926.503 Training requirements. REPEALED with AO 6-2002, f. and ef. 7/19/02, in Oregon, 437-003-0503 applies.¶

(e) Appendix A to Subpart M Determining Roof Widths, published 8/9/94, FR vol. 59, no. 152, p. 40738-40742.¶

(f) Appendix B to Subpart M Guardrail Systems, published 8/9/94, FR vol. 59, no. 152, p. 40743.¶

(g) Appendix C to Subpart M Personal Fall Arrest Systems, published 8/9/94, FR vol. 59, no. 152, p. 40743-40746.¶

(h) Appendix D to Subpart M Positioning Device Systems, published 8/9/94, FR vol. 59, no. 152, p. 40746.¶

(14) Subdivision N - HELICOPTERS, HOISTS, ELEVATORS, AND CONVEYORS¶

(a) 29 CFR 1926.550 (Reserved).¶

(b) 29 CFR 1926.551 Helicopters, published 4/6/79, FR vol. 44, p. 20940.¶

(c) 29 CFR 1926.552 Material hoists, personnel hoists, and elevators, published 4/6/79, FR vol. 44, p. 20940.¶

(d) 29 CFR 1926.553 Base-mounted drum hoist, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(e) 29 CFR 1926.554 Overhead hoists, published 4/6/79, FR vol. 44, p. 20940.¶

(f) 29 CFR 1926.555 Conveyors, published 4/6/79, FR vol. 44, p. 20940.¶

(15) Subdivision O - MOTOR VEHICLES, MECHANIZED EQUIPMENT, AND MARINE OPERATIONS¶

(a) 29 CFR 1926.600 Equipment, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(b) 29 CFR 1926.601 Motor vehicles, REPEALED by OR-OSHA Admin. Order 6-2007, f. 9/26/07, ef. 9/26/07.¶

(c) 29 CFR 1926.602 Material handling equipment, published 12/1/98, FR vol. 63, no. 230, p. 66274; amended by AO 7-2003, f. 12/5/03, ef. 12/5/03.¶

- (d) 29 CFR 1926.603 Pile driving equipment, published 4/6/79, FR vol. 44, p. 20940.¶
- (e) 29 CFR 1926.604 Site clearing, published 7/22/77, FR vol. 42, p. 37674.¶
- (f) 29 CFR 1926.605 Marine operations and equipment, published 4/6/79, FR vol. 44, p. 20940.¶
- (g) 29 CFR 1926.606 Definitions applicable to this subpart, published 4/6/79, FR vol. 44, p. 20940.¶
- (16) Subdivision P - EXCAVATIONS¶
 - (a) 29 CFR 1926.650 Scope, application, and definitions applicable to this subdivision, published 10/31/89, FR vol. 54, no. 209, pp. 45959-45961.¶
 - (b) 29 CFR 1926.651 General requirements, published 8/9/94, FR vol. 59, no. 152, p. 40730.¶
 - (c) 29 CFR 1926.652 Requirements for protective systems, published 10/31/89, FR vol. 54, no. 209, pp. 45961-45962.¶
 - (d) Appendices A-F to Subdivision P, Excavations, published 10/31/89, FR vol. 54, no. 209, pp. 45962-45991.¶
- (17) Subdivision Q - CONCRETE AND MASONRY CONSTRUCTION¶
 - (a) 29 CFR 1926.700 Scope, application and definitions applicable to this subpart, published 10/18/90, FR vol. 55, no. 202, p. 42326.¶
 - (b) 29 CFR 1926.701 General requirements, published 8/9/94, FR vol. 59, no. 152, p. 40730.¶
 - (c) 29 CFR 1926.702 Requirements for equipment and tools, published 6/16/88, FR vol. 53, p. 22612.¶
 - (d) 29 CFR 1926.703 Requirements for cast-in-place concrete, published 6/16/88, FR vol. 53, p. 22612.¶
 - (e) 29 CFR 1926.704 Requirements for precast concrete, published 10/5/89, FR vol. 54, no. 192, p. 41088.¶
 - (f) 29 CFR 1926.705 Requirements for lift-slab construction operations, published 10/18/90, FR vol. 55, no. 202, p. 42326.¶
 - (g) Appendix A to 1926.705 Lift-slab operations, published 10/18/90, FR vol. 55, no. 202, p. 42326.¶
 - (h) 29 CFR 1926.706 Requirements for masonry construction, published 6/16/88, FR vol. 53, p. 22612; amended with OR-OSHA Admin. Order 1-2003, f. 1/30/03, ef. 4/30/03.¶
- (18) Subdivision R - STEEL ERECTION¶
 - (a) 29 CFR 1926.750 Scope, published 7/17/01, FR vol. 66, no. 137, p. 37137.¶
 - (b) 29 CFR 1926.751 Definitions, published 7/17/01, FR vol. 66, no. 137, p. 37137; amended with AO 6-2002, f. and ef. 7/19/02; amended with AO 8-2003, f. 12/30/03, ef. 1/1/04.¶
 - (c) 29 CFR 1926.752 Site layout, site-specific erection plan and construction sequence, published 7/17/01, FR vol. 66, no. 137, p. 37137.¶
 - (d) 29 CFR 1926.753 Hoisting and rigging, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶
 - (e) 29 CFR 1926.754 Structural steel assembly, published 4/3/06, FR vol. 71, no. 63, p. 16669.¶
 - (f) 29 CFR 1926.755 Column anchorage, published 7/17/01, FR vol. 66, no. 137, p. 37137.¶
 - (g) 29 CFR 1926.756 Beams and columns, published 7/17/01, FR vol. 66, no. 137, p. 37137.¶
 - (h) 29 CFR 1926.757 Open web steel joists, published 7/17/01, FR vol. 66, no. 137, p. 37137; amended with AO 8-2003, f. 12/30/03, ef. 1/1/04.¶
 - (i) 29 CFR 1926.758 Systems-engineered metal buildings, published 7/17/01, FR vol. 66, no. 137, p. 37137.¶
 - (j) 29 CFR 1926.759 Falling object protection, published 7/17/01, FR vol. 66, no. 137, p. 37137.¶
 - (k) 29 CFR 1926.760 Fall protection, published 7/17/01, FR vol. 66, no. 137, p. 37137; amended with AO 8-2003, f. 12/30/03, ef. 1/1/04.¶
 - (l) 29 CFR 1926.761 Training, published 12/12/08, FR vol. 73, no. 240, pp. 75568-75589.¶
 - (m) Appendix A to Subpart R Guidelines for establishing the components of a site-specific erection plan: Nonmandatory Guidelines for Complying with 1926.752(e), published 7/17/01, FR vol. 66, no. 137, p. 37137.¶
 - (n) Appendix B to Subpart R Reserved.¶
 - (o) Appendix C to Subpart R Illustrations of bridging terminus points: Nonmandatory Guidelines for Complying with 1926.757(a)(10) and 1926.757(c)(5), published 7/17/01, FR vol. 66, no. 137, p. 37137.¶
 - (p) Appendix D to Subpart R Illustration of the use of control lines to demarcate controlled decking zones (CDZs): Nonmandatory Guidelines for Complying with 1926.760(c)(3), REPEALED with AO 6-2002, f. and ef. 7/19/02; amended with AO 8-2003, f. 12/30/03, ef. 1/1/04.¶
 - (q) Appendix E to Subpart R Training: Nonmandatory Guidelines for Complying with 1926.761, published

7/17/01, FR vol. 66, no. 137, p. 37137.¶

(r) Appendix F to Subpart R Perimeter columns: Nonmandatory Guidelines for Complying with 1926.756(e) to Protect the Unprotected Side or Edge of a Walking/Working Surface, published 7/17/01, FR vol. 66, no. 137, p. 37137.¶

(s) Appendix G to Subpart R Fall protection systems criteria and practices from 1926.502: Nonmandatory Guidelines for Complying with 1926.760(d), REPEALED with AO 6-2002, f. and ef. 7/19/02; amended with AO 8-2003, f. 12/30/03, ef. 1/1/04.¶

(t) Appendix H to Subpart R Double connections: Illustration of a clipped end connection and a staggered connection: Non-Mandatory Guidelines for Complying with 1926.756(c)(1), published 7/17/01, FR vol. 66, no. 137, p. 37137.¶

(19) Subdivision S - UNDERGROUND CONSTRUCTION, CAISSONS, COFFERDAMS, AND COMPRESSED AIR¶

(a) 29 CFR 1926.800 Underground construction, published 4/23/13, FR vol. 78, no. 78, p. 23837, amended 5/14/19, FR vol. 84, no. 93, p. 21576.¶

(b) 29 CFR 1926.801 Caissons, published 4/6/79, FR vol. 44, p. 20940.¶

(c) 29 CFR 1926.802 Cofferdams, published 4/6/79, FR vol. 44, p. 20940.¶

(d) 29 CFR 1926.803 Compressed air, published 7/11/86, FR vol. 51, p. 25318.¶

(e) 29 CFR 1926.804 Definitions applicable to this subpart, published 4/6/79, FR vol. 44, p. 20940.¶

(f) Appendix A to Subpart S Decompression Tables, published 4/6/79, FR vol. 44, p. 20940.¶

(20) Subdivision T - DEMOLITION¶

(a) 29 CFR 1926.850 Preparatory operations, published 4/6/79, FR vol. 44, p. 20940.¶

(b) 29 CFR 1926.851 Stairs, passageways, and ladders, published 4/6/79, FR vol. 44, p. 20940.¶

(c) 29 CFR 1926.852 Chutes, published 4/6/79, FR vol. 44, p. 20940.¶

(d) 29 CFR 1926.853 Removal of materials through floor openings, published 4/6/79, FR vol. 44, p. 20940.¶

(e) 29 CFR 1926.854 Removal of walls, masonry sections, and chimneys, published 4/6/79, FR vol. 44, p. 20940.¶

(f) 29 CFR 1926.855 Manual removal of floors, published 4/6/79, FR vol. 44, p. 20940.¶

(g) 29 CFR 1926.856 Removal of walls, floors, and materials with equipment, published 4/23/13, FR vol. 78, no. 78, p. 23837.¶

(h) 29 CFR 1926.857 Storage, published 4/6/79, FR vol. 44, p. 20940.¶

(i) 29 CFR 1926.858 Removal of steel construction, published 4/23/13, FR vol. 78, no. 78, p. 23837.¶

(j) 29 CFR 1926.859 Mechanical demolition, published 4/6/79, FR vol. 44, p. 20940.¶

(k) 29 CFR 1926.860 Selective demolition by explosives, published 4/6/79, FR vol. 44, p. 20940.¶

(21) Subdivision U - BLASTING AND USE OF EXPLOSIVES¶

(a) 29 CFR 1926.900 General provisions, published 4/6/79, FR vol. 44, p. 20940.¶

(b) 29 CFR 1926.901 Blaster qualifications, published 4/6/79, FR vol. 44, p. 20940.¶

(c) 29 CFR 1926.902 Surface transportation of explosives, published 6/30/93, FR vol. 58, no. 124, p. 35311.¶

(d) 29 CFR 1926.903 Underground transportation of explosives, published 4/6/79, FR vol. 44, p. 20940.¶

(e) 29 CFR 1926.904 Storage of explosives and blasting agents, published 6/30/93, FR vol. 58, no. 124, p. 35311.¶

(f) 29 CFR 1926.905 Loading of explosives or blasting agents, published 6/30/93, FR vol. 58, no. 124, p. 35184.¶

(g) 29 CFR 1926.906 Initiation of explosive charges - electric blasting, published 6/18/98, FR vol. 63, no. 117, p. 33469.¶

(h) 29 CFR 1926.907 Use of safety fuse, published 4/6/79, FR vol. 44, p. 20940.¶

(i) 29 CFR 1926.908 Use of detonating cord, published 4/6/79, FR vol. 44, p. 20940.¶

(j) 29 CFR 1926.909 Firing the blast, published 4/6/79, FR vol. 44, p. 20940.¶

(k) 29 CFR 1926.910 Inspection after blasting, published 4/6/79, FR vol. 44, p. 20940.¶

(l) 29 CFR 1926.911 Misfires, published 4/6/79, FR vol. 44, p. 20940.¶

(m) 29 CFR 1926.912 Underwater blasting, published 4/6/79, FR vol. 44, p. 20940.¶

(n) 29 CFR 1926.913 Blasting in excavation work under compressed air, published 4/6/79, FR vol. 44, p. 20940.¶

(o) 29 CFR 1926.914 Definitions applicable to this subpart, published 6/30/93, FR vol. 58, no. 124, p. 35184, 35311.¶

- (22) Subdivision V - POWER TRANSMISSION AND DISTRIBUTION. 29 CFR 1926.950 through 1926.960 are repealed with Oregon OSHA Admin. Order 3-2015, f. 10/9/15, ef. 1/1/16. In Oregon, Division 2/RR applies.¶
- (23) Subdivision W - ROLLOVER PROTECTIVE STRUCTURES: OVERHEAD PROTECTION¶
- (a) 29 CFR 1926.1000 Rollover protective structures (ROPS) for material handling equipment, published 4/6/79, FR vol. 44, p. 20940, amended 5/14/19, FR vol. 84, no. 93, p. 21576.¶
- (b) 29 CFR 1926.1001 Minimum performance criteria for rollover protective structure for designated scrapers, loaders, dozers, graders, and crawler tractors, published 4/6/79, FR vol. 44, p. 20940, amended 5/14/19, FR vol. 84, no. 93, p. 21576.¶
- (c) 29 CFR 1926.1002 Protective frame (ROPS) test procedures and performance requirements for wheel-type agricultural and industrial tractors used in construction, published 7/20/06, FR vol. 71, no. 139, p. 41127, amended 5/14/19, FR vol. 84, no. 93, p. 21576.¶
- (d) 29 CFR 1926.1003 Overhead protection for operators of agricultural and industrial tractors, published 2/28/06, FR vol. 71, no. 39, p. 9909, amended 5/14/19, FR vol. 84, no. 93, p. 21576.¶
- (24) Subdivision X - STAIRWAYS AND LADDERS¶
- (a) 29 CFR 1926.1050 Scope, application and definitions applicable to this Subdivision, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶
- (b) 29 CFR 1926.1051 General requirements, published 11/14/90, FR vol. 55, no. 220, p. 47688.¶
- (c) 29 CFR 1926.1052 Stairways, published 8/23/91, FR vol. 56, no. 164, pp. 41793-41794.¶
- (d) 29 CFR 1926.1053 Ladders, published 4/11/14, FR vol. 79, no. 70, p. 20316.¶
- (e) 29 CFR 1926.1054 (Reserved).¶
- (f) 29 CFR 1926.1055 (Reserved).¶
- (g) 29 CFR 1926.1056 (Reserved).¶
- (h) 29 CFR 1926.1057 (Reserved).¶
- (i) 29 CFR 1926.1058 (Reserved).¶
- (j) 29 CFR 1926.1059 (Reserved).¶
- (k) 29 CFR 1926.1060 Training requirements, published 11/14/90, FR vol. 55, no. 220, p. 47691.¶
- (25) Subdivision Z - TOXIC AND HAZARDOUS SUBSTANCES¶
- (a) 29 CFR 1926.1101 Asbestos, published 2/8/13, FR vol. 78, no. 27, p. 9311, amended 5/14/19, FR vol. 84, no. 93, p. 21576.¶
- (b) 29 CFR 1926.1126 Chromium (VI), published 3/17/10, FR vol. 75, no. 51, pp. 12681-12686, amended 5/14/19, FR vol. 84, no. 93, p. 21576.¶
- (c) 29 CFR 1926.1127 Cadmium, published 12/12/08, FR vol. 73, no. 240, pp. 75568-75589, amended 5/14/19, FR vol. 84, no. 93, p. 21576.¶
- (d) 29 CFR 1926.1152 Methylene Chloride, published 12/18/97, FR vol. 62, no. 243, p. 66275.¶
- (26) Subdivision AA - (Reserved).¶
- (27) Subdivision BB - (Reserved).¶
- (28) Subdivision CC - Cranes and Derricks in Construction.¶
- (a) 29 CFR 1926.1400 Scope, published 4/11/14, FR vol. 79, no. 70, p. 20316; amended with Oregon OSHA AO 3-2015, f. 10/9/15, ef. 1/1/16.¶
- (b) 29 CFR 1926.1401 Definitions, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶
- (c) 29 CFR 1926.1402 Ground conditions, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶
- (d) 29 CFR 1926.1403 Assembly/Disassembly - selection of manufacturer or employer procedures, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶
- (e) 29 CFR 1926.1404 Assembly/Disassembly - general requirements (applies to all assembly and disassembly operations), published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶
- (f) 29 CFR 1926.1405 Disassembly - additional requirements for dismantling of booms and jibs (applies to both the use of manufacturer procedures and employer procedures), published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶
- (g) 29 CFR 1926.1406 Assembly/Disassembly - employer procedures - general requirements, published 8/9/10,

FR vol. 75, no. 152, pp. 47906-48177.¶

(h) 29 CFR 1926.1407 Power line safety (up to 350 kV) - assembly and disassembly, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(i) 29 CFR 1926.1408 Power line safety (up to 350 kV) - equipment operations, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(j) 29 CFR 1926.1409 Power line safety (over 35 kV), published 8/9/10, FR vol. 75, vol. 152, pp. 47906-48177.¶

(k) 29 CFR 1926.1410 Power line safety (all voltages) - equipment operations closer than the Table A zone, published 4/11/14, FR vol. 79, no. 70, pp. 20316.¶

(l) 29 CFR 1926.1411 Power line safety - while traveling, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(m) 29 CFR 1926.1412 Inspections, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(n) 29 CFR 1926.1413 Wire rope - inspection, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(o) 29 CFR 1926.1414 Wire rope - selection and installation criteria, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(p) 29 CFR 1926.1415 Safety devices, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(q) 29 CFR 1926.1416 Operational aids, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(r) 29 CFR 1926.1417 Operation, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(s) 29 CFR 1926.1418 Authority to stop operation, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(t) 29 CFR 1926.1419 Signals - general requirements, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(u) 29 CFR 1926.1420 Signals - radio, telephone or other electronic transmission of signals, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(v) 29 CFR 1926.1421 Signals - voice signals - additional requirements, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(w) 29 CFR 1926.1422 Signals - hand signal chart, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(x) 29 CFR 1926.1423 Fall protection, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(y) 29 CFR 1926.1424 Work area control, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(z) 29 CFR 1926.1425 Keeping clear of the load, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(aa) 29 CFR 1926.1426 Free fall and controlled load lowering, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(bb) 29 CFR 1926.1427 Operator qualification and certification, published 11/9/18, FR vol. 83, no. 218, p. 56198.¶

(cc) 29 CFR 1926.1428 Signal person qualifications, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(dd) 29 CFR 1926.1429 Qualifications of maintenance & repair employees, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(ee) 29 CFR 1926.1430 Training, published 11/9/18, FR vol. 83, no. 218, p. 56198.¶

(ff) 29 CFR 1926.1431 Hoisting personnel, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(gg) 29 CFR 1926.1432 Multiple-crane/derrick lifts - supplemental requirements, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(hh) 29 CFR 1926.1433 Design, construction and testing, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(ii) 29 CFR 1926.1434 Equipment modifications, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(jj) 29 CFR 1926.1435 Tower cranes, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(kk) 29 CFR 1926.1436 Derricks, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(ll) 29 CFR 1926.1437 Floating cranes/derricks and land cranes/derricks on barges, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(mm) 29 CFR 1926.1438 Overhead & gantry cranes, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(nn) 29 CFR 1926.1439 Dedicated pile drivers, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(oo) 29 CFR 1926.1440 Sideboom cranes, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(pp) 29 CFR 1926.1441 Equipment with a rated hoisting/lifting capacity of 2,000 pounds or less, published 8/9/10,

FR vol. 75, no. 152, pp. 47906-48177.¶

(qq) 29 CFR 1926.1442 Cranes and Derricks in Construction: Railroad Roadway Work, published 9/15/20, FR vol. 85, no. 179, pp 57109-57122.¶

(rr) 29 CFR 1926.1443 Severability, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(~~rr~~ss) Appendix A to Subdivision CC of 1926 - Standard Hand Signals, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(~~ss~~tt) Appendix B to Subdivision CC of 1926 - Assembly/Disassembly - Sample Procedures for Minimizing the Risk of Unintended Dangerous Boom Movement, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

(~~tt~~uu) Appendix C to Subdivision CC of 1926 - Operator Certification - Written Examination - Technical Knowledge Criteria, published 8/9/10, FR vol. 75, no. 152, pp. 47906-48177.¶

These standards are available at the Oregon Occupational Safety and Health Division, Oregon Department of Consumer and Business Services, and the United States Government Printing Office.

Statutory/Other Authority: ORS 654.025(2), 656.726(4)

Statutes/Other Implemented: ORS 654.001 - 654.295