

**OREGON OCCUPATIONAL SAFETY AND HEALTH DIVISION
DEPARTMENT OF CONSUMER AND BUSINESS SERVICES**

PROGRAM DIRECTIVE

Program Directive A-229
Issued Nov 11, 1989
Revised _____

Subject: Power Presses: Presence Sensing Device Initiation

Affected Standards: 1910.217

Purpose: This directive describes OR-OSHA's response to Federal OSHA's adoption of third party certification rules for PSDI equipment.

Background: Federal OSHA published a Federal Register notice at 53 FR 8322, March 14, 1988, Presence Sensing Device Initiation of Mechanical Power Presses; Final Rule. This final rule amends the Federal mechanical power press standard (29 CFR 1910.217, Subpart O), to allow (but not require) presence sensing device initiation (PSDI) on certain types of power presses. It also requires certification/validation of PSDI equipment by a third party recognized by OSHA.

C On March 14, 1988, OSHA issued a final rule on its standard for mechanical power presses (53 FR 8322). That action amended Section 1910.211 and Section 1910.217 to allow (but does not require) presence sensing device initiation (PSDI) on certain types of power presses. The amended standard addresses the use of presence sensing devices as well as the entire mechanical power press safety system involved in operating in the PSDI mode. OSHA is also amending the related standard on definitions, 29 CFR 1910.211, as appropriate, to support the revision to the mechanical power press standard.

C Until this rulemaking, OSHA did not permit PSDI, but rather required that a mechanical power press operator physically initiate the stroke of the press by using hand controls or a foot pedal.

C Because presence sensing device initiation has been used safely in other countries, in one case for over 30 years, and on an experimental basis in the United States since 1976, OSHA believes this prohibition is technically outdated. This revision allows a presence sensing device to initiate the stroke of the press automatically when the operator's body is out of the danger zone.

C The PSDI standard at Section 1910.217(h)(11)(I) provides that employers may use PSDI devices on their mechanical power presses only after the manufacturer and employer certifications on design and installation have been validated by an OSHA-recognized third-party validation organization. Annual recertification/revalidation is also required.

Appendix C to Section 1910.217 provides mandatory requirements for OSHA recognition of third-party validation organizations for the PSDI standard, including notice in the Federal Register and a comment period. A letter of recognition is issued that is valid for five years, but subject to revocation by OSHA at any time.

C No organizations have yet applied to OSHA for recognition as a third-party validation organization.

C No 23(g) or matching State funds may be used for the development or operation of any independent State recognition programs for third-party validation organizations as they would duplicate a complex technical process already available Federally.

C Explain that, because of the technical complexity involved in the recognition process for third-party validation organizations, and because one certification program with nationwide applicability allows a more efficient use of resources, the States are encouraged to adopt a standard that relies on the Federal third-party certification program; i.e., presence sensing device certification/validation must be conducted by a third party organization that has met the Federal requirements and received Federal OSHA recognition

Action:

Because of the technical complexity involved in the recognition process for third-party validation organizations, and because one certification program with nationwide applicability allows a more efficient use of resources, OR-OSHA has elected to rely on the Federal third-party certification program; i.e., presence sensing device certification/validation must be conducted by a third party organization that has met the Federal

requirements and received Federal OSHA recognition.

Effective Date:

The provision for OSHA recognition of third-party validation organizations (to validate employer and manufacturer certifications that their equipment and practices meet the requirements of the PSDI standard) set forth in Appendix C became effective 30 days (April 13, 1988) after publication in the Federal Register. The remaining provisions of the standard became effective the later of 90 days (June 13, 1988) after publication in the Federal Register or the date of OSHA recognition of a third-party validation Organization. At this time, no such organizations have been recognized by OSHA. Therefore, the provisions of the standard other than Appendix C have not yet been implemented. A Federal Register notice will be published when a third-party validation organization has been recognized by OSHA.