

CRANES – STAKEHOLDER COMMENTS – NOVEMBER 17, 2021

COMMENT	RESPONSE
Is there an updated draft to follow along with?	You can find all documents at https://lni.wa.gov/safety-health/safety-rules/rulemaking-stakeholder-information/cranesrigging .
If OSHA is changing to clarify, "with WINCH" as originally intended Then why are we doing this?	OSHA shared the current rule language in 2010. OSHA's current final rule became effective November 9, 2017. There have been no amendments or clarification to their rule, aside from rumors and discussions that have occurred for 11 years now on this topic. OSHA had the opportunity to address this before the new rule came out, but they didn't. We must be at least as effective as OSHA's current language.
Will the forklift operator need to be crane certified or just forklift certified?	If the forklift is configured to handle a suspended load, is using a hook or other attachment and has a gross capacity of 2,000 pounds and more, the operator would need to be certified.
so lets enforce 863	863 also applies, as the code already states.
So - for example will DOSH require something equivalent to NCCCO Certification for a PIT operator using such attachments?	Similar to OSHA and their language regarding equipment that a certification is not yet available, we would accept the most similar.
So I assume NCCCO is creating a PIT cert?	They are working on one. In the meantime, the 'most similar' certification would be used - fixed cab or swing cab depending on the type of PIT.
Looking at the change doc, it is 180 pages. Is there a "table of changes / summary" available?	There isn't as there are changes made throughout the rule.
When will OSHA have their test out?	OSHA does not test operators.
Who's going to decide what's closely related for forklifts?	Each operator certifying organization will decide which cert would apply based on the equipment type.
In the title of 155-53100 you took the word derrick out, so now does it read cranes and equipment?	That is correct.
Are we sure this clearly identifies what we mean and not applying to all equipment?	Yes.
Will WA test take the place of NCCCO very or be in addition to?	For crane certifiers, they will need to be nationally certified in addition to passing the Washington State certifier test at least every 5 years
Consider making the crane service providers to be the responsible party rather than the General Contractors. Currently there is no class provided for General Contractors to have personal trained and certified with L & I (Only OSHA classes available)	The duties are laid out and described in section 155-53401 duties of assigned personnel
Do these rules and changes apply to shipyard, boat building?	These would apply to construction activities. So if you are doing construction work on facilities at the yard, then yes, but they would not apply to the shipyard work itself.
If NCCCO creates a winch only certification, would that certification be most similar and closer than a small telescopic cert?	It will depend on the equipment being used and if NCCCO believes that certification will cover it or not.
What about other crane certifier certifications, other than NCCCO?	At this time, I'm not aware of any other nationally accredited crane inspector certification.

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If the PIT is being used as a crane based on the attachments, will an annual cert and proof load test be required along with a state ID for the PIT?	It will still be exempt from machine certification.
How much previous experience would an approved certifier need to qualify? The crane certifier should be one of the most qualified persons to look at the crane.	Each certifying origination will have their own criteria.
Why do we need these two tests in WA? It seems redundant.	WA would have a supplementary test that would cover state specific topics that aren't addressed in the national certification.
That last question was in reference to my previous question regarding removing the word derrick. Sorry that wasn't clear.	Thank you.
Question about "certification of crane" for PIT...the exclusion says: (3) The equipment listed below are only exempted from portions of Part L. The remainder of Part L applies aside from these exemptions: (a) The following are only exempt from 296-155-53300 (Operator qualifications and certification) along with WAC 296-155-531 and 296-155-532 (Crane certifier accreditation and crane certification).	The equipment does not need to be inspected and load tested at least annually like a crane. The operator will need to be nationally certified for that crane type, or the most similar if there isn't a certification available.
It seems each site crane inspector has its own Table of contents CHECKLIST! Is there any way to issue a standardized form?	Each crane compliance officer is looking to see that Part L is being followed.
Can you direct me to the current draft version?	You can find all documents at https://lni.wa.gov/safety-health/safety-rules/rulemaking-stakeholder-information/cranesrigging .
Please send me the link for standardized checklist. thanks	There is no checklist, Part L must be followed.
When will they be available?	Part L draft is available now.
I still believe seat time and hour requirements would be best for crane operators.	Thank you for your comment, we will consider this.
Any certifications required for LD?	The proposal will have a LD first be a qualified signal person and rigger, along with passing a LD test. The code has an outline of what the test must include at a minimum.
A comparison document would be supremely helpful, especially given this online stakeholder format. Hard to compare and contrast.	We will work on this.
Crane Operator can also be lift director?	Yes, one person may wear multiple hats, the code does state this already.
Does item 4 line c) refer to the written NCCCO test?	live answered
SC&RA Operator Evaluation forms (mobile and tower) are available for download here: https://www.scranet.org/SCRA/Content/advocacy/OSHA.aspx . Scroll to the bottom of the page - under Resources.	
Can the forklift operator be the lift director?	Yes, one person may wear multiple hats, the code does state this already.

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Is the person wearing multiple hats likely to stop unsafe work?	It is their duty to do so.
(i) is the same duty as a lift director?	live answered
Bill, I recommend we revise LD duties to the most current ASME responsibilities. They removed a couple of the "rigger specific" responsibilities and we still have them in our rule as redundant to rigger responsibilities.	We will look into this.
Can you speak to help employers, such as municipalities, determine the required operator qualification or certification for Service Truck Cranes greater than 2000lbs when used in both construction activities and general industry? In the past, the discrepancy has caused significant labor issues.	Yes. It always depends on the type of work being performed by the crane and crew, to determine what rules apply. A vertical standard for crane work would help resolve confusion.
The 2,000 lb or less rule appears to apply only to commercial or residential building sites. Does this apply worksites that do not have multi story buildings such as a bridge or road project?	It applies to all construction work using a crane or equipment that fall into the scope of Part L.
It's very similar to Site Supervisor duties and Lift Director duties....several duties are repetitive. Just an observation. So, now that ALL Lift Directors must be Qualified Riggers/Signal Persons...I don't see why it really matters? Maybe some of the Lift Director duties need to be moved to Site Supervisor duties?	Thank you. Each job site is different, but the redundancies offer an additional layer of protection.
Will the department take into consideration when setting dates to be in compliance that many of us have our operators certified and they have the rigging certification, but now we must get them all in to do a lift director test. This will take time please take that into consideration.	We will discuss and research this.
Are these new rules in effect now, or coming in the future?	The rules will be in effect in the future, possibly the spring of 2022.
Does the ASME B30.5 require all operators (not just construction) to pass a written and practical test?	That is a question for the ASME committee.
Alignment with B30.5 would be better.	We will look into this.
I think it is IMPERATIVE that the department publish a document that clearly delineates roles and responsibilities expectations, especially since you intend to deviate from ASME. This is confusing for even the seasoned professionals on this call, and confusion does not promote safety.	Thank you, we will look into this.
53300 (2) (d)(vi) still has language (Trainee/Apprentice.)	We will check on this.
If an employer and/or contractor wants to require logged hours and a declaration from the crane operator, can they still require both as "company policy" and go above and beyond?	They could, yes.

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I strongly second Mr. Carey's opinion of having both the hour chart and an evaluation.	We will look into this.
Would disagree with keeping hours - one persons hours (experience) does not equate to another individuals hours (experience). The evaluation - what they can do - resolves this and provides a better means of evaluation.	We will look into this.
I would agree that if a company policy wants hours then so be it, not in favor of having the hours left in, but would need to see how you plan on keeping it in.	Thank you, we will look into this.
On behalf of Articulated/Delivery cranes, hours should go away, evaluation covers company requirements and specific cranes they are using.	Thank you, we will look into this.
I agree with removing the requirement for documenting the hours via a declaration since we are requiring an evaluation.	Thank you, we will look into this.
How many power line issues have we had since 2010? Looking for justification for this documented meeting.	We would have to look in the system.
Power line violations is OSHA's number two cited violation.	Thank you.
Please clarify further when a certified operator is required for PIT. When attachment is used? Only when a hook is used? When a factory rigging point is used?	When a hook or attachment is being used. We have received comments suggesting that it should apply any time a forklift is configured to handle a suspended load.
With regard to PIT attachments - are we only talking about attachments extending beyond the forks requiring a certified operator, or any lifting attachment? I can see where jibs would increase tipover risk, but a hook directly below the forks simply provides a safer alternative to a sling and requiring operator certification would incentivize employers to use slings over the forks where this method is less than ideal.	Any hook and all attachments.
Does the jib rule only affect powered industrial trucks. I am curious if it leads into jibs mounted on bucket trucks used for utility power line construction, if the jib is a fixed part on the equipment and not an attachment?	There is no jib rule.
Before voting can you explain what happens next? More stakeholder meetings or formal rulemaking?	This will be available on our website.
Will there be more crane stakeholder meetings?	This will be available on our website.
Does the operator need to be certified if the jib slide on attachment is only rated for 2000Lbs?	Yes, if it is on a multi-level building.
Bill Haight defined the PIT requirements much differently back in July. Does he still work for L&I?	He does, he is in a different group now however.
OSHA Enforcement standard does not agree...	Thank you.

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a. Partial Forklift Inclusion – Forklifts are covered by Subpart CC when configured with a “winch or hook” and used like a crane. OSHA also explained in the preamble to Subpart CC that forklifts used to suspend a load below the forks were excluded from the standard. However, OSHA received numerous compliance inquiries requesting more guidance about the coverage of forklifts configured with booms/jibs and hoists. In response, OSHA intends to revise the standard to provide more clarity regarding forklift coverage.	
No mention of a "hook" in proposal or anywhere in enforcement standard.	OSHA language: Powered industrial trucks (forklifts), except when configured to hoist and lower (by means of a winch or hook) and horizontally move a suspended load.
Clarity of what certification is needed for the Pit attachment.	The "most similar" from the certification organization would be accepted
DIRECTIVE NUMBER: CPL 02-01-057	Thank you.
I understand it is difficult to plan under the current conditions but I would request an in person meeting be held prior to the new standard proceeds to fully review and discuss, is this a possibility? Thank you	We will discuss internally and will post on the L&I website.
Correct...and they knew they made a mistake, wrote enforcement directive to exclude "hook" but we are ignoring that. But NOT by requiring a CRANE operator run the forklift	Certification organizations are already creating forklift certification tests.
Just the time and cost to train and test them...has that been considered and the financial impact been approved/discussed? an average labor/carpenter/non-operator will take 2-3 times as long to get certified.	We will discuss this.
Can we receive the word file? (The one you have on your screen)	This will be available on our website.
For PIT operators where the cab doesn't rotate, the department will accept a fixed cab crane certification issued by a nationally accredited testing agency. Does this mean that Powered Industrial truck operators using a hook will need a crane cert?	That is correct, and we would accept the most similar from the certification organization.
How many participants today?	Roughly 100.