February 22, 2013

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 Click ‘Rules’ in the left vertical column and view our proposed, adopted, and final rules.

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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

Department of Consumer & Business Services/Oregon Occupational Safety & Health Division

Agency and Division

Administrative Rules Chapter Number 437

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Date prior to or same as filing date

to become effective February 14, 2013 as Oregon OSHA Administrative Order 1-2013.

Rulemaking Notice was published in the __________ 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)

ORS 654.001 through 654.295
Stats. Implemented

RULE SUMMARY

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/s/Michael D. Wood
Authorized Signer

Michael D. Wood 2/14/2013
Printed name 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. ARC 930-2005