

*Regulations of Connecticut State Agencies*

TITLE 31. Labor

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*Agency*

**Labor Department—Occupational Safety and Health Division**

*Subject*

**OCCUPATIONAL SAFETY AND HEALTH**

*Inclusive Sections*

**§§ 31-372-1—31-372-108-1928**

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**OCCUPATIONAL SAFETY AND HEALTH**

**Limitations, Variations, Tolerances, and Exemptions**

**Sec. 31-372-1. Purposes and scope**

These regulations specify the rules of practice for seeking limitations, variations, tolerances, and exemptions from the Occupational Safety and Health Standards of Connecticut. These rules are intended to secure a prompt and just conclusion to the proceedings relating to petitions seeking such relief.

(Effective September 11, 1974)

**Sec. 31-372-2. Definitions**

As used in this Article:

- (a) “Act” means the Connecticut Occupational Safety and Health Act of 1973.
- (b) “Affected Employer” or “Affected Employee” means any employer or employee who would be affected by the grant or denial of any petition.
- (c) “Commissioner” means the Commissioner of the Connecticut State Department of Labor.
- (d) “Employee” means a person employed or permitted to work by a corporation, partnership, company, or individual.
- (e) “Employer” means the State of Connecticut or its political subdivisions.
- (f) “Owner”, “Lessee”, “Agent”, or “Manager of a building” means one or more individuals, partnerships, associations, corporations, business trusts, or legal representatives who control parts or features of a building which are not under the control of a tenant employer.
- (g) “Party” means any person, individual, corporation, partnership, association, and the State of Connecticut or any of its political subdivisions having an interest or right to participate in hearings related to these regulations.
- (h) “Person” means any individual, corporation, partnership, association, and the State of Connecticut, or any of its political subdivisions.

(Effective October 5, 1979)

**Sec. 31-372-3. Petitions for amendments to this part**

Any person may at any time petition the Commissioner in writing to revise, amend, or revoke any provisions of this part. The petition should set forth either the terms or the substance of the rule desired, with concise statement of the reasons therefor and the effects thereof.

(Effective September 11, 1974)

**Sec. 31-372-4. Amendments to this part**

The Commissioner may at any time revise, amend, or revoke any provisions of this part,

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on his own motion or upon the written petition of any person.

(Effective September 11, 1974)

**Sec. 31-372-5. Effect of variances**

All variances granted pursuant to this part shall have only future effect. In his discretion, the Commissioner may decline to entertain an application for a variance on a subject or issue concerning which a citation has been issued to the employer involved and a proceeding on the citation or a related issue concerning a proposed penalty or period of abatement is pending before the Occupational Safety and Health Review Commission or appropriate state review authority until the completion of such proceeding.

(Effective October 5, 1979)

**Sec. 31-372-6. Public notice of a granted variance, limitation, variation, tolerance, or exemption**

Every final action granting a variance, limitation, variation, tolerance, or exemption, under this part shall be published in the Connecticut Law Journal. Every such final action shall specify the alternative to the standard involved which the particular variance permits.

(Effective September 11, 1974)

**Sec. 31-372-7. Form of documents; subscriptions; copies**

(a) No particular form is prescribed for applications and other papers which may be filed in proceedings under this part. However, any applications and other papers shall be clearly legible. An original and six copies of any application or other papers shall be filed. The original shall be typewritten. Clear carbon copies, or printed or processed copies are acceptable copies.

(b) Each application or other paper which is filed in proceedings under this part shall be subscribed by the person filing the same, or by his attorney or other authorized representative.

(Effective September 11, 1974)

**Sec. 31-372-8—31-372-9. Reserved**

**Sec. 31-372-10. Variances, and other relief under section 31-372 (a) and (e)**

(a) **Application for variances.** Any owner, employer, or class of employers desiring a variance from a standard or a portion thereof authorized by Section 31-372 of the Connecticut Occupational Safety and Health Act may file a written application containing the information specified in paragraph (b) of this section with the Commissioner.

(b) **Contents.** An application filed pursuant to paragraph (a) of this section shall include:

- (1) The name and address of the applicant;
- (2) The address of the place or places of employment involved;
- (3) A specification of the standard or portion thereof from which the applicant seeks a

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variance;

(4) A representation by the applicant, supported by representations from qualified persons having first-hand knowledge of the facts represented, that he is unable to comply with the standard or portion thereof by its effective date and a detailed statement of the reasons therefor;

(5) A statement of the steps the applicant has taken and will take, with specific date where appropriate to protect employees against the hazard covered by the standard;

(6) A statement of when the applicant expects to comply with the standard and what steps he has taken and will take with specific dates where appropriate, to come into compliance with the standard;

(7) A statement of facts the applicant would show to establish that, (i) the applicant is unable to comply with a standard by its effective date because of the unavailability of professional or technical personnel or of materials and equipment needed to come into compliance with the standard or because necessary construction or alteration of facilities cannot be completed by the effective date; (ii) he is taking all available steps to safeguard his employees against the hazards covered by this standard; and (iii) he has an effective program for coming into compliance with the standard as soon as possible;

(8) Any request for a hearing as provided in this regulation;

(9) A statement that the applicant has informed his affected employees of the application by giving a copy thereof to their authorized representative, posting a statement, giving a summary of the application and specifying where a copy may be examined, at the place or places where notices to employees are normally posted, and by other appropriate means; and

(10) A description of how the affected employees have been informed of the application and of their right to petition the Commissioner for a hearing.

**(c) Application for interim order.**

(1) An application may be made for an interim order to be effective until a decision is rendered on the application for the variance filed previously or concurrently. An application for an interim order may include statements of fact and arguments as to why the order should be granted. The Commissioner may rule *ex parte* upon the application.

(2) Notice of denial of application. If the application for an interim order is denied by the Commissioner the applicant shall be advised in writing of the grounds for this denial.

(3) Notice of approval of interim order. If an interim order is granted, the applicant and other interested parties will be served a copy of the order and the contents of the order shall be published in the Connecticut Law Journal. It shall be a condition of the order that the affected employer shall give notice thereof to affected employees in the same manner as he is required to do in case of application for variance.

(Effective September 11, 1974)

**Sec. 31-372-11. Variances and other relief under section 31-372 (g)**

**(a) Application for variance.** Any owner, employer or class of employers desiring a

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variance authorized by Section 31-372 (g) of the Act may file a written application containing the following information with the Commissioner of Labor.

(b) **Contents.**

- (1) The name and address of the applicant;
- (2) The address of the place or places of employment involved;
- (3) A description of the conditions, practices, means, methods, operations or processes used or proposed to be used by the applicant;
- (4) A statement showing how the conditions, practices, means, methods, operations or processes used or proposed to be used would provide employment and places of employment to employees which are as safe and healthful as those required by the standard from which a variance is sought;
- (5) A certification that the applicant has informed his employees of the application by (i) giving a copy thereof to their authorized representative; (ii) posting a statement giving a summary of the application specifying where a copy may be examined, at the place or places where notices to employees are normally posted (or in lieu of such summary, the posting of the application itself); and (iii) by other appropriate means.
- (6) Any request for a hearing as provided in this part; and
- (7) A description of how employees have been informed of the application and of their right to petition the Commissioner for a hearing.

(c) **Interim order.**

- (1) Application. An application may also be made for an interim order to be effective until a decision is rendered on the application for the variance filed previously or concurrently. An application for an interim order may include statements of fact and arguments as to why the order should be granted. The Commissioner may rule *ex parte* upon the application.
- (2) Notice of denial of application. If an application filed for an interim order for a variance, as described in the preceding paragraph, is denied, the applicant shall be given prompt notice of the denial which shall include, or be accompanied by, a brief statement of grounds therefor.
- (3) Notice of the grant of an interim order. If an interim order is granted, a copy of the order shall be served upon the applicant for the order and other parties, and the terms of the order shall be published in the Connecticut Law Journal. It shall be a condition of the order that the affected employer shall give notice thereof to affected employees by the same means to be used to inform them of an application for a variance.

(Effective September 11, 1974)

**Sec. 31-372-12. Limitations, variations, tolerances or exemptions**

(a) **Application.** Any person or class of persons desiring a limitation, variation, tolerance or exemption authorized by Section 31-372 of the Connecticut Occupational Safety and Health Act as he may find necessary and proper to avoid serious impairment of the national defense may file an application containing the information specified below.

**(b) Contents.**

- (1) The name and address of the applicant;
- (2) The address of the place or places of employment involved;
- (3) A specification of the provision of the Act to or from which the applicant seeks a limitation, variation, tolerance or exemption.
- (4) A representation showing that the limitation, variation, tolerance or exemption sought is necessary and proper to avoid serious impairment of the national defense;
- (5) Any request for a hearing as provided in this part; and
- (6) A description of how employees have been informed of the application and of their right to petition the Commissioner for a hearing.

**(c) Interim order.**

(1) An application may also be made for an interim order to be effective until a decision is rendered on the application for the limitation, variation, tolerance or exemption filed previously or concurrently. An application for an interim order may include statements of fact and arguments as to why the order should be granted. The Commissioner may rule ex parte upon the application.

(2) Notice of denial of application. If an application filed, pursuant to an application for an interim order is denied, the applicant shall be given prompt notice of the denial, which shall include, or be accompanied, by a brief statement of the grounds therefor.

(3) Notice of grant of an interim order. If the interim order is granted, a copy of the order shall be served upon the applicant for the order and other parties and the terms of the order shall be published in the Connecticut Law Journal. It shall be a condition of the order that the affected employer shall give notice thereof to the affected employees by the same means to be used to inform them of an application of variance.

(Effective September 11, 1974)

**Sec. 31-372-13. Modification, revocation and renewal of rules or orders**

**(a) Modification or revocation.**

(1) An affected owner, employer or an affected employee may apply in writing to the Commissioner for a modification or revocation of a rule or order issued under Section 31-372 of the Act.

The application shall contain:

- (i) The name and address of the applicant.
- (ii) A description of the relief which is sought;
- (iii) A statement setting forth with particularity the grounds for relief;
- (iv) If the applicant is an employer, a certification that the applicant has informed his affected employees of the application by: (a) Giving a copy thereof to their authorized representative; (b) Posting at the place or places where notices to employees are normally posted, a statement giving a summary of the application and specifying where a copy of the full application may be examined (or, in lieu of the summary, posting the application itself); and (c) Other appropriate means.

(v) If the applicant is an affected employee, a certification that a copy of the application has been furnished to the employer; and

(vi) Any request for a hearing as provided in this part.

(2) The Commissioner may on his own motion proceed to modify or revoke a rule or order issued in relation to the preceding sections of this article. In such event, the Commissioner shall cause to be published in the Connecticut Law Journal a notice of his intention, affording interested persons an opportunity to submit written data, view, or arguments regarding the proposal and informing the affected employer and employees of their right to request a hearing, and shall take such other action as may be appropriate to give actual notice to affected employees. Any request for a hearing shall include a short and plain statement of: (i) How the proposed modification or revocation would affect the requesting party; and (ii) What the requesting party would seek to show on the subjects or issues involved.

(b) **Renewal.** Any final rule or order issued pursuant to Sections 31-369, 31-370, 31-371 of this part may be renewed or extended as permitted by the applicable section and in the manner prescribed for its issuance.

(Effective September 11, 1974)

#### **Sec. 31-372-14. Actions on applications**

##### **(a) Defective applications.**

(1) If an application filed pursuant to this article does not conform to the applicable section, the Commissioner may deny the application.

(2) Prompt notice of the denial of an application shall be given to the applicant.

(3) A notice of denial shall include, or be accompanied by a brief statement of the grounds for denial.

(4) A denial of an application pursuant to this article shall be without prejudice to the filing of another application.

##### **(b) Adequate applications.**

(1) If an application has not been denied pursuant to paragraph (a) of this section, the Commissioner shall cause to be published in the Connecticut Law Journal a notice of the filing of the application

(2) A notice of the filing of an application shall include: (i) the terms or an accurate summary of the application; (ii) a reference to the section of the Act under which the application has been filed; (iii) an invitation to interested persons to submit within a stated period of time written data, views or arguments regarding the application; and (iv) information to affected employers and employees of any right to request a hearing on the application.

(3) A copy of each final decision of the commissioner with respect to an application filed under sections 31-372-10, 31-372-11, or 31-372-13 shall be furnished, within 10 days of issuance.

(Effective October 5, 1979)



**Sec. 31-372-15. Request for hearings on applications**

(a) **Requests for hearing.** Within the time allowed by a notice of the filing of an application, any affected employer or employee may file with the Commissioner a request for a hearing on the application.

(b) **Contents of a request for a hearing.** A request for a hearing on an application shall include:

(1) A statement of facts indicating how the employer or employee would be affected by the relief sought;

(2) Specification of the statement or representation in the application which is denied, and a summary of evidence which would support a denial; and

(3) Any views or arguments on any issues of fact or law presented.

(Effective October 5, 1979)

**Sec. 31-372-16. Consolidation of proceedings**

The Commissioner on his own motion or that of any party may consolidate or contemporaneously consider two or more proceedings which involve the same or closely related issues.

(Effective September 11, 1974)

**Sec. 31-372-17—31-372-19. Reserved**

**Sec. 31-372-20. Notice of hearing**

(a) Upon request for a hearing the Commissioner shall serve, or cause to be served, a reasonable notice of hearing.

(b) A notice of hearing shall include:

1. The time, place, and nature of the hearing.

2. The legal authority under which the hearing is to be held.

3. A specification of issues of fact and law.

4. A designation of a hearing examiner to preside over the hearing.

(c) A copy of a notice of hearing served pursuant to paragraph (a) of this section shall be referred to the hearing examiner designated therein, together with the original application and any written request for a hearing thereon filed pursuant to this part.

(Effective September 11, 1974)

**Sec. 31-372-21. Manner of service**

Service of any document upon any party may be made by personal delivery of, or by mailing, a copy of the document to the last known address of the party. The person serving the document shall certify to the manner and the date of the service.

(Effective September 11, 1974)

**Sec. 31-372-22. Hearing examiners; powers and duties**

(a) **Powers.** A hearing examiner designated to preside over a hearing shall have all powers necessary or appropriate to conduct a fair, full, and impartial hearing, including the following:

1. To administer oaths and affirmations.
2. To rule upon offers of proof and receive relevant evidence.
3. To provide for discovery and determine its scope.
4. To regulate the course of the hearing and the conduct of the parties and their counsel therein.
5. To consider and rule upon procedural requests.
6. To hold conferences for the settlement or simplification of the issues by consent of the parties.
7. To make, or to cause to be made, an inspection of the employment or place of employment involved.
8. To make decisions in accordance with the Act, this part, and the Administrative Procedure Act.
9. To take any other appropriate action authorized by the Act, this part, or the Administrative Procedure Act.

(b) **Private consultation.** Except to the extent required for the disposition of ex parte matters, a hearing examiner may not consult a person or a party or any fact at issue, unless upon notice and opportunity for all parties to participate.

(c) **Disqualification.**

1. When a hearing examiner deems himself disqualified to preside over a particular hearing, he shall withdraw therefrom by notice on the record directed to the Chief Hearing Examiner.
2. Any party who deems a hearing examiner for any reason to be disqualified to preside, over a particular hearing, may file with the Chief Hearing Examiner a motion to disqualify and remove the hearing examiner, such motion to be supported by affidavits setting forth the alleged grounds for disqualification. The Chief Hearing Examiner shall rule upon the motion.

(d) **Contumacious conduct.**

1. Contumacious conduct at any hearing before the hearing examiner shall be ground for exclusion from the hearing.
2. If a witness or a party refuses to answer a question after being directed to do so, or refuses to obey an order to provide or permit discovery, the hearing examiner may make such orders with regard to the refusal as are just and appropriate, including an order denying the application of an applicant or regulating the contents of the record of the hearing.

(e) **Referral to federal rules and civil procedure.** On any procedural question regulated by this part, the Act, or the Administrative Procedure Act, a hearing examiner shall be guided to the extent practicable by any pertinent provisions of the Federal Rules of Civil Procedure.

(Effective September 11, 1974)

**Sec. 31-372-23. Prehearing conference**

(a) Upon his own motion or the motion of a party, the hearing examiner may direct the parties or their counsel to meet with him for a conference to consider:

1. Simplification of the issues;
2. Necessity or desirability of amendments to documents for purposes of clarification, simplification, or limitation;
3. Stipulations, admissions of fact, and of contents and authenticity of documents;
4. Limitation of the number of parties and of expert witnesses; and
5. Such other matters as may tend to expedite the disposition of the proceeding and to assure a just conclusion thereof.

(b) **Record of conference.** The hearing examiner shall make an order which recites the action taken at the conference, the amendments allowed to any documents which have been filed, and the agreements made between the parties as to any of the matters considered, and which limits the issues for hearing to those not disposed of by admission or agreements; and such order when entered controls the subsequent course of the hearing, unless modified at the hearing, to prevent manifest injustice.

(Effective September 11, 1974)

**Sec. 31-372-24. Consent findings and rules or orders**

(a) At any time before the reception of evidence in any hearing, or during any hearing a reasonable opportunity may be afforded to permit negotiation by the parties of an agreement containing consent findings and a rule or order disposing of the whole or any part of the proceeding. The allowance of such opportunity and the duration thereof shall be in the discretion of the presiding hearing examiner, after consideration of the nature of the proceeding, the requirements of the public interest, the representations of the parties, and the probability of an agreement which will result in a just disposition of the issues involved.

(b) Any agreement containing consent findings and rule or order disposing of a proceeding shall also provide:

- (1) That the rule or order shall have the same force and effect as if made after a full hearing;
- (2) That the entire record on which any rule or order may be based shall consist solely of the application and the agreement;
- (3) A waiver of any further procedural steps before the hearing examiner and the Commissioner; and
- (4) A waiver of any right to challenge or contest the validity of the findings and of the rule or order made in accordance with the agreement.

(c) On or before the expiration of the time granted for negotiations, the parties or their counsel may:

- (1) Submit the proposed agreement to the presiding hearing examiner for his consideration; or
- (2) Inform the presiding hearing examiner that agreement cannot be reached.

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(d) In the event an agreement containing consent findings and rule or order is submitted within the time allowed therefor, the presiding hearing examiner may accept such agreement by issuing his decision based upon the agreed findings.

(Effective September 11, 1974)

**Sec. 31-372-25. Depositions**

(a) **Discovery.**

(1) For reasons of unavailability or for other good cause shown, the testimony of any witness may be taken by deposition. Depositions may be taken orally or upon written interrogatories before any person designated by the presiding hearing examiner and having power to administer oaths.

(2) Any party desiring to take the deposition of a witness may make application in writing to the presiding hearing examiner, setting forth:

(i) The reasons why such deposition should be taken;

(ii) The time when, the place where, and the name and post office address of the person before whom the deposition is to be taken;

(iii) The name and address of each witness; and

(iv) The subject matter concerning which each witness is expected to testify.

(3) Such notice as the presiding hearing examiner may order shall be given by the party taking the deposition to every other party.

(4) Each witness testifying upon deposition shall be sworn, and the parties not calling him shall have the right to cross-examine him. The questions propounded and the answers thereto, together with all objections made, shall be reduced to writing, read to the witness, subscribed by him, and certified by the officer before whom the deposition is taken. Thereafter, the officer shall seal the deposition, with two copies thereof, in an envelope and mail the same by registered mail to the presiding hearing examiner. Subject to such objections to the questions and answers as were noted at the time of taking the deposition and would be valid were the witness personally present and testifying, such deposition may be read and offered in evidence by the party taking it as against any party who was present, represented at the taking of the deposition, or who had due notice thereof. No part of a deposition shall be admitted in evidence unless there is a showing that the reasons for the taking of the deposition in the first instance exist at the time of hearing.

(b) Whenever appropriate to a just disposition of any issue in a hearing, the presiding hearing examiner may allow discovery by any other appropriate procedure, such as by written interrogatories upon a party, production of documents by a party, or by entry for inspection of the employment or place of employment involved.

(Effective September 11, 1974)

**Sec. 31-372-26. Hearings**

(a) Except as may be ordered otherwise by the presiding hearing examiner, the party applicant for relief shall proceed first at a hearing.

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(b) The party applicant shall have the burden of proof.

(c)

(1) A party shall be entitled to present his case or defense by oral or documentary evidence, to submit rebuttal evidence, and to conduct such cross-examination as may be required for a full and true disclosure of the facts. Any oral or documentary evidence may be received, but a presiding hearing examiner shall exclude evidence which is irrelevant, immaterial or unduly repetitious.

(2) The testimony of a witness shall be upon oath or affirmation administered by the presiding hearing examiner.

(3) If a party objects to the admission or rejection of any evidence, or to the limitation of the scope of any examination or cross-examination, or to the failure to limit such scope, he shall state briefly the grounds for such objection. Rulings on all objections shall appear in the record. Only objections made before the presiding hearing examiner may be relied upon subsequently in a proceeding.

(4) Formal exception to an adverse ruling is not required.

(d) Official notice may be taken of any material fact not appearing in evidence in the record, which is among the traditional matters of judicial notice or concerning which the Department of Labor by reason of its functions is presumed to be expert:

Provided, that the parties shall be given adequate notice, at the hearing or by reference in the presiding hearing examiner's decision, of the matters so noticed, and shall be given adequate opportunity to show the contrary.

(e) Hearings shall be stenographically reported. Copies of the transcript may be obtained by the parties upon written application filed with the reporter, and upon the payment of fees at the rate provided in the agreement with the reporter.

(Effective September 11, 1974)

**Sec. 31-372-27. Decisions of hearing examiners**

(a) Within 10 days after receipt of notice that the transcript of the testimony has been filed or such additional time as the presiding hearing examiner may allow, each party may file with the hearing examiner proposed findings of fact, conclusions of law, and rule or order, together with a supporting brief expressing the reasons for such proposals. Such proposals and brief shall be served on all other parties, and shall refer to all portions of the record and to all authorities relied upon in support of each proposal.

(b) Within a reasonable time after the time allowed for the filing of proposed findings of fact, conclusions of law, and rule or order, the presiding hearing examiner shall make and serve upon each party his decision, which shall become final upon the 20th day after service thereof, unless exceptions are filed thereto, as provided in Section 31-372-28. The decision of the hearing examiner shall include:

(1) A statement of findings and conclusions, with reasons and bases therefor, upon each material issue of fact, law, or discretion presented on the record, and

(2) The appropriate rule, order, relief, or denial thereof. The decision of the hearing

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examiner shall be based upon a consideration of the whole record and shall state all facts officially noticed and relied upon. It shall be made on the basis of a preponderance of reliable and probative evidence.

(Effective September 11, 1974)

**Sec. 31-372-28. Exceptions**

Within 20 days after service of a decision of a presiding hearing examiner, any party may file with the hearing examiner written exceptions thereto with supporting reasons. Such exceptions shall refer to the specific findings of fact, conclusions of law, or terms of the rule or order excepted to, the specific pages of transcript relevant to the suggestions, and shall suggest corrected findings of fact, conclusions of law, or terms of the rule or order. Upon receipt of any exceptions, the hearing examiner shall fix a time for filing any objections to the exceptions and any supporting reasons.

(Effective September 11, 1974)

**Sec. 31-372-29. Transmission of record**

If exceptions are filed, the hearing examiner shall transmit the record of the proceeding to the Commissioner for review. The record shall include: the application, any request for hearing thereon, motions and requests filed in written form, rulings thereon, the transcript of the testimony taken at the hearing, together with the exhibits admitted in evidence, any documents or papers filed in correction with pre-hearing conferences, such proposed findings of fact, conclusions of law, rules or orders, and supporting reasons, as may have been filed, the hearing examiner's decision, and such exceptions, statements of objections, and briefs in support thereof, as may have been filed in the proceeding.

(Effective September 11, 1974)

**Sec. 31-372-30. Decision of the commissioner**

If exceptions to a decision of a hearing examiner are taken pursuant to Section 31-372-28, the Commissioner shall upon consideration thereof, together with the record references and authorities cited in support thereof, and any objections to exceptions and supporting reasons, make his decision. The decision may affirm, modify, or set aside, in whole or part the findings, conclusions, and the rule or order contained in the decision of the presiding hearing examiner, and shall include a statement of reasons or bases for the actions taken of each exception presented.

(Effective September 11, 1974)

**Sec. 31-372-31—31-372-39. Reserved**

**Sec. 31-372-40. Motion for summary decision**

(a) Any party may, at least 20 days before the date fixed for any hearing under Section 31-372-20 through 31-372-30, move with or without supporting affidavits for a summary

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decision in his favor of all or any part of the proceeding. Any other party may, within ten days after service of the motion, serve opposing affidavits or countermove for summary decision. The presiding hearing examiner may, in his discretion, set the matter for argument and call for the submission of briefs.

(b) The filing of any documents under paragraph (a) of this section, shall be with the hearing examiner, and copies of any such documents shall be served in accordance with Section 31-372-21.

(c) The hearing examiner may grant such motion if the pleadings, affidavits, material obtained by discovery or otherwise obtained, or matters officially noticed show that there is no genuine issue as to any material fact and that a party is entitled to summary decision. The hearing examiner may deny such motion whenever the moving party denies access to information by means of discovery to a party opposing the motion.

(d) Affidavits shall set forth such facts as would be admissible in evidence, and shall show affirmatively that the affiant is competent to testify to the matters stated therein. When a motion for summary decision is made and supported as provided in this section, a party opposing the motion may not rest upon the mere allegations or denials of his pleading; his response must set forth specific facts showing that there is a genuine issue of fact for the hearing.

(e) Should it appear from the affidavits of a party opposing the motion that he cannot for reasons stated present by affidavit facts essential to justify his opposition, the hearing examiner may deny the motion for summary decision or may order a continuance to permit affidavits to be obtained or discovery to be had or may make such other order as is just.

(f) The denial of all or any part of a motion for summary decision by the hearing examiner shall not be subject to interlocutory appeal to the Commissioner unless the hearing examiner certifies in writing (1) that the ruling involves an important question of law or policy as to which there is substantial ground for difference of opinion, and (2) that an immediate appeal from the ruling may materially advance the ultimate termination of the proceeding. The allowance of such an interlocutory appeal shall not stay the proceeding before the hearing examiner unless the Commissioner shall so order.

(Effective September 11, 1974)

**Sec. 31-372-41. Summary decision**

(a) (1) Where no genuine issue of a material fact is found to have been raised, the hearing examiner may issue an initial decision to become final twenty days after service thereof, unless, within such period of time any party has filed written exception to the decision. If any timely exception is filed, the hearing examiner shall fix a time for filing any objections to the exception and any supporting reasons.

Thereafter, the Commissioner, after consideration of the exceptions and any supporting briefs filed therewith and of any objections to the exceptions and any supporting reasons, may issue a final decision.

(2) An initial decision and a final decision made under this paragraph shall include a

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statement of:

(i) Findings and conclusions, and the reasons or bases therefor, on all issues presented; and

(ii) The terms and conditions of the rule or order made.

(3) A copy of an initial decision and a final decision under this paragraph shall be served on each party.

(b) Where a genuine material question of fact is raised, the hearing examiner shall, and in any other case he may, set the case for an evidentiary hearing in accordance with Sections 31-372-20 through 31-372-30.

(Effective September 11, 1974)

**Sec. 31-372-42—31-372-49. Reserved**

**Sec. 31-372-50. Effect of appeal of a hearing examiner's decision**

A hearing examiner's decision under this part shall not be operative pending a decision on appeal by the Commissioner.

(Effective September 11, 1974)

**Sec. 31-372-51. Finality for purposes of judicial review**

Only a decision by the Commissioner shall be deemed final agency action for purposes of judicial review. A decision by a hearing examiner which becomes final for lack of appeal is not deemed final agency action.

(Effective September 11, 1974)

**Standards**

**Sec. 31-372-100-1903. Safety and health standards for abatement verification**

These Occupational Safety and Health Standards were promulgated by the Secretary of the U. S. Department of Labor under the authority of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Statute 1590–1620). Any changes, additions, deletions or interpretations subsequently made will be adopted as if fully set forth herein.

Title 29, Chapter XVII, Part 1910 as published in the Federal Register, Volume 39, Number 125, June 27, 1974.

<i>Standard Affected</i>	<i>Subject</i>	<i>Fed. Reg. Date</i>	<i>Action</i>
Part 1903	Abatement Verification	3-31-97	New

(Adopted effective March 27, 1998)

**Sec. 31-372-101-1910. Safety and health standards for general industry**

Adopt as Section 31-372-101-1910., U. S. Department of Labor, Occupational Safety



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and Health Administration, OSHA Safety and Health Standards (29 CFR 1910.), OSHA Publication 2206, Revised November 7, 1978.

Also adopt the following amendments to Section 31-372-101-1910.:

<i>Standard Affected</i>	<i>Subject</i>	<i>Fed. Reg Date.</i>	<i>Action</i>
1910.19,	Occupational Exposure to Lead; Final Standard	11-14-78	New
1910.1000 and 1910.1025			
1910.1025	Occupational Exposure to Lead; Attachments to Preamble for Final Standard	11-21-78	New
1910.1043 and 1910.1046			
1910.1043	Occupational Exposure to Cotton Dust	12-5-78	Corrections
1910.1000	Air Contaminants Tables	12-8-78	Corrections
1910.1025	Occupational Exposure to Lead; Administrative Stay	1-26-79	Corrections
1910.1000	Occupational Exposure to Chlorine; Administrative Stay of Correction to Exposure Level	2-6-79	Adm. Stay
1910.1000	Occupational Exposure to Chlorine; Lifting of Administrative Stay	7-17-79	Correction
(Effective February 11, 1980)			
1910.1043	Occupational Exposure to Cotton Dust; Cotton Waste Processors and Users	1-26-79	Lift Stay
1910.1025	Occupational Exposure to Lead; Notice of Partial Stay	3-13-79	Stay
1910.1025	Occupational Exposure to Lead; Corrections to Preamble	4-6-79	Corrections
1910.1025	Occupational Exposure to Lead	8-28-79	Corrections
1910.1025	Occupational Exposure to Lead; Appendices to Standard	10-23-79	New
1910.1025	Occupational Exposure to Lead	11-30-79	Corrections
1910.177	Servicing Multi-Piece Rim Wheels; Procedures	1-29-80	New
1910.217	Mechanical Power Presses	2-8-80	Correction
1910.1043	Occupational Exposure to Cotton Dust; New Effective Dates	2-26-80	Effective Date

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<i>Standard Affected</i>	<i>Subject</i>	<i>Fed. Reg Date.</i>	<i>Action</i>
(Effective October 29, 1981)			
1910.20	Access to Employee Exposure and Medical Records	5-23-80	Revision
1910.423	Commercial Diving Operations	6-20-80	Correction
1910.1043	Occupational Exposure to Cotton Dust in Warehousing and Classing Industries	7-29-80	Effective Date
1910.20	Access to Employee Exposure and Medical Records	8-15-80	Corrections
1910.35, .37, .38 .107-.109 .155- .165b	Fire Protection; Means of Egress; Hazardous Materials	9-12-80	Revision
1910.1043	Occupational Exposure to Cotton Dust	9-30-80	Effective Date
1910.1043	Occupational Exposure to Cotton Dust	10-10-80	Amendment
1910.1043	Occupational Exposure to Cotton Dust	12-30-80	Amendment
1910.95	Occupational Noise Exposure; Hearing Conservation Amendment	1-16-81	Amendment
1910.301- .399	Electrical Standards	1-16-81	Revision
1910.1025	Occupational Exposure to Lead	1-21-81	Amendment
1910.1025	Occupational Exposure to Lead	2-6-81	Effective Date
1910.1025	Occupational Exposure to Lead	3-3-81	Effective Date
1910.1025	Occupational Exposure to Lead	3-27-81	Effective Date
1910.95	Occupational Noise Exposure; Hearing Conservation Amendment	4-10-81	Effective Date
1910.20	Access to Employee Exposure and Medical Records; Construction Industry; Administrative Stay	4-28-81	Stay
1910.1025	Occupational Exposure to Lead; Supplemental Statement of Reasons and Amendment of Standard	4-28-81	Effective Date
1910. Sub- part L	Fire Protection; Means of Egress; Hazardous Materials	5-1-81	Corrections
1910.1025	Occupational Exposure to Lead, New Trigger Levels for Medical Removal Protection	5-1-81	Effective Date
(Effective October 29, 1981)			

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<i>Standard Affected</i>	<i>Subject</i>	<i>Fed. Reg Date.</i>	<i>Action</i>
1910.19	Occupational Exposure to Cotton Dust in Cotton Gins	6-19-81	Deletion
1910.1000	Occupational Exposure to Benzene	6-19-81	Deletion
1910. Sub-part "S"	Electrical Standards; Correction	8-7-81	Correction
1910.95	Occupational Noise Exposure; Hearing Conservation Amendment; Rule and Proposed Rule	8-21-81	Amendment
1910.95	Occupational Noise Exposure; Hearing Conservation Amendment	9-11-81	Correction
1910.20	Access to Employee Exposure and Medical Records; Construction Industry; Lifting of Administrative Stay	9-15-81	Lifting of Administrative Stay
1910.1025	Occupational Exposure to Lead; Revised Supplemental Statement of Reasons	12-11-81	Revision
1910.106	Hazardous Materials; Attendant Exemption and Latch-Open Devices	9-7-82	Revision
1910.1025	Occupational Exposure to Lead; Respirator Fit Test	11-12-82	Revision
1910. Sub-part "T"	Educational/Scientific Diving	11-26-82	Amendment
1910.1002	Occupational Exposure to Coal Tar Pitch Volatiles; Modification of Interpretation	1-21-83	Revision
1910.1025	Occupational Exposure to Lead; Respirator Fit Testing; Corrections	3-8-83	Correction
1910.95	Occupational Noise Exposure; Hearing Conservation Amendment; Final Rule	3-8-83	Revision
1910.95	Occupational Noise Exposure; Hearing Conservation Amendment; Corrections	6-28-83	Correction
1910.177	Servicing of Single Piece and Multi-Piece Rim Wheels; Final Rule	2-3-84	Amendment
Part 1910	Revocation of Advisory and Repetitive Standards; Final Rule	2-10-84	Amendment
1910.1047	Occupational Exposure to Ethylene Oxide; Final Standard	6-22-84	New
(Effective May 3, 1985)			
1910.243	Power Lawnmowers; Amendments	2-1-85	Amendment
1910.1029	Coke Oven Emissions Standard; Conforming	9-13-85	Deletion

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<i>Standard Affected</i>	<i>Subject</i>	<i>Fed. Reg Date.</i>	<i>Action</i>
	Deletions		
1910.1047	Occupational Exposure to Ethylene Oxide; Labeling Requirements	10-11-85	Amendment
	(Effective August 22, 1986)		
1910.19	Special provisions for air contaminants	12-13-85	Amended
1910.1000	Air Contaminants	12-13-85	Amended
1910.1043	Cotton Dust	12-13-85	Revised
1910.19	Special provisions for air contaminants	6-20-86	Revised
1910.1001	Asbestos, tremolite, anthophyllite and actinolite	6-20-86	Revised
	(Effective November 24, 1986)		
1910.1043	Occupational Exposure to Cotton Dust and Information Collection Requirements Ap- proval	7-3-86	Correction
1910.1047	Occupational Exposure to Ethylene Oxide	7-10-86	Amendment and Correction
	(Effective April 29, 1987)		
1910.430	Commercial diving standard	9-18-86	Amended
1910.145	Health and safety standards; accident pre- vention tags	9-19-86	Amended
	Recordkeeping requirements for tests, in- spections and maintenance checks pertaining to:	9-29-86	
1910.68	Manlifts		Revised
1910.106	Flammable and combustible liquids		Amended
1910.157	Portable fire extinguishers		Revised
1910.179	Overhead and gantry cranes		Revised
1910.180	Crawler, locomotive and truck cranes		Revised
1910.181	Derricks		Revised
1910.217	Mechanical power presses		Revised
1910.218	Forging machines		Revised
1910.252	Welding, cutting and brazing		Revised
1910.440	Recordkeeping requirements; commercial diving		Amended
	(Effective July 9, 1987)		
1910.120	Hazardous Waste Operations and Emergency Response	12-19-86	(New)

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<i>Standard Affected</i>	<i>Subject</i>	<i>Fed. Reg Date.</i>	<i>Action</i>
			Interim Final Rule
(Effective August 21, 1987)			
1910.120	Hazardous Waste Operations and Emergency Response; Corrections	5-4-87	Amendment
1910.1001	Occupational Exposure to Asbestos, Tremolite, Anthophyllite and Actinolite; Corrections and Information Collection Requirements Approval	5-12-87	Amendment
(Effective February 25, 1988)			
1910.1200	Hazard Communication	8-24-87	New
1910.19	Special provisions for air contaminants	9-11-87	Amendment
1910.1000	Air contaminants	9-11-87	Amendment
1910.1028	Benzene	9-11-87	New
1910.16	Longshoring and marine terminals	9-25-87	Addition
1910.177	Servicing multipiece and single piece rim wheels	9-25-87	Revision
1910.268	Telecommunications	9-28-87	Revision
(Effective June 27, 1988)			
1910.19	Special provisions for air contaminants	12-4-87	New
1910.1000	Air contaminants	12-4-87	Amendment
1910.1048	Formaldehyde	12-4-87	New
(Effective July 27, 1988)			
1910.272	Grain handling facilities	12-31-87	New
(Effective October 24, 1988)			
1910.1047	Occupational Exposure to Ethylene Oxide (EtO)	4-6-88	Revision Additions
	Safety Testing or Certification of Certain Workplace Equipment and Materials	4-12-88	
1910.7	Definition and requirements for a nationally recognized testing laboratory	4-12-88	New
1910.7	Correction to above	5-11-88	Correction
<b>Subpart D-Walking-Working Surfaces</b>			
1910.28	Safety requirements for scaffolding	4-12-88	Revision
<b>Subpart E - Means of Egress</b>			
1910.35	Definitions	4-12-88	Revision
<b>Subpart H - Hazardous Materials</b>			

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1910.103	Hydrogen	4-12-88	Revision
1910.106	Flammable and combustible liquids	4-12-88	Revision
1910.107	Spray finishing using flammable and combustible materials	4-12-88	Revision
1910.108	Diptanks containing flammable or combustible liquids	4-12-88	Revision
1910.109	Explosive and blasting agents	4-12-88	Revision
1910.110	Storage and handling of liquified petroleum gases	4-12-88	Revision
1910.111	Storage and handling of anhydrous ammonia	4-12-88	Revision/Addition
<b>Subpart L - Fire Protection</b>			
1910.155	Scope and application and definitions applicable to this subpart	4-12-88	Revision/Addition
<b>Subpart N - Materials Handling and Storage</b>			
1910.178	Powered industrial trucks	4-12-88	Revision
1910.180	Crawler locomotive and truck cranes	4-12-88	Revision
1910.181	Derricks	4-12-88	Revision
<b>Subpart Q - Welding, Cutting and Brazing</b>			
1910.251	Definitions	4-12-88	Revision
<b>Subpart R - Special Industries</b>			
1910.265	Sawmills	4-12-88	Revision
1910.266	Pulpwood logging	4-12-88	Revision
<b>Subpart S - Electrical</b>			
1910.399	Definitions applicable to this subpart	4-12-88	Revision
(Effective February 6, 1989)			
1910.211	Definition	3-14-88	Amendment
1910.217	Mechanical Power Presses	3-14-88	Amendment
(Effective February 6, 1989)			
1910.177	Servicing of Multi-Piece and Single Piece Rim Wheels	9-8-88	Revision
1910.1001	Occupational Exposure to Asbestos, Tremolite, Anthophyllite and Actinolite	9-14-88	Revision/Addition
1910.20	Access to Employee Exposure and Medical Records	9-29-88	Revision
(Effective March 23, 1989)			
1910.120	Hazardous Waste Operations and Emergency	3-6-89	Revision

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<i>Standard Affected</i>	<i>Subject</i>	<i>Fed. Reg Date.</i>	<i>Action</i>
	Response Operation; Final Rule (Effective September 25, 1989)		
Title	Subpart S—Underground Construction, Caisson, Cofferdams and Compressed Air.	6/2/89	Revision
1926.800	Underground Construction (Effective December 4, 1989)	6/2/89	Revision
1910.120	Hazardous Waste Operations and Emergency Response	4/13/90	Corrections
	<b>Subpart Q - Welding, Cutting and Brazing</b>	4/11/90	Reorganization
1910.252	General requirements		
1910.253	Oxygen-fuel gas welding and cutting		
1910.254	Arc welding and cutting		
1910.255	Resistance welding		
1910.256	Sources of standard		
1910.257	Standards organization		
1910.1001	Asbestos, tremolite, anthophyllite and acti- nolite	2/5/90	Amendment and Revision
1910.1025	Lead (Effective December 31, 1990)	1/30/90	Revision
	<b>Electrical Safety Related Work Practices</b>		
1910.26	Portable metal ladders	8-6-90	Revised
1910.67	Vehicle-mounted elevating and rotating work platforms		Revised
1910.68	Manlifts		Revised
1910.94	Ventilation		Amended
1910.103	Hydrogen		Revised
1910.106	Flammable and combustible liquids		Amended/Re- vised
1910.110	Storage and handling of liquified petroleum gases		Amended
1910.178	Powered industrial trucks		Revised
1910.179	Overhead and gantry cranes		Revised
1910.180	Crawler, locomotive and truck cranes		Revised
1910.181	Derricks		Revised
1910.252	Welding cutting and brazing		Revised
1910.261	Pulp, paper and paper board		Revised
1910.265	Sawmills		Amended

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<i>Standard Affected</i>	<i>Subject</i>	<i>Fed. Reg Date.</i>	<i>Action</i>
1910.266	Pulpwood logging		Amended
1910.304	Wiring design and protection		Amended
1910.331	Scope		New
1910.333	Selection and use of work practices		New
1910.334	Use of equipment		New
1910.335	Safeguards for personal protection		New
1910.399	Definitions applicable to this subpart		Amended
<b>Electrical Safety Related Work Practices</b>			
1910.252	Welding cutting and brazing	11-1-90	Correction
1910.333	Selection and use of work practices		Correction
1910.334	Use of equipment		Correction
1910.147	Control of hazardous energy sources (Lock-out/Tagout)	9-20-90	Correction
(Effective November 29, 1991)			
1910.332	Electrical Safety related work practices-training	8/6/90	New
1910.399	Electrical Safety related work practices - definitions	11/1/90	Correction
(Effective November 29, 1991)			
1910.120	Hazardous Waste Operations and Emergency Response	4/18/91	Correction
1910.1025	Occupational Exposure to Lead	5/31/91	Correction
(Effective December 30, 1991)			
1910.1030	Bloodborne Pathogens	12/6/91	Final Rule; New
(Effective May 22, 1992)			
1910.109	Explosives and blasting agents	2/24/92	Revision
1910.119	Process safety management of highly hazardous chemicals	2/24/92	New
(Effective September 17, 1992)			
1910.1001	Occupational Exposure to Asbestos, Tremolite, Anthophyllite and Actinolite	6/8/92	Amended
1910.1048	Occupational Exposure to Formaldehyde	5/27/92	Amended
1910.1048	Occupational Exposure to Formaldehyde	6/10/92	Correction
1910.1048	Occupational Exposure to Formaldehyde	6/18/92	Correction
(Effective July 2, 1993)			
1910.19	Special Provisions for Air Contaminants	8/10/92	Amended



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<i>Standard Affected</i>	<i>Subject</i>	<i>Fed. Reg Date.</i>	<i>Action</i>
1910.19	Special Provisions for Air Contaminants	9/14/92	Amended
1910.1000	Occupational Exposure to Cadmium (Tables)	9/14/92	Amended
1910.1027	Occupational Exposure to Cadmium	9/14/92	New
1910.1050	Occupational Exposure to 4, 4' Methylene-dianiline (MDA)	8/10/92	New
1910.1050	Occupational Exposure to 4, 4' Methylene-dianiline (MDA)	11/3/92	Amended
(Effective July 21, 1993)			
1910.146	Permit-Required Confined Spaces	1/14/93	New
1910.146	Permit-Required Confined Spaces	6/29/93	Correction
(Effective December 22, 1993)			
1910.137	Electrical Protective Equipment	1/31/94	Revised
1910.269	Electrical Power Generation, Transmission, and Distribution	1/31/94	New
1910.331	Scope	1/31/94	Amended
1910.333	Selection and Use of Work Practices	1/31/94	Revised
1910.1200	Hazard Communication	2/9/94	Amendment
(Effective August 26, 1994)			
1910.132	General Requirements	4/6/94	New
1910.133	Eye and Face Protection	4/6/94	Revision
1910.135	Head Protection	4/6/94	Revision
1910.136	Foot Protection	4/6/94	Revision
1910.138	Hand Protection	4/6/94	New
(Effective October 20, 1994)			
1910.1201	Retention of DOT markings, placards and labels.	7/19/94	Amended
(Effective January 19, 1995)			
1910.269	Electric power generation, transmission, and distribution.	8/9/94	Revision
1910.19	Special provisions for air contaminants.	8/9/94	Revised
1910.1001	Asbestos.	8/10/94	Amended
(Effective February 23, 1995)			
1910.266	Logging operations.	10/12/94	Revised
1910.269	Electrical protective equipment.	10/12/94	Revised
(Effective April 19, 1995)			
1910.272	Grain handling facilities	03/08/96	Amended
(Effective April 23, 1997)			

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<i>Standard Affected</i>	<i>Subject</i>	<i>Fed. Reg Date.</i>	<i>Action</i>
1910.19	Special provisions for air contaminants	11-04-96	New
1910.1000	Butadiene (1,3 Butadiene)	11/04/96	Amended
1910.1051	Butadiene (1,3 Butadiene)	11/04/96	New
Appendix A	Substance Safety Data Sheet	11/04/96	New
Appendix B	Substance Technical Guidelines	11/04/96	New
Appendix C	Medical Screening, Surveillance	11/04/96	New
Appendix D	Sampling and Analytical Method	11/04/96	New
Appendix E	Respirator Fit Testing	11/04/96	New
Appendix F	Medical Questionnaires	11/04/96	New
(Effective June 27, 1997)			
1910.19	Special provisions for air contaminants	1/10/97	New
1910.1000	Table Z-2	1/10/97	Revised
1910.1052	Methylene chloride	1/10/97	New
(Effective September 5, 1997)			
1910.94	Ventilation	1/08/98	Amended
1910.111	Storage and handling of anhydrous ammonia	1/08/98	Amended
1910.139	Respiratory protection for M. Tuberculosis	1/08/98	Amended
1910.134	Respiratory protection	1/08/98	Added
1910.134	Respiratory protection	4/23/98	Corrected
Subpart L			
1910.156	Fire Brigades	1/08/98	Amended
Subpart Q			
1910.252	General requirements	1/08/98	Amended
Subpart R			
1910.261	Pulp, paper and paperboard	1/08/98	Amended
Subpart Z			
1910.1001	Asbestos	1/08/98	Amended
1910.1003	Carcinogens (4-Nitrobiphenyl, etc.)	1/08/98	Amended
1910.1017	Vinyl Chloride	1/08/98	Amended
1910.1018	Inorganic arsenic	1/08/98	Amended
1910.1025	Lead	1/08/98	Amended

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<i>Standard</i>	<i>Subject</i>	<i>Fed. Reg</i>	<i>Action</i>
<i>Affected</i>		<i>Date.</i>	
1910.1027	Cadmium	1/08/98	Amended
1910.1028	Benzene	1/08/98	Amended
1910.1029	Coke oven missions	1/08/98	Amended
1910.1043	Cotton dust	1/08/98	Amended
1910.1044	1,2-Dibromo-3 chloropropane	1/08/98	Amended
1910.1045	Acrylonitrile	1/08/98	Amended
1910.1047	Ethylene oxide	1/08/98	Amended
1910.1048	Formaldehyde	1/08/98	Amended
1910.1050	Methylenedianiline	1/08/98	Amended
1910.1051	1,3-Butadiene	1/08/98	Amended
1910.1052	Methylene chloride	1/08/98	Amended
(Effective August 31, 1999)			
Subpart H	Hazardous Materials	06/18/98	Amend
Subpart J	General Environmental Controls	06/18/98	Amend
Subpart K	Medical and First Aid	06/18/98	Amend
Subpart L	Fire Protection	06/18/98	Amend
Subpart N	Materials Handling and Storage	06/18/98	Amend
Subpart R	Special Industries	6/18/98	Amend
Subpart Z	Toxic and Hazardous Substances	06/18/98	Amend
1910.16	Longshoring and marine terminals	07/25/97	Revise
1910.16	Longshoring and marine terminals	12/01/98	Amend
1910.178	Powered industrial trucks	12/01/98	Amend
Subpart Z		1/18/01	Amended
Of 29 CFR			
1910			
1910.1030	Bloodborne Pathogens	1/18/01	Amended
(Effective February 27, 2002)			
Subpart Z		1/18/01	Revised
Of 29 CFR			
1910			
1910.1043	Cotton dust	1/18/01	Revised
(Effective February 27, 2002)			
Subpart E	Exit Routes, Emergency Action	11/7/02	Revised
of			
29 CFR	Plans, and Fire Prevention Plans		
1910			
1910.33	Table of Contents	11/7/02	Added

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§31-372-101-1910 *Labor Department—Occupational Safety and*

<i>Standard Affected</i>	<i>Subject</i>	<i>Fed. Reg Date.</i>	<i>Action</i>
1910.34	Coverage and Definitions	11/7/02	Added
1910.35	Compliance with NFPA 101-2000, Life Safety Code	11/7/02	Revised
1910.36	Design and construction requirements for exit routes	11/7/02	Revised
1910.37	Maintenance, safeguards, and operational features for exit routes	11/7/02	Revised
1910.38	Emergency action plans	11/7/02	Revised
1910.39	Fire prevention plans	11/7/02	Added
Subpart H of 29 CFR 1910	Hazardous Materials	11/7/02	Revised
1910.119	Process safety management of highly hazardous chemicals	11/7/02	Revised
1910.120	Hazardous waste operations and emergency response	11/7/02	Revised
Subpart L of 29 CFR 1910	Fire Protection	11/7/02	Revised
1910.157	Portable fire extinguishers	11/7/02	Revised
Subpart R of 29 CFR 1910	Special Industries	11/7/02	Revised
1910.268	Telecommunications	11/7/02	Revised
1910.272	Grain handling facilities	11/7/02	Revised
Appendix A to 1910.272		11/7/02	Revised
Subpart Z	Toxic and Hazardous Substances	11/7/02	Revised
1910.1047	Ethylene oxide	11/7/02	Revised
1910.1050	Methylenedianiline	11/7/02	Revised
1910.1051	1,3-Butadiene	11/7/02	Revised
(Effective February 9, 2004)			
Subpart I	Authority	12/31/03	Amended

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<i>Standard Affected</i>	<i>Subject</i>	<i>Fed. Reg Date.</i>	<i>Action</i>
1910.139	Respiratory protection for M. Tuberculosis (Effective September 1, 2004)	12/31/03	Removed
Subpart T	Authority	2/17/04	Amended
1910.401	Scope and application	2/17/04	Amended
1910.402	Definitions	2/17/04	Amended
Appendix C	Alternative Conditions Under Section 1910.401(a)(3) for Recreational Diving Instructors and Diving Guides (Mandatory) (Adopted effective June 7, 2005)	2/17/04	Added
Subpart I	Authority	8/4/04	Amended
1910.134	Respiratory Protection - Appendix A	8/4/04	Amended
	REDON Fit Testing Protocol (Effective September 2, 2005)		
1910	Authority	2/28/06	Amended
1910.1000	Air contaminants		
Table Z-1	Limits for Air Contaminants	2/28/06	Amended
Table Z-2		2/28/06	Amended
1910.1026	Chromium (VI) (Adopted effective January 2, 2007)	2/28/06	Added
1910	Authority	8/24/06	Amended
1910.134	Respiratory protection	8/24/06	Amended
Subpart Z	Authority	8/24/06	Amended
1910.1001	Asbestos	8/24/06	Amended
1910.1017	Vinyl chloride	8/24/06	Amended
1910.1018	Inorganic arsenic	8/24/06	Amended
1910.1025	Lead	8/24/06	Amended
1910.1027	Cadmium	8/24/06	Amended
1910.1028	Benzene	8/24/06	Amended
1910.1029	Coke oven emissions	8/24/06	Amended
1910.1043	Cotton dust	8/24/06	Amended
1910.1044	1,2 – Dibromo-3-chloropropane	8/24/06	Amended
1910.1045	Acrylonitrile	8/24/06	Amended
1910.1047	Ethylene oxide	8/24/06	Amended
1910.1048	Formaldehyde	8/24/06	Amended
1910.1050	Methylenedianiline	8/24/06	Amended

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<i>Standard Affected</i>	<i>Subject</i>	<i>Fed. Reg Date.</i>	<i>Action</i>
1910.1052	Methylene chloride (Adopted effective September 11, 2007)	8/24/06	Amended
Subpart A	General	2/14/07	Amended
1910.6	Incorporation by reference	2/14/07	Amended
Subpart F	Powered Platforms, Manlifts, and Vehicle-Mounted Work Platforms	2/14/07	Amended
1910.66	Powered platforms for building maintenance	2/14/07	Amended
Appendix D	Existing Installations (Mandatory)	2/14/07	Amended
Subpart S	Electrical	2/14/07	Amended
1910.302	Electric utilization systems	2/14/07	Amended
1910.303	General	2/14/07	Amended
1910.304	Wiring design and protection	2/14/07	Amended
1910.305	Wiring methods, components, and equipment for general use	2/14/07	Amended
1910.306	Specific purpose equipment and installations	2/14/07	Amended
1910.307	Hazardous (classified) locations	2/14/07	Amended
1910.308	Special systems	2/14/07	Amended
1910.399	Definitions applicable to this subpart	2/14/07	Amended
Appendix A	References for Further Information	2/14/07	Amended
Appendix B		2/14/07	Removed
Appendix C		2/14/07	Removed
(Adopted effective March 10, 2008)			
Subpart I	Authority	11/15/07	Amended
1910.132	General requirements	11/15/07	Amended
(Adopted effective December 9, 2008)			
Subpart A	Authority	12/12/08	Amended
1910.9	Compliance duties owed to each employee	12/12/08	Added
Subpart G	Authority	12/12/08	Amended
1910.95	Occupational noise exposure	12/12/08	Amended
Subpart I	Authority	12/12/08	Amended
1910.134	Respiratory protection	12/12/08	Amended
Subpart L	Authority	12/12/08	Amended

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<i>Standard Affected</i>	<i>Subject</i>	<i>Fed. Reg Date.</i>	<i>Action</i>
1910.156	Fire brigades	12/12/08	Amended
Subpart Z	Authority	12/12/08	Amended
1910.1001	Asbestos	12/12/08	Amended
1910.1003	13 Carcinogens (4-Nitrobiphenyl, etc.)	12/12/08	Amended
1910.1017	Vinyl chloride	12/12/08	Amended
1910.1018	Inorganic arsenic	12/12/08	Amended
1910.1025	Lead	12/12/08	Amended
1910.1026	Chromium (VI)	12/12/08	Amended
1910.1027	Cadmium	12/12/08	Amended
1910.1028	Benzene	12/12/08	Amended
1910.1029	Coke oven emissions	12/12/08	Amended
1910.1030	Bloodborne pathogens	12/12/08	Amended
1910.1043	Cotton dust	12/12/08	Amended
1910.1044	1, 2-dibromo-3-chloropropane	12/12/08	Amended
1910.1045	Acrylonitrile	12/12/08	Amended
1910.1047	Ethylene oxide	12/12/08	Amended
1910.1048	Formaldehyde	12/12/08	Amended
1910.1050	Methylenedianiline	12/12/08	Amended
1910.1051	Butadiene	12/12/08	Amended
1910.1052	Methylene chloride	12/12/08	Amended
(Adopted effective August 11, 2009)			
Subpart A	Authority	9/9/09	Amended
1910.6	Incorporation by reference	9/9/09	Amended
Subpart G			
1910.94	Ventilation	9/9/09	Amended
Subpart I			
1910.133	Eye and face protection	9/9/09	Amended
1910.135	Head protection	9/9/09	Amended
1910.136	Foot protection	9/9/09	Amended
Appendix B	Non-Mandatory Compliance Guidelines for Hazard Assessment And Personal Protective Equipment Selection	9/9/09	Amended
Subpart Q			
1910.252	General requirements	9/9/09	Amended

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<i>Standard Affected</i>	<i>Subject</i>	<i>Fed. Reg Date.</i>	<i>Action</i>
(Adopted effective August 18, 2010)			
Subpart A	Authority	11/10/09	Amended
1910.6	Incorporation by reference	11/10/09	Amended
Subpart H	Authority	11/10/09	Amended
1910.102	Acetylene	11/10/09	Amended
(Adopted effective October 12, 2010)			
Subpart A - General	Authority	5/14/10	Amended
Subpart Z - Toxic and Hazardous Substances	Authority	5/14/10	Amended
1910.1026	Chromium (VI)	5/14/10	Amended
(Adopted effective December 14, 2010)			
Subpart A			
1910.6	Incorporation by reference	6/8/11	Amended
Subpart E	Authority	6/8/11	Amended
Subpart E	Exit Routes and Emergency Planning	6/8/11	Amended
-			
Heading			
1910.33	Table of contents	6/8/11	Amended
1910.34	Coverage and definitions	6/8/11	Amended
1910.35	Compliance with alternate exit-route codes	6/8/11	Amended
1910.36	Design and construction requirements for exit routes	6/8/11	Amended
Subpart I	Authority	6/8/11	Amended
1910.132		6/8/11	Amended
1910.134	Respiratory protection	6/8/11	Amended
Subpart J	Authority	6/8/11	Amended
1910.141	Sanitation	6/8/11	Amended
Subpart N	Authority	6/8/11	Amended
1910.184	Slings	6/8/11	Amended
Subpart T	Authority	6/8/11	Amended
1910.440	Recordkeeping requirements	6/8/11	Amended
Subpart Z	Authority	6/8/11	Amended
1910.1001		6/8/11	Amended
1910.1003	13 Carcinogens (4-nitrobiphenyl, etc.)	6/8/11	Amended



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<i>Standard Affected</i>	<i>Subject</i>	<i>Fed. Reg Date.</i>	<i>Action</i>
1910.1017		6/8/11	Amended
1910.1018		6/8/11	Amended
1910.1020		6/8/11	Amended
1910.1025	Lead	6/8/11	Amended
1910.1027	Cadmium	6/8/11	Amended
1910.1028	Benzene	6/8/11	Amended
1910.1029		6/8/11	Amended
1910.1030	Bloodborne pathogens	6/8/11	Amended
1910.1043		6/8/11	Amended
1910.1044		6/8/11	Amended
1910.1045		6/8/11	Amended
1910.1047		6/8/11	Amended
1910.1050		6/8/11	Amended
1910.1051	1,3-Butadiene	6/8/11	Amended
1910.1450	Occupational exposure to hazardous chemicals in laboratories		
Appendix A to § 1910.1450	Appendix A to § 1910.1450 – National Research Council Recommendations Concerning Chemical Hygiene in Laboratories (Non-Mandatory)	6/8/11	Amended
	(Effective September 5, 2012)		
Subpart J - 1910.145	Authority Specifications for accident prevention signs and tags	5/2/11	Amended
1910.147	The control of hazardous energy (lockout/tagout)	5/2/11	Amended
Subpart N - 1910.177	Authority	5/2/11	Amended
	(Effective September 5, 2012)		

**Sec. 31-372-102-1915. Safety and Health Regulations for Ship Repairing**

<i>Standard Affected</i>	<i>Subject</i>	<i>Fed. Reg Date.</i>	<i>Action</i>
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**Subpart A — General Provisions**

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<i>Standard Affected</i>	<i>Subject</i>	<i>Fed. Reg Date.</i>	<i>Action</i>
<b>Section</b>			
1915.1	Purpose, scope and responsibility		
1915.2	Definitions		
1915.3	Penalty		
1915.4	(Reserved)		
1915.5	Reference specifications, standards, and codes		
1915.6	Notification of accidents resulting in fatalities or serious injuries		
1915.7	Amendment of the regulations of this part		
Part 1915	Authority	6/8/11	Amended
Subpart B	Appendix A to Subpart B of Part	6/8/11	Amended
Appendix A	1915 – Compliance Assistance Guidelines for Confined and Enclosed Spaces and Other Dangerous Atmospheres		
1915.112	Ropes, chains, and slings	6/8/11	Amended
1915.113	Shackles and hooks	6/8/11	Amended
1915.118		6/8/11	Amended
1915.152		6/8/11	Amended
1915.1001	Asbestos	6/8/11	Amended
(Effective September 5, 2012)			
Part 1915	Authority	5/2/11	Amended
1915.5	Incorporation by reference	5/2/11	Amended
Subpart F	General Working Conditions	5/2/11	Amended
1915.80	Scope, application, definitions and effective dates	5/2/11	Amended
1915.81	Housekeeping	5/2/11	New
1915.82	Lighting	5/2/11	New
1915.83	Utilities	5/2/11	New
1915.84	Working alone	5/2/11	New
1915.85	Vessel radar and communication systems	5/2/11	New
1915.86	Lifeboats	5/2/11	New
1915.87	Medical services and first aid	5/2/11	New

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<i>Standard Affected</i>	<i>Subject</i>	<i>Fed. Reg Date.</i>	<i>Action</i>
1915.88	Sanitation	5/2/11	New
1915.89	Control of hazardous energy (lockout/tags-plus)	5/2/11	New
1915.90	Safety color code for marking physical hazards	5/2/11	New
1915.91	Accident prevention signs and tags	5/2/11	New
1915.92	Retention of DOT markings, placards, and labels	5/2/11	New
1915.93	Motor vehicle safety equipment, operation and maintenance	5/2/11	New
1915.94	Servicing multi-piece and single-piece rim wheels	5/2/11	New
Subpart J			
1915.162	Ship's boilers	5/2/11	Amended
1915.163	Ship's piping systems	5/2/11	Amended
1915.164	Ship's propulsion machinery	5/2/11	Amended
1915.181	Electric circuits and distribution boards	5/2/11	Amended
(Effective September 5, 2012)			
<b>Subpart B — Explosive and Other Dangerous Atmospheres</b>			
1915.10	Competent person		
1915.11	Precautions before entering		
1910.1000	Air Contaminants	1-19-89	Revision
1910.1000	Air Contaminants	7-5-89	Correction
(Effective December 22, 1989)			
1910.1048	Occupational exposure to formaldehyde	7/13/89	Correction and Technical Amendments
1910.1048	Occupational exposure to formaldehyde	8/1/89	Correction
1910.66	Powered platforms for building maintenance	7/28/89	Revision
1910.150	Redesignated from 1910.147	9/1/89	Redesignated
1910.147	Control of hazardous energy sources (Lockout/Tagout)	9/1/89	New

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<i>Standard Affected</i>	<i>Subject</i>	<i>Fed. Reg Date.</i>	<i>Action</i>
1910.1000	Air Contaminants (Effective March 23, 1990)	9/5/89	Revision
1910.1450	Occupational Exposure to Hazardous Chem- icals in Laboratories (Effective September 21, 1990)	1/31/90	New
1915.12	Cleaning and other cold work		
1915.13	Certification before hot work is begun		
1915.14	Maintaining gas free conditions		
1915.15	Warning signs		
<b>Subpart C — Surface Preparation and Preservation</b>			
1915.21	Toxic cleaning solvents		
1915.22	Chemical paint and preservative removers		
1915.23	Mechanical paint removers		
1915.24	Painting		
1915.25	Flammable liquids		
<b>Subpart D — Welding, Cutting and Heating</b>			
1915.31	Ventilation and protection in welding, cut- ting and heating		
1915.32	Fire prevention		
1915.33	Welding, cutting and heating in way of pre- servative coatings		
1915.34	Welding, cutting and heating of hollow metal containers and structures not covered by § 1915.11		
1915.35	Gas welding and cutting		
1915.36	Arc welding and cutting		
1915.37	Uses of fissionable material in ship repair		
<b>Subpart E — Scaffolds, Ladders and Other Working Surfaces</b>			
1915.41	Scaffolds or staging		
1915.42	Ladders		
1915.43	Guarding of deck openings and edges		
1915.44	Access to vessels		
1915.45	Access to and guarding of dry docks and		

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marine railways

1915.46 Access to cargo spaces and confined spaces

1915.47 Working surfaces

**Subpart F — General Working Conditions**

1915.51 Housekeeping

1915.52 Illumination

1915.53 Utilities

1915.54 Work in confined or isolated spaces

1915.55 Work on or in the vicinity of radar and radio

1915.56 Work in or on lifeboats

1915.57 Health and sanitation

1915.58 First aid

**Subpart G — Gear and Equipment for Rigging and  
Materials Handling**

1915.61 Inspection

1915.62 Ropes, chains and slings

1915.63 Shackles and hooks

1915.64 Chain falls and pull-lifts

1915.65 Hoisting and hauling equipment

1915.66 Use of gear

1915.67 Qualifications of operators

1915.68 Tables

**Subpart H — Tools and Related Equipment**

1915.71 General precautions

1915.72 Portable electric tools

1915.73 Hand tools

1915.74 Abrasive wheels

1915.75 Powder actuated fastening tools

1915.76 Internal combustion engines, other than  
ship's equipment

**Subpart I — Personal Protective Equipment**

1915.81 Eye protection

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<i>Standard Affected</i>	<i>Subject</i>	<i>Fed. Reg Date.</i>	<i>Action</i>
1915.82	Respiratory protection		
1915.83	Head, foot and body protection		
1915.84	Life saving equipment		
<b>Subpart J — Ship’s Machinery and Piping Systems</b>			
1915.91	Ship’s boilers		
1915.92	Ship’s piping systems		
1915.93	Ship’s propulsion machinery		
1915.94	Ship’s deck machinery		
<b>Subpart K — Portable, Unfired Pressure Vessels, Drums and Containers, Other Than Ship’s Equipment</b>			
1915.101	Portable air receivers and other unfired pressure vessels		
1915.102	Drums and containers		
<b>Subpart L — Electrical Machinery</b>			
1915.111	Electrical circuits and distribution boards		
<b>Changes—Effective May 3, 1984</b>			
Part 1915	Occupational Safety and Health Standards for Shipyard Employment; Final Rule 4-20-82	Consolidation of Standards	
	Subject Index for 29 CFR 1915—Ship Repairing.		
	Recordkeeping requirements for tests, inspections and maintenance checks pertaining to:	9-29-86	
1915.113	Shackles and hooks		Revised
1915.172	Portable air receivers and other unfired pressure vessels		Revised
(Effective July 9, 1987)			
1915.99	Hazard Communication	8-24-87	New
(Effective June 27, 1988)			
1915.1027	Occupational Exposure to Cadmium	9/14/92	New
(Effective July 21, 1993)			
1915.1200	Hazard Communication	2/9/94	Amendment

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<i>Standard Affected</i>	<i>Subject</i>	<i>Fed. Reg Date.</i>	<i>Action</i>
(Effective August 26, 1994)			
1915.100	Retention of DOT markings, placards and labels.	7/19/94	Amended
(Effective January 19, 1995)			
1915.7	Competent person	7/25/94	Revision
Subpart B	Confined and Enclosed Spaces and Other Dangerous Atmospheres in Shipyard Employment	7/25/94	Revision
1915.11	Scope, application and definitions applicable to this subpart	7/25/94	Revision
1915.12	Precautions before entering confined and enclosed spaces and other dangerous atmospheres	7/25/94	Revision
1915.13	Cleaning and other cold work	7/25/94	Revision
1915.14	Hot work	7/25/94	Revision
1915.15	Maintenance of safe conditions	7/25/94	Revision
1915.16	Warning signs and labels	7/25/94	Revision
1915.1001	Asbestos	8/10/94	Revised
(Effective February 23, 1995)			
1915.1000	Butadiene (1,3 Butadiene)	11-04-96	Amended
(Effective June 27, 1997)			
1915.1000	Table Z	1/10/97	Revised
1915.1052	Methylene chloride	1/10/97	New
(Effective September 5, 1997)			
1915.32	Toxic cleaning solvents	5-24-96	Amended
1915.33	Chemical paint and preservative removers	5-24-96	Amended
1915.34	Mechanical paint removers	5-24-96	Amended
1915.35	Painting	5-24-96	Amended
1915.134	Abrasive wheels	5-24-96	Amended
1915.135	Powder actuated fastening tools	5-24-96	Amended
Subpart I	Personal Protective Equipment (PPE)	5-24-96	Revised
1915.5	Incorporation by reference	5-24-96	Revised
1915.152	[Corrected placement]	6-13-96	Corrected

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<i>Standard Affected</i>	<i>Subject</i>	<i>Fed. Reg Date.</i>	<i>Action</i>
(Effective May 30, 1997)			
1915	Authority	9/15/04	Amended
1915.5	Incorporation By Reference	9/15/04	Amended
1915.52	Fire Prevention	9/15/04	Removed
1915	Fire Protection in Shipyard	9/15/04	Added
Subpart P	Employment		
1915.501	General Provisions	9/15/04	Added
1915.502	Fire safety plan	9/15/04	Added
1915.503	Precautions for hot work	9/15/04	Added
1915.504	Fire watches	9/15/04	Added
1915.505	Fire response	9/15/04	Added
1915.506	Hazards of fixed extinguishing systems on board vessels and vessel sections	9/15/04	Added
1915.507	Land-side fire protection systems	9/15/04	Added
1915.508	Training	9/15/04	Added
1915.509	Definitions applicable to this subpart	9/15/04	Added
Appendix A	Model Fire Safety Plan	9/15/04	Added
To Subpart P (Non-mandatory)			
(Effective September 2, 2005)			
1915	Authority	2/28/06	Amended
1915.1000	Air contaminants	2/28/06	Amended
Table Z	Shipyards	2/28/06	Amended
1915.1026	Chromium (VI)	2/28/06	Added
(Adopted effective January 2, 2007)			
1915	Authority	8/24/06	Amended
1915.1001	Asbestos	8/24/06	Amended
(Adopted effective September 11, 2007)			
1915	Authority	11/15/07	Amended
1915.152	General requirements	11/15/07	Amended
(Adopted effective December 9, 2008)			



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*Labor Department—Occupational Safety and Health* *§31-372-103-1916*

<i>Standard Affected</i>	<i>Subject</i>	<i>Fed. Reg Date.</i>	<i>Action</i>
1915	Authority	12/12/08	Amended
Subpart A			
1915.9	Compliance duties owed to each employee	12/12/08	Added
Subpart Z			
1915.1001	Asbestos	12/12/08	Amended
1915.1026	Chromium (IV)	12/12/08	Amended
(Adopted effective August 11, 2009)			

**Sec. 31-372-103-1916. Safety and Health Regulations for Shipbuilding**

<i>Standard Affected</i>	<i>Subject</i>	<i>Fed. Reg Date.</i>	<i>Action</i>
<b>Subpart — General Provisions</b>			
<b>A</b>			
<i>Section</i>			
1916.1	Purpose, scope and responsibility		
1916.2	Definitions		
1916.3	Penalty		
1916.4	(Reserved)		
1916.5	Reference specifications, standards, and codes		
1916.6	Notification of accidents resulting in fatalities or serious injuries		
1916.7	Amendment of the regulations of this part		
<b>Subpart B — Explosive and Other Dangerous Atmospheres</b>			
1916.10	Competent person		
<b>Subpart C — Surface Preparation and Preservation</b>			
1916.21	Toxic cleaning solvents		
1916.22	Chemical paint and preservative removers		
1916.23	Mechanical paint removers		
1916.24	Painting		
1916.25	Flammable liquids		
<b>Subpart D — Welding, Cutting and Heating</b>			

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§31-372-103-1916

Labor Department—Occupational Safety and

<i>Standard Affected</i>	<i>Subject</i>	<i>Fed. Reg Date.</i>	<i>Action</i>
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1916.31	Ventilation and protection in welding, cutting and heating		
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1916.32	Fire prevention		
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1916.33	Welding, cutting and heating in way of preservative coatings		
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1916.34	Welding, cutting and heating of hollow metal containers and structures		
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1916.35	Gas welding and cutting		
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1916.36	Arc welding and cutting		
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1916.37	Uses of fissionable material in shipbuilding		
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**Subpart E — Scaffolds, Ladders and Other Working Surfaces**

1916.41	Scaffolds or staging		
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1916.42	Ladders		
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1916.43	Guarding of deck openings and edges		
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1916.44	Access to vessels		
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1916.45	Access to and guarding of dry docks and marine railways		
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1916.46	Access to cargo spaces and confined spaces		
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1916.47	Working surfaces		
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**Subpart F — General Working Conditions**

1916.51	Housekeeping		
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1916.52	Illumination		
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1916.53	Utilities		
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1916.54	Work in confined or isolated spaces		
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1916.55	Work on or in the vicinity of radar and radio		
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1916.56	Work in or on lifeboats		
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1916.57	Health and sanitation		
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1916.58	First aid		
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**Subpart G — Gear and Equipment for Rigging and Materials Handling**

1916.61	Inspection		
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1916.62	Ropes, chains and slings		
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§31-372-103-1916

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1916.63	Shackles and hooks		
1916.64	Chain falls and pull-lifts		
1916.65	Hoisting and hauling equipment		
1916.66	Use of gear		
1916.67	Qualifications of operators		
1916.68	Tables		

**Subpart H — Tools and Related Equipment**

1916.71	General precautions		
1916.72	Portable electric tools		
1916.73	Hand tools		
1916.74	Abrasive wheels		
1916.75	Powder actuated fastening tools		
1916.76	Internal combustion engines, other than ship's equipment		

**Subpart I — Personal Protective Equipment**

1916.81	Eye protection		
1916.82	Respiratory protection		
1916.83	Head, foot and body protection		
1916.84	Life saving equipment		

**Subpart J — Ship's Machinery and Piping Systems**

1916.91	Ship's boilers		
1916.92	Ship's piping systems		
1916.93	Ship's propulsion machinery		
1916.94	Ship's deck machinery		

**Subpart K — Portable, Unfired Pressure Vessels, Drums, and Containers, Other Than Ship's Equipment**

1916.101	Portable air receivers and other unfired pressure vessels		
1916.102	Drums and containers		

**Subpart L — Electrical Machinery**

1916.111	Electrical circuits and distribution boards		
	Subject Index for 29 CFR 1916—Shipbuilding.		

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<i>Standard Affected</i>	<i>Subject</i>	<i>Fed. Reg Date.</i>	<i>Action</i>
Subpart A			
1915.5	Incorporation by reference	9/9/09	Amended
Subpart I			
1915.153	Eye and face protection	9/9/09	Amended
1915.155	Head protection	9/9/09	Amended
1915.156	Footprotection	9/9/09	Amended
(Adopted effective August 18, 2010)			
Subpart A - General Provisions	Authority	5/14/10	Amended
Subpart Z - Toxic and Hazardous Substances			
1915.102	Chromium (VI)	5/14/10	Amended
6 (Adopted effective December 14, 2010)			

**Sec. 31-372-104-1917. Safety and Health Regulations for Shipbreaking**

<u><i>Standard Affected</i></u>	<u><i>Subject</i></u>	<u><i>Fed. Reg. Date</i></u>	<u><i>Action</i></u>
<b>Subpart — General Provisions</b>			
<b>A</b>			
<i>Section</i>			
1917.1	Purpose, scope and responsibility		
1917.2	Definitions		
1917.3	Penalty		
1917.4	(Reserved)		

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TITLE 31. Labor

Labor Department—Occupational Safety and Health

§31-372-104-1917

<u>Stan-</u> <u>dard Af-</u> <u>fectd</u>	<u>Subject</u>	<u>Fed. Reg.</u> <u>Date</u>	<u>Action</u>
1917.5	Reference specifications, standards, and codes		
1917.6	Notification of accidents resulting in fatalities or serious injuries		
1917.7	Amendment of the regulations of this part		
<b>Subpart B — Explosive and Other Dangerous Atmospheres</b>			
1917.10	Competent person		
1917.11	Precautions before entering		
1917.12	Cleaning and other cold work		
1917.13	Certification before hot work is begun		
1917.14	Maintaining gas free conditions		
<b>Subpart C — (Reserved)</b>			
<b>Subpart D — Welding, Cutting and Heating</b>			
1917.31	Ventilation and protection in welding, cutting, and heating		
1917.32	Fire prevention		
1917.33	Welding, cutting and heating in way of preservative coatings		
1917.34	Welding, cutting and heating of hollow metal containers and structures not covered by § 1917.11.		
1917.35	Gas welding and cutting		
1917.36	Arc welding and cutting		
<b>Subpart E — Scaffolds, Ladders and Other Working Surfaces</b>			
1917.41	Scaffolds or staging		
1917.42	Ladders		
1917.43	(Reserved)		
1917.44	Access to vessels		
1917.45	Access to and guarding of dry docks and marine railways		
1917.46	Access to cargo and confined spaces		
1917.47	Working surfaces		

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<u>Stan-</u> <u>dard Af-</u> <u>fectd</u>	<u>Subject</u>	<u>Fed. Reg.</u> <u>Date</u>	<u>Action</u>
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**Subpart F — General Working Conditions**

- 1917.51 Housekeeping
- 1917.52 Illumination
- 1917.53 Utilities
- 1917.54 Work in confined or isolated spaces
- 1917.55 (Reserved)
- 1917.56 Work in or on lifeboats
- 1917.57 Health and sanitation
- 1917.58 First aid

**Subpart G — Gear and Equipment for Rigging and Material Handling**

- 1917.61 Inspection
- 1917.62 Ropes, chains and slings
- 1917.63 Shackles and hooks
- 1917.64 Chain falls and pull-lifts
- 1917.65 Hoisting and hauling equipment
- 1917.66 Use of gear
- 1917.67 Qualifications of operators
- 1917.68 Tables

**Subpart H — Tools and Related Equipment**

- 1917.71 General precautions
- 1917.72 Portable electric tools
- 1917.73 Hand tools
- 1917.74 Abrasive wheels
- 1917.76 Internal combustion engines, other than ship's equipment

**Subpart I — Personal Protective Equipment**

- 1917.81 Eye protection
- 1917.82 Respiratory protection
- 1917.83 Head, foot and body protection
- 1917.84 Life saving equipment

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<u>Stan-</u> <u>dard Af-</u> <u>fectd</u>	<u>Subject</u>	<u>Fed. Reg.</u> <u>Date</u>	<u>Action</u>
	Subject Index for 29 CFR 1917—Shipbreaking.		
	<b>Changes—Effective May 3, 1985</b>		
Part 1917	Marine Terminals; Final Rule	7-5-83	New
1917.28	Hazard Communication Servicing multipiece and single piece rim wheels	8-24-87	New
1917.1	Scope and applicability	9-25-87	New
1917.44	General rules applicable to vehicles (Effective June 27, 1988)	9-25-87	Revision
1917.1	Scope and applicability	12-31-87	Addition
1917.72	Grain elevator terminals (Effective October 24, 1988)	12-31-87	Deletion
1917.28	Hazard Communication (Effective August 26, 1994)	2/9/94	Amendment
1917.29	Retention of DOT markings, placards and labels. (Effective January 19, 1995)	7/19/94	Amended
Subpart A	Scope and Definitions	07/25/97	Amend
1917.1	Scope and applicability	07/25/97	Amend
1917.2	Definitions	07/25/97	Revise
1917.3	Incorporation by reference	07/25/97	New
Subpart B	Marine Terminal Operations	07/25/97	Amend
1917.11	Housekeeping	07/25/97	New
1917.13	Slinging	07/25/97	New
1917.17	Railroad facilities	07/25/97	Revise
1917.20	Interference with communications	07/25/97	Revise
1917.23	Hazardous atmospheres and substances	07/25/97	Revise
1917.24	Carbon monoxide	07/25/97	Amend
1917.25	Fumigants, pesticides, insecticides and haz	7/25/97	Amend

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<u>Stan-</u> <u>dard Af-</u> <u>fecte</u>	<u>Subject</u>	<u>Fed. Reg.</u> <u>Date</u>	<u>Action</u>
	ardous preservatives		
1917.26	First aid and lifesaving facilities	7/25/97	Amend
1917.27	Personnel	07/25/97	Amend
1917.28	Hazard communication	07/25/97	Amend
1917.30	Emergency action plans	07/25/97	New
Subpart C	Cargo Handling Gear and Equipment	07/25/97	Amend
1917.42	Miscellaneous auxiliary gear	07/25/97	Amend
1917.43	Powered industrial trucks	07/25/97	Amend
1917.44	General rules applicable to vehicles	07/25/97	Amend
1917.45	Cranes and derricks	07/25/97	Amend
1917.46	Load indicating devices	07/25/97	Amend
1917.48	Conveyors	07/25/97	Amend
1917.50	Certification of marine terminal material handling devices	07/25/97	Amend
1917.71	Terminals handling intermodal containers or roll-on roll-off operations	07/25/97	Amend
1917.73	Terminal facilities handling menhaden and similar species of fish	07/25/97	Amend
1917.91	Eye and face protection	07/25/97	Amend
1917.93	Head protection	07/25/97	Amend
1917.94	Foot protection	07/25/97	Revise
1917.95	Other protective measures	07/25/97	Amend
1917.11 2	Guarding of edges	07/25/97	Amend
1917.11 8	Fixed ladders	07/25/97	Amend
1917.11 9	Portable ladders	07/25/97	Amend
1917.12 1	Spiral staircases	07/25/97	Amend
1917.12 4	Dockboards (car and bridge plates)	07/25/97	Amend



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1917.12 6	River banks	07/25/97	Amend
1917.15 2	Welding, cutting and heating (hot work)	07/25/97	Amend
1917.15 3	Spray painting	07/25/97	Amend
1917/15 6	Fuel handling and storage	07/25/97	Amend
1917.15 7	Battery charging and changing	07/25/97	Amend
1917.1	Scope and applicability (Effective November 9, 1999)	12/01/98	Amend
1917	Authority	2/28/06	Amended
1917.1	Scope and Applicability (Adopted effective January 2, 2007)	2/28/06	Amended
1917	Authority	11/15/07	Amended
1917.96	Payment for protective equipment (Adopted effective December 9, 2008)	11/15/07	Amended
1917	Authority	12/12/08	Amended
	Subpart A		
1917.5	Compliance duties owed to each employee (Adopted effective August 11, 2009)	12/12/08	Amended
1917	Authority	12/10/08	Amended
1917.71	Terminals handling intermodal containers or roll-on roll-off operations (Adopted effective August 11, 2009)	12/10/08	Amended
1917	Authority	9/9/09	Amended
	Subpart A		
1917.3	Incorporation by reference Subpart E	9/9/09	Amended

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*Labor Department—Occupational Safety and*

<u>Stan-</u> <u>dard Af-</u> <u>fectd</u>	<u>Subject</u>	<u>Fed. Reg.</u> <u>Date</u>	<u>Action</u>
1917.91	Eye and face protection	9/9/09	Amended
1917.93	Head protection	9/9/09	Amended
1917.94	Foot protection	9/9/09	Amended
(Adopted effective August 18, 2010)			
Part 1917	Authority	6/8/11	Amended
1917.2	Definitions	6/8/11	Amended
1917.12	Sanitation	6/8/11	Amended
7			
(Effective September 5, 2012)			

**Sec. 31-372-105-1918. Safety and Health Regulations for Longshoring**

<u>Stan-</u> <u>dard Af-</u> <u>fectd</u>	<u>Subject</u>	<u>Fed. Reg.</u> <u>Date</u>	<u>Action</u>
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**Subpart A — General Provisions**

*Section*

- 1918.1 Purpose and authority
- 1918.2 Scope and responsibility
- 1918.3 Definitions
- 1918.5 (Reserved)
- 1918.6 Standards incorporated by reference
- 1918.7 Notification of accidents resulting in fatalities or serious injuries
- 1918.8 Amendment of this part

**Subpart B — Gangways and Gear Certification**

- 1918.11 Gangways
- 1918.12 Gear certification
- 1918.13 Certification of shore-based material handling devices
- 1918.14 Container cranes
- 1918.15 Effective date of §§ 1918.13 and 1918.14

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<u>Stan-</u> <u>dard Af-</u> <u>fectd</u>	<u>Subject</u>	<u>Fed. Reg.</u> <u>Date</u>	<u>Action</u>
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**Subpart C — Means of Access**

- 1918.21 Gangways and other means of access
- 1918.22 Jacob's ladders
- 1918.23 Access to barges and river towboats
- 1918.24 Bridge plates and ramps
- 1918.25 Ladders

**Subpart D — Working Surfaces**

- 1918.31 Hatch coverings
- 1918.32 Stowed cargo and temporary landing platforms
- 1918.33 Deck loads
- 1918.34 Skeleton decks
- 1918.35 Open hatches
- 1918.36 Weather deck rails
- 1918.37 Barges
- 1918.38 Freshly oiled decks

**Subpart E—Opening and Closing Hatches**

- 1918.41 Coaming clearances
- 1918.42 Beam and pontoon bridles
- 1918.43 Handling beams and covers

**Subpart F—Ship's Cargo Handling Gear**

- 1918.51 General requirements
- 1918.52 Specific requirements
- 1918.53 Cargo winches
- 1918.54 Rigging gear
- 1918.55 Cranes

**Subpart G—Cargo Handling Gear and Equipment Other Than Ship's Gear**

- 1918.61 General
- 1918.62 Fiber rope and fiber rope slings
- 1918.63 Wire rope and wire rope slings
- 1918.64 Chains and chain slings

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- |         |  |  |  |
|---------|--|--|--|
| 1918.65 | Shackles   |  |  |
| 1918.66 | Hooks other than hand hooks                              |  |  |
| 1918.67 | Pallets  |  |  |
| 1918.68 | Chutes, gravity conveyors and rollers                    |  |  |
| 1918.69 | Powered conveyors  |  |  |
| 1918.70 | Portable stowing winches                                 |  |  |
| 1918.71 | Rain tents   |  |  |
| 1918.72 | Tools  |  |  |
| 1918.73 | Mechanically-powered vehicles used aboard vessels        |  |  |
| 1918.74 | Cranes and derricks other than vessel's gear             |  |  |
| 1918.75 | Notifying ship's officers before using certain equipment |  |  |
| 1918.76 | Grounding  |  |  |

**Subpart H—Handling Cargo**

- |         |   |  |  |
|---------|---|--|--|
| 1918.81 | Slinging                                |  |  |
| 1918.82 | Building drafts                         |  |  |
| 1918.83 | Stowed cargo, tiering and breaking down |  |  |
| 1918.84 | Bulling cargo                           |  |  |
| 1918.85 | Containerized cargo                     |  |  |
| 1918.86 | Hazardous cargo                         |  |  |

**Subpart I—General Working Conditions**

- |         |   |  |  |
|---------|---|--|--|
| 1918.91 | Housekeeping  |  |  |
| 1918.92 | Illumination  |  |  |
| 1918.93 | Ventilation and atmospheric conditions                                |  |  |
| 1918.94 | Sanitation and drinking water   |  |  |
| 1918.95 | Longshoring operations in the vicinity of repair and maintenance work |  |  |
| 1918.96 | First aid and life saving equipment                                   |  |  |
| 1918.97 | Qualifications of machinery operators                                 |  |  |
| 1918.98 | Grain fitting   |  |  |

**Subpart J—Personal Protective Equipment**

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<u>Stan-</u> <u>dard Af-</u> <u>fectd</u>	<u>Subject</u>	<u>Fed. Reg.</u> <u>Date</u>	<u>Action</u>
1918.10 1	Eye protection		
1918.10 2	Respiratory protection		
1918.10 3	Protective clothing		
1918.10 4	Foot protection		
1918.10 5	Head protection		
1918.10 6	Protection against drowning		

**Appendix I—Cargo Gear Register and Certificates**

Subject Index for 29 CFR 1918—Long-shoring.

1918.90 (Effective June 27, 1988)	Hazard Communication	8-24-87	New
1918.90 (Effective August 26, 1994)	Hazard Communication	2/9/94	Amendment
1918.10 0 (Effective January 19, 1995)	Retention of DOT markings, placards and labels.	7/19/94	Amended
Subpart A	Scope and Definitions	07/25/97	Revise
1918.1	Scope and application	07/25/97	Revise
1918.2	Definitions	07/25/97	Revise
1918.3	Incorporation by reference	07/25/97	Revise
Subpart B	Gear Certification	07/25/97	Revise
1918.11	Gear certification	07/25/97	Revise
Subpart C	Gangways and Other Means of Access	07/25/97	Revise
1918.21	General requirements	07/25/97	Revise

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<u>Stan-</u> <u>dard Af-</u> <u>fectd</u>	<u>Subject</u>	<u>Fed. Reg.</u> <u>Date</u>	<u>Action</u>
1918.22	Gangways	07/25/97	Revise
1918.23	Jacob's ladders	07/25/97	Revise
1918.24	Fixed and portable ladders	07/25/97	Revise
1918.25	Bridge plates and ramps	07/25/97	Revise
1918.26	Access to barges and river towboats	07/25/97	Revise
Subpart D	Working Surfaces	07/25/97	Revise
1918.31	Hatch coverings	07/25/97	Revise
1918.32	Stowed cargo and temporary landing surfaces	07/25/97	Revise
1918.33	Deck loads	07/25/97	Revise
1918.34	Other decks	07/25/97	Revise
1918.35	Open hatches	07/25/97	Revise
1918.36	Weather deck rails	07/25/97	Revise
1918.37	Barges	07/25/97	Revise
Subpart E	Opening and Closing Hatches	07/25/97	Revise
1918.41	Coaming clearances	07/25/97	Revise
1918.42	Hatch beam and pontoon bridges	07/25/97	Revise
1918.43	Handling hatch beams and covers	07/25/97	Revise
Subpart F	Vessels' Cargo Handling Gear	07/25/97	Revise
1918.51	General requirements	07/25/97	Revise
1918.52	Specific requirements	07/25/97	Revise
1918.53	Cargo winches	07/25/97	Revise
1918.54	Rigging gear	07/25/97	Revise
1918.55	Cranes	07/25/97	Revise
Subpart G	Cargo Handling Gear and Equipment Other Than Ship's Gear	07/25/97	Revise
1918.61	General	07/25/97	Revise
1918.62	Miscellaneous auxiliary gear	07/25/97	Revise
1918.63	Chutes, gravity conveyors and rollers	07/25/97	Revise
1918.64	Powered conveyors	07/25/97	Revise

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<u>Stan- dard Af- fected</u>	<u>Subject</u>	<u>Fed. Reg. Date</u>	<u>Action</u>
1918.65	Mechanically powered vehicles used aboard vessels	07/25/97	Revise
1918.66	Cranes and derricks other than vessel's gear	07/25/97	Revise
1918.67	Notifying the ship's officers before using certain equipment	07/25/97	Revise
1918.68	Grounding	07/25/97	Revise
1918.69	Tools	07/25/97	Revise
Subpart H	Handling Cargo	07/25/97	Revise
1918.81	Slinging	07/25/97	Revise
1918.82	Building drafts	07/25/97	Revise
1918.83	Stowed cargo; tiering and breaking down	07/25/97	Revise
1918.84	Bulling cargo	07/25/97	Revise
1918.85	Containerized cargo operations	07/25/97	Revise
1918.86	Roll-on roll-off (Ro-Ro) operations	07/25/97	Revise
1918.87	Ship's cargo elevators	07/25/97	Revise
1918.88	Log operations	07/25/97	Revise
1918.89	Handling hazardous cargo	07/25/97	Revise
Subpart I	General Working Conditions	07/25/97	Revise
1918.90	Hazard communication	07/25/97	Revise
1918.91	Housekeeping	07/25/97	Revise
1918.92	Illumination	07/25/97	Revise
1918.93	Hazardous atmospheres and substances	07/25/97	Revise
1918.94	Ventilation and atmospheric conditions	07/25/97	Revise
1918.95	Sanitation	07/25/97	Revise
1918.96	Maintenance and repair work in the vicinity of long-shoring operations	07/25/97	Revise
1918.97	First aid and lifesaving facilities	07/25/97	Revise
1918.98	Qualifications of machinery operators and supervisory training	07/25/97	Revise
1918.99	Retention of DOT markings, placards and la	07/25/97	Revise

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<u>Stan- dard Af- fected</u>	<u>Subject</u>	<u>Fed. Reg. Date</u>	<u>Action</u>
	bels		
1918.10 0	Emergency actions plans	07/25/97	Revise
Subpart J	Personal Protective Equipment	07/25/97	Revise
1918.10 1	Eye and face protection	07/25/97	Revise
1918.10 2	Respiratory protection	07/25/97	Revise
1918.10 3	Head protection	07/25/97	Revise
1918.10 4	Foot protection	07/25/97	Revise
1918.10 5	Other protective measures	07/25/97	Revise
Appen- dix I to Part 1918	Cargo Gear Register and Certificates. (Non- mandatory)	07/25/97	Revise
Appen- dix II to Part 1918	Tables for Selected Miscellaneous Auxiliary Gear. (Mandatory)	07/25/97	Revise
Appen- dix III to Part 1918	The Mechanics of Conventional Cargo Gear. (Non-mandatory)	07/25/97	Revise
Appen- dix IV to Part 1918	Special Cargo Gear and Container Spreader Test Requirements. (Mandatory)	07/25/97	Revise
Appen- dix V to Part	Basic Elements of a First Aid Training Pro- gram. (Non-mandatory)	07/25/97	Revise



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<u>Stan-</u> <u>dard Af-</u> <u>fecte</u>	<u>Subject</u>	<u>Fed. Reg.</u> <u>Date</u>	<u>Action</u>
1918			
1918.1	Scope and applicability (Effective November 9, 1999)	12/01/98	Amend
1918	Authority	2/28/06	Amended
1918.1	Scope and application (Adopted effective January 2, 2007)	2/28/06	Amended
1918	Authority	11/15/07	Amended
1918.10 6	Payment for protective equipment (Adopted effective December 9, 2008)	11/15/07	Amended
1918	Authority	12/10/08	Amended
1918.85	Containerized cargo operations	12/10/08	Amended
1918	Authority	12/12/08	Amended
1918.5	Compliance duties owed to each employee (Adopted effective August 11, 2009)	12/12/08	Amended
1918	Authority	9/9/09	Amended
Subpart A			
1918.3	Incorporation by reference	9/9/09	Amended
1918.10 1	Eye and face protection	9/9/09	Amended
1918.10 3	Head protection	9/9/09	Amended
1918.10 4	Foot protection (Adopted effective August 18, 2010)	9/9/09	Amended

**Sec. 31-372-106-1919. Gear Certification**

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**Subpart A—General Provisions**

*Section*

1919.1 Purpose and scope

1919.2 Definition of terms

**Subpart B—Procedure Governing Accreditation**

1919.3 Application for accreditation

1919.4 Action upon application

1919.5 Duration and renewal of accreditation

1919.6 Criteria governing accreditation to certificate vessels' cargo gear

1919.7 Voluntary amendment or termination of accreditation

1919.8 Suspension or revocation of accreditation

1919.9 Reconsideration and review

**Subpart C—Duties of Persons Accredited to Certificate Vessels' Cargo Gear**

1919.10 General duties; exemptions

1919.11 Recordkeeping and related procedures concerning records in custody of accredited persons

1919.12 Recordkeeping and related procedures concerning records in custody of the vessel

**Subpart D—Certification of Vessels' Cargo Gear**

1919.13 General

1919.14 Initial tests of cargo gear and tests after alterations, renewals or repairs

1919.15 Periodic tests, examinations and inspections

1919.16 Heat treatment

1919.17 Exemptions from heat treatment

1919.18 Grace periods

1919.19 Gear requiring welding

1919.20 Damaged components

1919.21 Marking and posting of safe working loads

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**Subpart A—General Provisions**

- 1919.22 Requirements governing braking devices and power sources
- 1919.23 Means of derrick attachment
- 1919.24 Limitations on use of wire rope
- 1919.25 Limitations on use of chains

**Subpart E—Certification of Vessels: Tests and Proof Loads; Heat Treatment; Competent Persons**

- 1919.26 Visual inspection before tests
- 1919.27 Unit proof tests—winches, derricks and gear accessory thereto
- 1919.28 Unit proof tests—cranes and gear accessory thereto
- 1919.29 Limitations on safe working loads and proof loads
- 1919.30 Examinations subsequent to unit tests
- 1919.31 Proof tests—loose gear
- 1919.32 Specially designed blocks and components
- 1919.33 Proof tests—wire rope
- 1919.34 Proof tests after repairs or alterations
- 1919.35 Order of tests
- 1919.36 Heat treatment
- 1919.37 Competent persons

**Subpart F—Accreditation to Certificate Shore-Based Equipment**

- 1919.50 Eligibility for accreditation to certificate shore-based material handling devices covered by § 1918.13 of the safety and health regulations for longshoring
- 1919.51 Provisions respecting application for accreditation, action upon the applications, and related matters

**Subpart G — Duties of Persons Accredited to Certificate Shore-Based Material**

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**Subpart A—General Provisions**

**Handling Devices**

1919.60 General duties, exemptions

**Subpart H — Certification of Shore-Based Material Handling Devices**

1919.70 General provisions

1919.71 Unit proof test and examination of cranes

1919.72 Annual examination of cranes

1919.73 Unit proof test and examination of derricks

1919.74 Annual examination of derricks

1919.75 Determination of crane or derrick safe working loads and limitations in absence of manufacturer's data

1919.76 Safe working load reduction

1919.77 Safe working load increase

1919.78 Nondestructive examinations

1919.79 Wire rope

1919.80 Heat treatment

1919.81 Examination of bulk cargo loading or discharging spouts or suckers

1919.90 Documentation

(Effective February 11, 1980)

Part	Authority	6/8/11	Amended
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1918

1918.2	Definitions	6/8/11	Amended
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1918.95	Sanitation	6/8/11	Amended
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(Effective September 5, 2012)

Subpart Index for 29 CFR 1919—Gear Certification.

**Sec. 31-372-106-1919. Gear certification**

Part	Authority	6/8/11	Amended
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1919

1919.6	Criteria governing accreditation to certificate	6/8/11	Amended
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**Subpart A—General Provisions**

	vessels' cargo gear		
1919.11	Recordkeeping and related procedures concerning records in custody of accredited persons	6/8/11	Amended
1919.12	Recordkeeping and related procedures concerning records in custody of the vessel	6/8/11	Amended
1919.15	Periodic tests, examinations and inspections	6/8/11	Amended
1919.18	Grace periods	6/8/11	Amended

(Effective September 5, 2012)

Title 29, Chapter XVII, Part 1926 as published in the Federal Register, Volume 39, Number 122, June 24, 1974.

**Sec. 31-372-107-1926. Safety and health standards for construction industry**

Adopt as Section 31-372-107-1926., U. S. Department of Labor, Occupational Safety and Health Administration, 29 CFR Part 1926. Safety and Health Regulations for Construction with 29 CFR Part 1910. General Industry Safety and Health Regulations Identified as Applicable to Construction; revised to and published on February 9, 1979 in Book 2 of the Federal Register Volume 44—No. 29, 2-9-79.

Also, adopt the following amendment to Section 31-372-107-1926.:

<u>Standard Affected</u>	<u>Subject</u>	<u>Fed. Reg. Date</u>	<u>Action</u>
1926.	Safety and Health Standards for the Construction Industry	4-6-79	Corrections
(Effective February 11, 1980)			
1926.500	Guarding of Low-Pitched-Roof Perimeters During the Performance of Built-Up Roofing Work	11-14-80	Amendment
(Effective October 29, 1981)			
1926.55	Gas, vapors, fumes, dusts and mists	6-20-86	Revised
1926.58	Asbestos, tremolite, anthophyllite and actinolite	6-20-86	New

(Effective November 24, 1986)

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<u>Standard Af- fected</u>	<u>Subject</u>	<u>Fed. Reg. Date</u>	<u>Action</u>
1926.151	Fire Prevention	7-11-86	Amendment
1926.152	Flammable and Combustible Liquids	7-11-86	Revision
1926.351	Arc Welding and Cutting	7-11-86	Revision
1926.803	Compressed Air	7-11-86	Revision
Subpart K of 29 CFR 1926	Electrical	7-11-86	Revision
(Effective April 29, 1987)			
1926.58	Occupational Exposure to Asbestos, Tremolite, Anthophyllite and Actino- lite; Corrections and Information Col- lection Requirements Approval	5-12-87	Amendment
(Effective February 25, 1988)			
1926.59	Hazard Communication Revision of Construction Industry Text and Inspection Records	8-24-87	New
1926.550	Cranes and derricks	9-28-87	Revision
1926.552	Material hoists, personnel hoists and elevators	9-28-87	Revision
1926.903	Underground transportation of explo- sives	9-28-87	Revision
(Effective June 27, 1988)			
1926.55	Gases, vapors, fumes, dusts and mists	12-4-87	New
(Effective July 27, 1988)			
Subpart Q	Concrete and Masonry Construction	6-16-88	Revision
1926.700	Scope, application and definitions ap- plicable to this subpart.		
1926-701	General Requirements		
1926-702	Requirements for equipment and tools		
1926-703	Requirements for cast-in-place con- crete		
1926-704	Requirements for pre cast concrete		
1926-705	Requirements for lift-slab operations		
1926-706	Requirements for masonry construc		

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	tion		
1926-550	Crane or Derrick Suspended Personnel Platforms; paragraphs (g)	8-2-88	New
1926-58	Asbestos, tremolite, anthophyllite and actinolite	9-14-88	Revision
(Effective March 23, 1989)			
<b>Subpart P-Excavation</b>			
1926.650	Scope, application and definitions applicable to this subpart	10/31/89	Revision
1926.651	General requirements		
1926.652	Requirements for protective systems		
1926.704	Concrete and Masonry Construction Safety Standards	10/05/89	Correction of technical error
(Effective June 22, 1990)			
<b>Tools—Hand and Power—Construction</b>			
1926.305	Jacks—lever and ratchet, screw and hydraulic	10-18-90	Amended
<b>Concrete and Masonry Construction</b>			
1926.700	Scope, application and definitions applicable to this subpart	10-18-90	Amended
1926.705	Requirements for lift-slab construction operations		Revised
<b>Safety Standards for Stairways and Ladders Used in the Construction Industry</b>			
Heading	Subpart L	11-14-90	Revised
1926.450	Ladders		Removed
1926.452	Definitions		Amended
Heading	Subpart M		Revised
1926.500	Guardrails, handrails and covers		Amended
1926.501	Stairways		Removed
Heading	Subpart X	11-14-90	Revised
1926.1050	Scope, application and definitions ap		Revised

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	plicable to this subpart		
1026.1051	General requirements		Revised
1926.1052	Stairways		New
1926.1053	Ladders		New
1926.1054—			Reserved
1926.1059			
1926.1060	Training requirements		New
	<b>Safety Standards for Stairways and Ladders Used in the Construction Industry</b>		
1926.1050	Scope, application and definitions	1-23-91	Correction
1926.1051	General requirements		Correction
1926.1053	Ladders		Correction
(Effective November 29, 1991)			
1926.1052	Stairways	8/23/91	Revision
1926.1053	Ladders	8/23/91	Revision
(Effective April 28, 1992)			
1926.58	Occupational Exposure to Asbestos, Tremolite, Anthophyllite and Actino- lite	6/8/92	Amended
1926.58	Occupational Exposure to Asbestos, Tremolite, Anthophyllite and Actino- lite	6/30/92	Correction
(Effective July 2, 1993)			
1926.63	Occupational Exposure to Cadmium	9/14/92	New
1926.60	Occupational Exposure to 4, 4' Methylenedianiline (MDA)	8/10/92	New
1926.60	Occupational Exposure to 4, 4' Methylenedianiline (MDA)	11/3/92	Amended
(Effective July 21, 1993)			
1926.62	Lead	5/4/93	New
(Effective January 27, 1994)			
1926.59	Hazard Communication	2/9/94	Amendment



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(Effective August 26, 1994)			
1926.61	Retention of DOT markings, placards and labels.	7/19/94	Amended
(Effective January 19, 1995)			
1926.104	Fall Protection	8/9/94	Removed
1926.753	Safety Nets	8/9/94	Added
<b>Safety Standards for Stairways and Ladders Used in the Construction Industry</b>			
1926.105	Fall Protection	8/9/94	Removed/ Reserved
1926.107	Fall Protection	8/9/94	Amended
1926.250	General requirements for storage.	8/9/94	Revised
1926.550	Cranes and derricks.	8/9/94	Revised
1926.651	Specific excavation requirements.	8/9/94	Revised
1926.701	Fall Protection	8/9/94	Amended
1926.951	Tools and protective equipment.	8/9/94	Revised
1926.500	Scope, application, and definitions applicable to this subpart.	8/9/94	Revised
1926.501	Duty to have fall protection.	8/9/94	Revised
1926.502	Fall protection systems criteria and practices.	8/9/94	Revised
1926.503	Training requirements.	8/9/94	Revised
1926.1101	Asbestos	8/10/94	Amended
(Effective February 23, 1995)			
1926.55,	Butadiene (1,3 Butadiene)	11-04-96	Amended
Appendix A			
(Effective June 27, 1997)			
1926.55	Appendix A	1/10/97	Revised
1926.1152	Methylene chloride	1/10/97	New
(Effective September 5, 1997)			
Subpart L	Scaffolds	08/30/96	Revised
(Effective June 27, 1997)			

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1926.57	Ventilation	1/08/98	Amended
1926.62	Lead	1/08/98	Amended
1926.60	Methylenedianiline	1/08/98	Amended
1926.103	Respiratory protection	1/08/98	Revised
1926.800	Underground construction	1/08/98	Amended
1926.1101	Asbestos	1/08/98	Amended
1926.1127	Cadmium	1/08/98	Amended
Subpart C	General Safety and Health Standards	06/18/98	Amend
Subpart D	Occupational Health and Environmental Controls	06/18/98	Amend
Subpart F	Fire Protection and Prevention	06/18/98	Amend
Subpart U	Blasting and Use of Explosives	06/18/98	Amend
1926.602	Material Handling Equipment	12/01/98	Amend
(Effective November 9, 1999)			
Subpart M	Fall Protection	1/18/01	Revised
1926.500	Scope, application, and definitions applicable to this subpart	1/18/01	Revised
Subpart R	Steel Erection	1/18/01	Revised
1926.750	Scope	1/18/01	Revised
1926.751	Definitions	1/18/01	Revised
1926.752	Site layout, site-specific erection plan and construction sequence	1/18/01	Revised
1926.753	Hoisting and Rigging	1/18/01	Revised
1926.754	Structural steel assembly	1/18/01	Revised
1926.755	Column anchorage	1/18/01	Revised
<b>Safety Standards for Stairways and Ladders Used in the Construction Industry</b>			
1926.756	Beams and columns	1/18/01	Revised
1926.757	Open web steel joists	1/18/01	Revised
1926.758	Systems-engineered metal buildings	1/18/01	Revised
1926.759	Falling object protection	1/18/01	Revised
1926.760	Fall protection	1/18/01	Revised
1926.761	Training	1/18/01	Revised

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Appendix A		1/18/01	Revised
Appendix B		1/18/01	Revised
Appendix C		1/18/01	Revised
Appendix D		1/18/01	Revised
Appendix E		1/18/01	Revised
Appendix F		1/18/01	Revised
Appendix G		1/18/01	Revised
Appendix H		1/18/01	Revised
(Effective February 27, 2002)			
Subpart G			
1926.200	Accident prevention signs and tags	9/12/02	Revised
1926.201	Signaling	9/12/02	Revised
1926.202	Barricades	9/12/02	Revised
1926.203	Definitions	9/12/02	Revised
(Adopted effective June 9, 2003)			
1926	Authority	2/28/06	Amended
1926.55	Gases, vapors, fumes, dusts and mists	2/28/06	
Appendix A to 1926.55		2/28/06	Amended
Subpart Z	Authority	2/28/06	Amended
1926.1126	Chromium (VI)	2/28/06	Added
(Adopted effective January 2, 2007)			
1926	Authority	2/28/06	Amended
Subpart W			
Appendix A		2/28/06	Added
1926.1002	Protective frames (roll-over protective structures, known as ROPS) for wheel-type agricultural and industrial tractors used in construction	2/28/06	Amended
1926.1003	Overhead protection for operators of agricultural and industrial tractors used in construction	2/28/06	Amended
(Adopted effective April 10, 2007)			

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1926			
Subpart D	Authority	8/24/06	Amended
1926.60	Methylenedianiline	8/24/06	Amended
1926.62	Lead	8/24/06	Amended
Subpart Z	Authority	8/24/06	Amended
1926.1101	Asbestos	8/24/06	Amended
1926.1127	Cadmium	8/24/06	Amended
(Adopted effective September 11, 2007)			
Subpart E	Authority	11/15/07	Amended
1926.95	Criteria for personal protective equip- ment	11/15/07	Amended
(Adopted effective December 9, 2008)			
Subpart C	Authority	12/12/08	Amended
1926.20	General safety and health provisions	12/12/08	Amended
Subpart D	Authority	12/12/08	Amended
1926.60	Methylenedianiline	12/12/08	Amended
1926.62	Lead	12/12/08	Amended
Subpart R	Authority	12/12/08	Amended
1926.761	Training	12/12/08	Amended
Subpart Z	Authority	12/12/08	Amended
1926.1101	Asbestos	12/12/08	Amended
1926.1126	Chromium (IV)	12/12/08	Amended
1926. 1127	Cadmium	12/12/08	Amended
(Adopted effective August 11, 2009)			
Subpart A - General	Authority	5/14/10	Amended
Subpart Z - Toxic and Haz- ardous Sub- stances	Authority	5/14/10	Amended
1926.1126	Chromium (VI)	5/14/10	Amended
(Adopted effective December 14, 2010)			

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Subpart A - General 1926.6	Incorporation by reference	8/9/10	Added
Subpart C – General Safety and Health Provisions 1926.31		8/9/10	Repealed
Subpart L – Scaffolds 1926.450	Authority	8/9/10	Reserved Amended
	Scope, application, and definitions applicable to this subpart	8/9/10	Amended
Subpart M – Fall Protection 1926.500	Authority	8/9/10	Amended
	Scope, application, and definitions applicable to this subpart	8/9/10	Amended
Subpart DD – Cranes And Derricks Used in Demolition and Under- ground Con- struction 1926.1500		8/9/10	Added
	Scope	8/9/10	Added
1926.1501		8/9/10	Added
Subpart N –	Authority	8/9/10	Amended
Subpart N – Helicopters, Hoists, Eleva- tors, and Con- veyors 1926.550	Heading	8/9/10	Amended
		8/9/10	Reserved
1926.553	Base-mounted drum hoists	8/9/10	Amended

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<u>Standard Affected</u>	<u>Subject</u>	<u>Fed. Reg. Date</u>	<u>Action</u>
Subpart O – Motorized Vehicles, Mechanical Equipment, and Marine Operations	Authority	8/9/10	Amended
1926.600	Equipment	8/9/10	Amended
Subpart R – Steel Erection	Authority	8/9/10	Amended
1926.753	Hoisting and rigging	8/9/10	Amended
Subpart S – Underground Construction, Caissons, Cofferdams, and Compressed Air	Authority	8/9/10	Amended
1926.800	Underground Construction	8/9/10	Amended
Subpart T – Demolition	Authority	8/9/10	Amended
1926.856	Removal of walls, floors and material with equipment	8/9/10	Amended
1926.858	Removal of walls, floors, and material with equipment	8/9/10	Amended
Subpart V – Power Transmission and Distribution	Authority	8/9/10	Amended
1926.952	Mechanical equipment	8/9/10	Amended
Subpart X – Stairways and Ladders	Authority	8/9/10	Amended
1926.1050	Scope, application, and definitions applicable to this subpart	8/9/10	Amended

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Appendix A	Designations for General Industry Standards Incorporated into Body of Construction Standards	8/9/10	Amended
Subpart AA		8/9/10	Reserved
Subpart BB		8/9/10	Reserved
Subpart CC – Cranes and Derricks in Construction		8/9/10	Added
1926.1400	Scope	8/9/10	Added
1926.1401	Definitions	8/9/10	Added
1926.1402	Ground conditions	8/9/10	Added
1926.1403	Assembly/Disassembly - selection of manufacturer or employer procedures	8/9/10	Added
1926.1404	Assembly/Disassembly - general requirements (applies to all assembly and disassembly operations)	8/9/10	Added
1926.1405	Disassembly - additional requirements for dismantling of booms and jibs (applies to both the use of manufacturer procedures and employer procedures)	8/9/10	Added
1926.1406	Assembly/Disassembly - employer procedures – general requirements	8/9/10	Added
1926.1407	Power line safety (up to 350 kV) - assembly and disassembly	8/9/10	Added
1926.1408	Power line safety (up to 350 kV) - equipment operations	8/9/10	Added
1926.1409	Power line safety (over 350 kV)	8/9/10	Added
1926.1410	Power line safety (all voltages) - equipment operations closer than the Table A zone	8/9/10	Added
1926.1411	Power line safety - while traveling under or near power lines with no load	8/9/10	Added
1926.1412	Inspections	8/9/10	Added
1926.1413	Wire rope – inspection	8/9/10	Added

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1926.1414	Wire rope – selection and installation criteria	8/9/10	Added
1926.1415	Safety devices	8/9/10	Added
1926.1416	Operational aids	8/9/10	Added
1926.1417	Operation	8/9/10	Added
1926.1418	Authority to stop operation	8/9/10	Added
1926.1419	Signals – general requirements	8/9/10	Added
1926.1420	Signals – radio, telephone or other electronic transmission of signals	8/9/10	Added
1926.1421	Signals – voice signals – additional requirements	8/9/10	Added
1926.1422	Signals – hand signal chart	8/9/10	Added
1926.1423	Fall protection	8/9/10	Added
1926.1424	Work area control	8/9/10	Added
1926.1425	Keeping clear of the load	8/9/10	Added
1926.1426	Free fall and controlled load lowering	8/9/10	Added
1926.1427	Operator qualification and certification	8/9/10	Added
1926.1428	Signal person qualifications	8/9/10	Added
1926.1429	Qualification of maintenance & repair employees	8/9/10	Added
1926.1430	Training	8/9/10	Added
1926.1431	Hoisting personnel	8/9/10	Added
1926.1432	Multiple-crane/derrick lifts - supplemental requirements	8/9/10	Added
1926.1433	Design, construction and testing	8/9/10	Added
1926.1434	Equipment modifications	8/9/10	Added
1926.1435	Tower cranes	8/9/10	Added
1926.1436	Derricks	8/9/10	Added
1926.1437	Floating cranes/derricks and land cranes/derricks on barges	8/9/10	Added
1926.1438	Overhead & gantry cranes	8/9/10	Added
1926.1439	Dedicated pile drivers	8/9/10	Added
1926.1440	Sideboom cranes	8/9/10	Added



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<u>Standard Affected</u>	<u>Subject</u>	<u>Fed. Reg. Date</u>	<u>Action</u>
1926.1441	Equipment with a rated hoisting/lifting capacity of 2,000 pounds or less	8/9/10	Added
1926.1442	Severability	8/9/10	Added
Appendix A to Subpart CC of Part 1926 – Standard Hand Signals		8/9/10	Added
Appendix B to Subpart CC of Part 1926 – Assembly/Disassembly: Sample Procedures for Minimizing the Risk of Unintended Dangerous Boom Movement		8/9/10	Added
Appendix C to Subpart CC of Part 1926 – Operator Certification: Written Examination: Technical Knowledge Criteria (Effective November 8, 2011)		8/9/10	Added
Subpart D	Authority	6/8/11	Amended

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<u>Standard Af- fected</u>	<u>Subject</u>	<u>Fed. Reg. Date</u>	<u>Action</u>
1926.51	Sanitation	6/8/11	Amended
1926.60	Methylenedianiline	6/8/11	Amended
1926.62	Lead	6/8/11	Amended
Subpart H	Authority	6/8/11	Amended
1926.251	Rigging equipment for material handling	6/8/11	Amended
Subpart Z	Authority	6/8/11	Amended
1926.1101	Asbestos	6/8/11	Amended
1926.1127	Cadmium	6/8/11	Amended

(Effective September 5, 2012)

**Sec. 31-372-108-1928. Occupational safety and health standards for agriculture**

<u>Standard Af- fected</u>	<u>Subject</u>	<u>Fed. Reg. Date</u>	<u>Action</u>
<b>Adopt</b>			
1928.	Occupational Exposure to Cotton Dust in Cotton Gins	6-30-78	Correc- tion
1928.21	Superseded by new section		Delete
1928.113	Subpart I Toxic and Hazardous Substances		New
1928.113	Occupational Exposure to Cotton Dust in Cotton Gins	8-8-78	Correc- tions

(Effective February 11, 1980)

**Changes**

1915.84 (b)	Lifesaving Equipment	7-10-74	Correc- tion
(1) and (2)			
1917.84 (b)	Lifesaving Equipment	7-16-74	Correc- tion
(1) and (2)			
1928.57	Guarding of Farm Field Equipment	3-9-76	New
1928.57	Guarding of Farm Field Equipment	3-16-76	Correc- tion
1928.57	Guarding of Farm Field Equipment; Deferral	6-2-76	Amend

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<u>Standard Af- fected</u>	<u>Subject</u>	<u>Fed. Reg. Date</u>	<u>Action</u>
	of Effective Date		ment
1928.57	Guarding of Farm Field Equipment; Deferral of Effective Date	6-4-76	Amend- ment
1928.57	Guarding of Farm Field Equipment	10-22-76	Amend- ment
1915.59	Operations		
1916.59			
1917.59			
1918.99			
1928.21(b)	Operations		
1928.21	Applicability of General Industry Standards to Agriculture	7-29-77	Correc- tion
(Adopted March 27, 1978)			
1926.58	Asbestos, tremolite, anthophyllite and actinolite	2/5/90	Amend- ment and Revision
(Effective December 31, 1990)			
1928.21	Hazard Communication	2/9/94	Republish
(Effective August 26, 1994)			
1928.21	Applicable standards in Section 31-372-101-1910.	7/19/94	Amended
(Effective January 19, 1995)			
1928.21	Applicable Standards in 29 CFR Part 1910.	10/12/94	Revised
(Effective April 19, 1995)			
1928	Authority	2/28/06	Amended
Subpart C			
1928.51	Roll-over protective structures (ROPS) for tractors used in agricultural operations	2/28/06	Amended
1928.52	Protective frames for wheel-type agricultural tractors – test procedures and performance requirements	2/28/06	Added
1928.53	Protective enclosures for wheel-type agricultural tractors – test procedures and performance requirements	2/28/06	Added

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<u>Standard Af-</u> <u>fectd</u>	<u>Subject</u>	<u>Fed. Reg.</u> <u>Date</u>	<u>Action</u>
Appendix B (Adopted effective April 10, 2007)		2/28/06	Added
Part 1928	Authority	6/8/11	Amended
1928.110 (Effective September 5, 2012)	Field sanitation	6/8/11	Amended