



**Changes to OSHA Standard 29 CFR Part 1926 Cranes and Derricks in Construction: Final Rule**

The Occupational Safety and Health Administration (OSHA) submitted its final ruling for changes made to the above referenced standard. The changes apply to a variety of personnel and equipment operating in the construction industry. This Final Rule will go into effect November 8, 2010. The summary of the ruling is as follows. (Please note: Words in italics are quoted directly from the OSHA Final Rule Document.)

***ACTION: Final rule***

*SUMMARY: OSHA is revising the Cranes and Derricks Standard and related sections of the Construction Standard to update and specify industry work practices necessary to protect employees during the use of cranes and derricks in construction. This final standard also addresses advances in the designs of cranes and derricks, related hazards, and the qualifications of employees needed to operate them safely. Under this final rule, employers must determine whether the ground is sufficient to support the anticipated weight of hoisting equipment and associated loads. The employer is then required to assess hazards within the work zone that would affect the safe operation of hoisting equipment, such as those of power lines and objects or personnel that would be within the work zone or swing radius of the hoisting equipment. Finally, the employer is required to ensure that the equipment is in safe operating condition via required inspections and that employees in the work zone are trained to recognize hazards associated with the use of the equipment and any related duties that they are assigned to perform.*

***DATES: This final rule will become effective November 8, 2010.***

The process of reviewing what changes needed to be made was extensive and involved not just members of OSHA but construction industry experts as well. The process used to determine the necessary changes

is called negotiated rulemaking.

*“Negotiated rulemaking is a process by which a proposed rule is developed by a committee comprised of members who represent the interests that will be significantly affected by the rule.”*

Interest in participating in the rulemaking process from outside parties was high. There were fifty-five nominations for membership. The final membership totaled twenty-three members who formed a committee of reasonable size. Participants were from a variety of construction and manufacturing disciplines. Please note that OSHA did not determine the changes on its own, but relied on active industry experts to play a large roll.

Among some of the more eye catching information regarding reasons for changes are the fatality figures that were put together from research firms hired to analyze numbers from previous years. Listed below are excerpts directly from the OSHA documentation that quantifies fatalities and the related causes. The information speaks to the need for the revised standards in a variety of areas.

*“OSHA estimates that 89 crane-related fatalities occur per year in construction work.”*

The following two tables are from Federal Register/Vol.75, No.152/Monday, August 9, 2010.

<b>THE CAUSES OF FATALITIES DURING THE PERFORMANCE OF HOISTING ACTIVITIES</b>	
Struck by load (other than failure of boom/cable)	32%
Electrocution	27%
Crushed during assembly/disassembly	21%
Failure of boom/cable	12%
Crane tip-over	11%
Struck by cab/counterweight	3%
Falls	2%



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THE CAUSES OF CRANE INCIDENTS	
Electrocution	198 (39%)
Crane assembly/disassembly	58 (12%)
Boom buckling/collapse	41 (8%)
Crane upset/overturn	37 (7%)
Rigging failure	36 (7%)
Overloading	22 (4%)
Struck by moving load	22 (4%)
Accidents related to manlifts	21 (4%)
Working within swing radius of counterweight	17 (3%)
Two-blocking	11 (2%)
Hoist limitations	7 (1%)
Other causes	32 (6%)

The specifics of the changes made are divided into several subparts for different sectors of construction. The section of the new standard that we focused on is Subpart CC - Cranes and Derricks in Construction, which is further broken into Sections 1400 through 1442. The information provided in Subpart CC is too extensive to completely cover in this newsletter. However, there are a few ways that Roaring Brook will help clients to understand and interpret the changes.

Roaring Brook will be reviewing and updating our own crane inspection procedures and documentation to ensure compliance with the new standards. Roaring Brook Consultants will also be developing webinars to present to construction industry personnel. Webinars provide an economical way to learn about the changes and to review the various sections in more detail. Webinars will cater to the specific needs of the attendees. Since the new standard is public information, we have a copy and can advise on where it can be retrieved. If you have questions or want to talk about sections impacting your operations, give us a call and ask for Paul Roberts, our crane inspector. Roaring Brook is constantly seeking new ways to support construction industry clients by being proactive in training and communication and adapting to industry changes through the use of technology.

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## International Business Efforts

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Roaring Brook Consultants has started a LinkedIn group, US Italy Bridges to Trade, to continue to grow our network of international contacts. You will find our mission statement below. The Maine International Trade Center (MITC) recently featured our efforts in their August 'Global View' monthly newsletter. MITC assists Maine based member organizations with a variety of trade services. For more information about MITC go to [www.mitc.com](http://www.mitc.com). If you have business or personal interests in connection with Italy go to [www.Linkedin.com](http://www.Linkedin.com) and ask to join the US Italy Bridges to Trade group. Ciao!

### US Italy Bridges to Trade



### US Italy Bridges to Trade Mission Statement

The mission of this group is to provide companies in Italy and the US with a platform to share leads, post business questions, offer services and to engage in business networking to generate trade opportunities between Italy and the US. We are looking for members to be active and interested in both offering information to assist others and gather information to further their business aspirations. We are open to all market sectors that involve trade of goods and services.

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## Planning Your Survey

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Time to think ahead. Autumn is an ideal time to schedule your boundary and topographic surveys. The leaves will be falling soon. Less foliage means longer sight lines and less pruning of vegetation to complete the fieldwork, which means less cost to you. Give Roaring Brook Consultants a call to schedule your survey while there is less foliage and before the snow covers the ground.

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## Insurance Industry Services

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Roaring Brook Consultants offers engineering expertise to the insurance industry to assist adjusters on technical matters with their claim files. Roaring Brook also provides classes to adjusters who need to meet their New Hampshire credit requirements. We offer classes through associations or as a direct service to our clients. We are able to meet at your site or, for smaller groups, we can meet at our site for a more personalized classroom experience. We currently offer two courses, **Engineered Wood – Trying to Improve on Nature** and **Building Codes and the Claims Professional**. Each class is fifty minutes long and is approved for one multi-line credit. We are in the process of developing more courses and more options for attending the courses, including online webinars. If you are interested in scheduling a course, please contact us.

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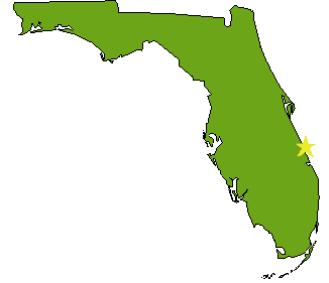
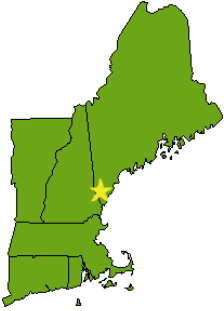
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