

No. 2438
Date, October 10, 1978 10:18 AM
COMMONWEALTH OF PUERTO RICO
DEPARTMENT OF LABOR AND HUMAN RESOURCES
OCCUPATIONAL SAFETY AND HEALTH Approved: Rinaldo Paniagua Díez
414 BARBOSA AVENUE Secretary of State
HATO REY, PUERTO RICO 00917

By Lambert de Beaulieu
Assistant Secretary of State

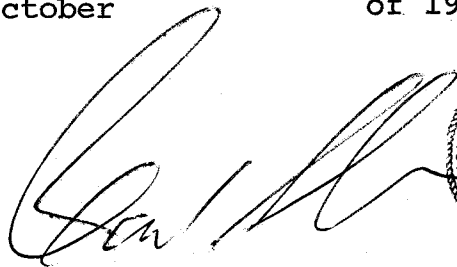
RESOLUTION

I, Carlos S. Quirós, Puerto Rico Secretary of Labor and Human Resources, pursuant to the authority conferred by Section 8 of the Puerto Rico Occupational Safety and Health Act, Act Number 16 of August 5, 1975 (29 LPRA 361 et seq.) as amended, hereby amend the Puerto Rico Occupational Safety and Health Regulations Number Four (Part 1910) General Industry approved on February 1st, 1978 and amended on February 21st., March 16, May 8, July 18 and September 8 of 1978 and Number Ten (Part 1926) Construction approved on February 1st, 1978 by adopting the following revisions:

Section 1926.750 Temporary Flooring: Skeleton Steel Construction in Tiered Buildings as it appears published in Federal Register, Volume 39 Number 128 of July 2, 1974
1910 and 1926 - Recodification of Air Contaminant Standards as it appears published in Federal Register Volume 40, Number 107 of June 3, 1975

This adoption will be effective immediately after its approval.

Given on this 9 of October of 1978.




Carlos S. Quirós

23847

**CHAPTER XVII—OCCUPATIONAL SAFETY
AND HEALTH ADMINISTRATION, DE-
PARTMENT OF LABOR**

Title 29—Labor

**PART 1910—OCCUPATIONAL SAFETY
AND HEALTH STANDARDS**

**PART 1926—SAFETY AND HEALTH
REGULATIONS FOR CONSTRUCTION**

**Recodification of Air Contaminant
Standards**

Correction

In FR Doc. 75-13809 appearing at page 23072, in the issue of Wednesday, May 28, 1975, in the third column on this page 23072, immediately after the fourteenth line of the first complete paragraph insert the following: "with toxic substances will be placed in".

Title 29—Labor

CHAPTER XVII—OCCUPATIONAL SAFETY
AND HEALTH ADMINISTRATION, DE-
PARTMENT OF LABORPART 1926—SAFETY AND HEALTH
REGULATIONS FOR CONSTRUCTIONTemporary Flooring; Skeleton Steel
Construction in Tiered Buildings

On January 16, 1974, a notice was published in the FEDERAL REGISTER (39 FR 2015) of a proposal to revise 29 CFR 1926.750(b)(2) to require that where erection is being done by means of a crane operating on the ground, a tight and substantial floor be maintained within two stories or 30 feet, whichever is less, below and directly under that portion of each tier of beams on which bolting, riveting, welding, or painting is being done. The reason for the proposal was to allow for current designs in steel erection which involve the use of a greater depth of structural beam members. The proposal was substantially based on the recommendations of the Advisory Committee on Construction Safety and Health.

The notice invited interested persons to submit written data, views, and arguments concerning the proposal. Interested persons were also afforded an opportunity to file objections to the proposed revision and to request a hearing on the objections. Many written comments were received in response to the notice. The majority of the comments supported the adoption of the proposal with some suggestions for changes. Several objections to the adoption of the proposal were received. However, no hearing has been requested.

Several comments contend that the scope and application of the proposal is not broad enough to provide adequate protection for all employees engaged in skeleton steel construction. It is contended that the proposal does not cover steel erection using derricks or tower cranes, or cranes which are not operated from the ground. Also, some comments state that the reference in the proposal to bolting, riveting, welding or painting operations unnecessarily excludes all other operations or work activities involved in skeleton steel erection. Further, it is pointed out that the proposal does not contain provisions for the removal of temporary floors. Some com-

ments suggest that the use of safety nets be permitted as an alternative to the installation of temporary floors.

In summary, the comments appear to agree that employees engaged in skeleton steel erection should be protected by the standard regardless of the equipment being used or the work activity involved. Several persons recommend the adoption of pertinent provisions of ANSI Standard A10.13-1972, Safety Requirements for Steel Erection, covering work operations involved in skeleton steel erection, including the removal of temporary floors. Also a few comments suggest that parallel changes be made in § 1926.750(b)(1)(ii) and § 1926.105(a). It is argued that the proposal conflicts with the 25-foot-height requirements in these two sections which involve work places and potential fall distances similar to those covered by the proposal.

Only three comments oppose the proposal. The objectors allege that the adoption of the proposal would expose employees to a greater risk of injury as a result of a potential fall distance of 30 feet, while the present standard allows a maximum fall distance of 25 feet. One comment contends that the proposal is less stringent than codes or rules of some states and safety organizations.

After careful consideration of the issues raised by the written comments, it is concluded that the proposed amendment should be adopted with modifications. The contention that the coverage and application of the standard is too restrictive has merit. It is agreed that the falling hazards to employees engaged in steel erection are similar regardless of the type of equipment being used or the work activity being performed. Further, it is agreed that provisions covering the removal of temporary floors are necessary for the protection of employees. Accordingly, it has been decided to amend § 1926.750(b)(2) in substantial conformity with a pertinent paragraph of ANSI A10.13-1972, Safety Requirements for Steel Erection. Two closely similar paragraphs of the ANSI standard have been pointed out. Both require some form of protection "within two floors or 30 feet, whichever is less * * *" below a tier of beams on which work is done. Both provide expressly for the removal of planks. However, § 6.2 of the ANSI Standard requires a tight and substantial floor when bolting, riveting, or welding is done, while § 10.1.2 of the same standard requires "a floor or safety nets" for "any work," presumably any work other than bolting, riveting, or welding. The amended § 1926.750(b)(2) follows § 6.2 of the ANSI Standard, in requiring a substantial floor, but expands the requirement to apply to any work. When bolting, riveting, or welding is done, a substantial floor is more appropriate than a safety net. Such a floor stops falling rivets, bolts, tools, and molten slag, and its planks are not cut, burned, or otherwise damaged as easily as the ropes of a safety net. Also, a floor permits some work to be performed by employees while standing

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§ 1926.750 Flooring requirements.

(b) Temporary flooring—skeleton steel construction in tiered buildings.

(2) (i) Where skeleton steel erection is being done, a tightly planked and substantial floor shall be maintained within two stories or 30 feet, whichever is less, below and directly under that portion of each tier of beams on which any work is being performed, except when gathering and stacking temporary floor planks on a lower floor, in preparation for transferring such planks for use on an upper floor. Where such a floor is not practicable, paragraph (b) (1) (ii) of this section applies.

(ii) When gathering and stacking temporary floor planks, the planks shall be removed successively, working toward the last panel of the temporary floor so that the work is always done from the planked floor.

(iii) When gathering and stacking temporary floor planks from the last panel, the employees assigned to such work shall be protected by safety belts with safety lines attached to a catenary line or other substantial anchorage.

(Sec. 6, 84 Stat. 1593 (29 U.S.C. 655), Sec. 107, 83 Stat. 96 (40 U.S.C. 333); Secretary of Labor's Order No. 12-71, 35 FR 8734, 29 CFR Part 1911)

Effective date. This amendment shall become effective on August 1, 1974.

Signed at Washington, D.C., this 27th day of June, 1974.

JOHN STENDER,
Assistant Secretary of Labor.

[FR Doc. 74-15142 Filed 7-1-74; 8:45 am]

on the floor. Finally, a floor requirement fits in paragraph (b) of § 1926.750, which already expresses a preference for floors and platforms, and permits safety nets when those are impracticable.

Sections 1926.105(a) and 1926.750(b) (1) (ii), in specified situations, require the use of safety nets no more than 25 feet below a place where work is done. Several comments argue that if these provisions are left to stand as they are now, and if the proposed amendment to § 1926.750(b) (2) is adopted, there would result a conflict between the 25-foot provision in the former two requirements and the 30-foot provision of the amendment. Since the amendment is supported, it is urged that the other two standards also be changed so as to require safety nets no more than 30 feet below a work-place. But we think the resultant numerical identity would be unwarranted, because the forms of protection required and the work situations covered are not identical. The limited purpose of the proposed 30-foot requirement is to bring a present standard in line with current designs in steel construction which involve the use of a greater depth of structural beam members. This reason does not apply generally to all situations where safety nets are required. Moreover, as already pointed out, a floor permits some work to be done by employees standing on the floor. Thus, it is expected that the hazards of falling, and of falling the whole potential distance, are fewer when floors are provided than when safety nets are provided.

The objections to the adoption of the proposal are not accepted. The proposal was made in order to allow for current designs in steel construction which involve the use of a greater depth of structural beam members, and was intended to be applicable to the specific working conditions involved in skeleton steel erection. The retention of the 25-foot height requirement, as suggested by the objection, would result in the installation and removal of temporary floors more frequently than was intended when the requirement was adopted. Such frequent installation of floors is found to be impractical and unreasonable. Also, the installation and removal of temporary floors could expose employees to additional hazards. It is determined that the adopted standard, while taking account of current designs in steel construction, continues to provide adequate protection to the employees engaged in such work.

Accordingly, after consideration of all written submissions and pursuant to section 6(b) of the Williams-Steiger Occupational Safety and Health Act of 1970 (84 Stat. 1593; 29 U.S.C. 655), section 107 of the Contract Work Hours and Safety Standards Act (83 Stat. 96; 40 U.S.C. 333), Secretary of Labor's Order No. 12-71 (36 FR 8754) and 29 CFR Part 1911, paragraph (b) (2) of 29 CFR 1926.750 is revised to read as follows: