



# Oregon

John Kitzhaber MD, Governor

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February 22, 2013

[Text of changes](#)  
[Federal Register 8/17/2012](#)

## Oregon OSHA – Adopted Changes With Federal OSHA Amendments in Construction To Demolition, and Underground Construction

This rulemaking is to keep Oregon OSHA in harmony with recent changes to Federal OSHA's standards.

Oregon OSHA amendments to 1926.800 as published in the **August 17, 2012 Federal Register**. This will bring all crane and derrick use in construction work under one subdivision CC, and it will correct the technical errors in the previous rule that substantively altered the demolition and underground construction provisions, and replace subparagraphs 1926.800(t)(1) through (4). The revisions made by this rulemaking will enable Oregon OSHA to cover all cranes and derricks used in construction under subpart CC. These revisions implement the original purpose of the rule and will benefit both employees and employers. Also, in this Federal Register are reference changes to 1926.856 and 1926.858; and will remove subdivision DD.

In December 2012, Oregon OSHA proposed to make the Federal OSHA amendments published in the **November 9, 2012 Federal Register**, in 1926.1400 to broaden the exemption for digger derricks. However, on February 7, 2013, OSHA published in the Federal Register a withdrawal of the direct final rulemaking (November 9, 2012 Federal Register) and instead, it is moving forward with proposed rulemaking that was published at the same time as the direct final. Therefore, Oregon OSHA is not proceeding with rulemaking concerning the digger derricks exemption at this time.

Oregon OSHA makes these amendments in construction.

This is Oregon OSHA Administrative Order 1-2013, **adopted and effective February 14, 2013**.

Please visit our web site [www.orosha.org](http://www.orosha.org) Click 'Rules' in the left vertical column and view our proposed, adopted, and final rules.

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Note: In compliance with the Americans with Disabilities Act (ADA), this publication is available in alternative formats by calling 503-378-3272.

Secretary of State  
Certificate and Order for Filing  
**PERMANENT ADMINISTRATIVE RULES**

I certify that the attached copies\* are true, full and correct copies of the PERMANENT Rule(s) adopted on February 14, 2013 by the  
Date prior to or same as filing date

Department of Consumer & Business Services/Oregon Occupational Safety & Health Division 437  
Agency and Division Administrative Rules Chapter Number

Sue Joye 350 Winter Street NE, Salem OR 97301-3882 503-947-7449  
Rules Coordinator Address Telephone

to become effective February 14, 2013 as Oregon OSHA Administrative Order 1-2013.  
Date upon filing or later

Rulemaking Notice was published in the January 2013 Oregon Bulletin.\*\*  
Month and Year

**RULE CAPTION**

Adopt federal changes in construction to demolition and underground construction.  
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

**RULEMAKING ACTION**

**AMEND:** OAR 437-003-0001.

**ORS** 654.025(2), 656.726(4)  
Stat. Auth.

**ORS** 654.001 through 654.295  
Stats. Implemented

**RULE SUMMARY**

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/s/Michael D. Wood  
Authorized Signer

Michael D. Wood  
Printed name

2/14/2013  
Date

\*With this original, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules.

\*\*The *Oregon Bulletin* is published on the 1st of each month and updates rules found in the OAR Compilation. For publication in Bulletin, rule and notice filings must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, when filings are accepted until 5:00 pm on the preceding workday.  
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