

June 25th, 2007

Attention: WorkSafe Policy and Research Division
re: Proposed changes to section 30 WorkSafe Regulations

To whom it may concern,

I am providing feedback on the proposed changes to section 30 of the WorkSafe regulations. I am the Resource Coordinator for Teck Cominco's Applied Research & Technology Division, located in Trail, B.C.

This feedback is provided from an employer's perspective and has been shared with our joint Health & Safety Committee. We recognize the need for clarification of laboratory ventilation in section 30, however we disagree with several of the proposed changes as they appear on the WorkSafe web site. For reasons of brevity, I will summarize only the sections that we are in disagreement with.

30.7.1

If the proposed definition of a fume hood based on the US Occupational Safety and Health Agency ("OSHA") Standard 1910.1415(b) "scope and application" and the California OSHA Code of Regulations, is put into practice, it will be difficult to differentiate between an enclosure to capture process ventilation and smaller scale test work performed in a conventional laboratory fume hood. It would be beneficial to understand how the existing regulation for 30.7 (Laboratory equipment and instruments which may emit harmful quantities of a substance during their operation must be provided with an effective local exhaust ventilation system) works in conjunction with the proposed definition.

The ANSI/AIHA standard has a similar requirement to 30.7 that provides a stronger link to the application of the regulation by mentioning the impact on workers:

2.1.1 Laboratory Chemical Hoods

Adequate laboratory chemical hoods, special purpose hoods, or other engineering controls shall be used when there is a possibility of employee overexposure to air contaminants generated by a laboratory activity. The containment and capture of a laboratory hood shall be considered adequate if, in combination with prudent practice, laboratory worker chemical exposure levels are maintained below applicable in-house exposure limits as recommended in 2.1.1. When these containment sources are not adequate, the laboratory shall conduct a hazard determination to evaluate the situation.

30.8 (1)

Does not provide for "grandfathering" of existing fume hoods that may be adequate for the work that is currently being performed in them, but not reach the higher standard set by the ACGIH in their ventilation manual. I propose that a lab owner must know the limitations of their existing equipment and that work performed in the fume hood must be compatible with the hood design, the materials of construction and that the workers will not be exposed to harmful emissions from the fume hood. All new fume hoods should meet the standards set by the ACGIH ventilation manual.

30.8 (10)

I suggest a small alteration to the proposal so that it incorporates the following change for clarity; “written procedures, **relevant to the work occurring** , must be developed and implemented to ensure safe use and operation of a laboratory fume hood.” Otherwise a generic statement may be developed that does not incorporate an adequate hazard/risk evaluation for a change in setup or the experiment.

30.8 (2.3)

The testing requirements as outlined in the ANSI/ASHRAE Standard 110-1995 requires specialized test equipment that will not be readily available to most laboratories. If a fume hood is built to the appropriate standards and it is installed according to the requirements set out by the ACGIH Industrial Ventilations standards, wouldn't it presumably meet the testing standard in 110-1995? The testing requirements in 30.8 (2.3) may be redundant given the requirements for following the other standards.

30.10 (2)

This proposed change allowing fume hoods on a common draft manifold makes sense after reviewing the explanation that accompanies the ANSI/AIHA Z9.5-2003 standard. However, the proposed changes makes reference to fume hoods with radioactive materials. This section, nor does section 7.0 provide us with a definition of radioactive materials. There are substances such as indium that emit radiation but do so at an incredibly slow rate and may not represent an undue risk.

30.10 (1) (a)

Section 5.3.2 of the referenced standard states the requirement at 5.3.2.4 for a redundancy in the draft system. The standard suggests a spare centralized fan that is automatically put into service upon failure of the primary fan or a system that incorporates multiple operating fans so the loss of one fan will not significantly impact on the system's ability to provide draft. This concept could be very expensive to retrofit into an existing system.

Rather than require an engineering solution, leeway should be given to administrative controls (such as an immediate shutdown of the work and evacuation of the personnel that could be affected by the lack of ventilation). In an industrial application, a ventilation system may have several pickup points throughout the operation. An unrecoverable loss of draft and potential exposure to hazardous conditions would potentially require the evacuation of personnel to minimize their risk of exposure to a harmful substance.

I would welcome the opportunity to discuss our concerns in greater detail; I have included my contact information in this note.

Yours truly,
Lonnie Gladdish
Resource Coordinator
Applied Research & Technology, Teck Cominco Metals Ltd.
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Neudorf, Leley

Subject: Your submission has been received - #070502

-----Original Message-----

From: WorkSafeBC [mailto:prevweb@worksafebc.com]

Sent: Monday, July 09, 2007 3:24 PM

To: ed.kniel@teckcominco.com

Subject: Your submission has been received - #070502

Your submission has been received.

Submission ID: P09.RZ6.7M2.RY0

Part 30: Laboratories, relating to fume hoods

1. Name: Ed Kniel

(a) Feedback is provided: on behalf of

Organization: Teck Cominco Trail Operations Job Title: Superintendent H&S

(b) Feedback is provided: from an employer's perspective

2. E-mail: ed.kniel@teckcominco.com

3. Feedback:

Section #: 30.7.1

Comments:

If the proposed definition of a fume hood based on the US Occupational Safety and Health Agency ("OSHA") Standard 1910.1415(b) "scope and application" and the California OSHA Code of Regulations, is put into practice, it will be difficult to differentiate between an enclosure to capture process ventilation (for example, refer to definition of an enclosure as per Reg section 12.97) and a conventional laboratory fume hood used for bench-scale test work performed in a laboratory setting. Given the uncertainty regarding the definition, we do not understand how the existing regulation for 30.7 (i.e. Laboratory equipment and instruments which may emit harmful quantities of a substance during their operation must be provided with an effective local exhaust ventilation system) will be applied in conjunction with the proposed definition.

The ANSI/AIHA standard has a similar requirement to 30.7 that provides greater clarity by mentioning the impact on workers. We quote the wording below and suggest that consideration be given to much more specific wording as in this example.

The standard states as follows:

"2.1.1 Laboratory Chemical Hoods

Adequate laboratory chemical hoods, special purpose hoods, or other engineering controls shall be used when there is a possibility of employee overexposure to air contaminants generated by a

laboratory activity. The containment and capture of a laboratory hood shall be considered adequate if, in combination with prudent practice, laboratory worker chemical exposure levels are maintained below applicable in-house exposure limits as recommended in 2.1.1. When these containment sources are not adequate, the laboratory shall conduct a hazard determination to evaluate the situation."

Section #: 30.8 (1)

Comments:

This proposed amendment does not provide for "grandfathering" of existing fume hoods that may be adequate for the work that is currently being performed in them, but do not reach the higher standard set by the ACGIH in their ventilation manual. While all new fume hoods could be made to meet the standards set by the ACGIH ventilation manual, older existing systems will generally not and whole-scale replacement of such systems should not be the result of this amendment.

Section #: 30.8 (2)c

Comments:

There appears to an inconsistency between the 80% lower threshold specified in this section with a 90% lower threshold specified in 30.9 (1.3). It appears that the latter is a typo

Section #: 30.8 (2.1)

Comments:

This proposed amendment implies a fume hood must be operated only with a lowered sash. We have on site, however, a number of existing fume hoods which operate satisfactorily (i.e. draft) with a full sash opening. This proposed amendment would create problems in existing systems which are designed and operated with a full sash opening.

Section #: 30.8 (2.3)

Comments:

The testing requirements as outlined in the ANSI/ASHRAE Standard 110-1995 requires specialized test equipment that will not be readily available to most laboratories. If a fume hood is built to the appropriate standards and it is installed according to the requirements set out by the ACGIH Industrial Ventilations standards, it would presumably meet the testing standard in 110-1995. The testing requirements in 30.8 (2.3) are likely therefore redundant given the requirements for following the other standards.

Section #: 30.8 (10)

Comments:

The intent of this section is not clear. Is the intent that the procedures cover how to operate the system i.e. turn the fan on and off?? Is it rather the intent that the procedures dictate how the system is to be maintained to ensure proper functioning?? Or alternatively, is the intent that each different laboratory method to be conducted within a fume hood be documented? We question the need for requiring the first and last, and the second is best addressed through the operating manual for the system i.e. not with a separate written procedure. In short, we cannot see the need for having written procedures as specified.

Section #: 30.10 (2)

Comments:

The proposed changes make reference to fume hoods used for working with radioactive materials. This section, nor does section 30.7 provide a definition of what constitutes 'radioactive materials'. There are substances such as indium that release radiation but do so at a very slow rate and therefore do not constitute an undue risk.

Section #: 30.10 (1)(a)

Comments:

Section 5.3.2 of the referenced standard states the requirement at 5.3.2.4 for a redundancy in the draft system. This standard suggests a spare centralized fan that is automatically put into service upon failure of the primary fan or a system that incorporates multiple operating fans so the loss of one fan will not significantly impact on the system's ability to provide draft. This concept would be very expensive to retrofit into an existing system.

Rather than impose an engineering solution, allowance should be made for administrative controls (such as an immediate shutdown of the work and evacuation of the personnel that could be affected by the lack of ventilation). In an industrial application, and referencing our uncertainty regarding the scope of the definition of a Laboratory Fume Hood cited previously, a large ventilation system may have several pickup points throughout a building.

Section #: 30.12 (2)

Comments:

This section references a 'qualified person' but the qualifications for such a person are neither clear nor defined

4. Please indicate your level of support of the proposed amendments:generally disagree

5. If you agree or disagree with the proposed amendments, please provide reason(s):

Section #:

Comments: See above comments

Neudorf, Leley

Subject: FW: SPAM: Your submission has been received - #070502

-----Original Message-----

From: WorkSafeBC [mailto:prevweb@worksafebc.com]
Sent: Monday, July 09, 2007 12:33 PM
To: ed.kniel@teckcominco.com
Subject: SPAM: Your submission has been received - #070502

Your submission has been received.

Submission ID: P09.RY6.W52.5XH

Part 3: Rights and Responsibilities, relating to occupational first aid

1. Name: Ed Kniel

- (a) Feedback is provided: on behalf of
Organization: Teck Cominco Trail Operations Job Title: Superintendent H&S
- (b) Feedback is provided: from an employer's perspective

2. E-mail: ed.kniel@teckcominco.com

3. Feedback:

Section #:3.16 (1.1)

Comments: The text in Schedule 3-A requires clarification. Page 1 of the Schedule indicates that "in circumstances in which Tables 1 to 6 require a Level 2 first aid certificate, a Level 3 first aid certificate is required..."

Table 6 of the schedule, item 5 most closely applies to Trail Operations. Column 3 indicates that two Level 2 attendants are required. We surmise that one Level 3 attendant is sufficient, even though two Level 2 attendants are specified.

Suggest that '2 Level 2' in the Table be changed to 'two Level 2' for clarity - right now, appears it could be a typo

4. Please indicate your level of support of the proposed amendments:generally neutral

5. If you agree or disagree with the proposed amendments, please provide reason(s):

Section #:
Comments:

Neudorf, Leley

Subject: FW: SPAM: Your submission has been received - #070502

-----Original Message-----

From: WorkSafeBC [mailto:prevweb@worksafebc.com]

Sent: Monday, July 09, 2007 1:26 PM

To: ed.kniel@teckcominco.com

Subject: SPAM: Your submission has been received - #070502

Your submission has been received.

Submission ID: P09.RY6.ZR2.S4M

Part 4: General Conditions, relating to fills, stockpiles, terrain stability and avalanche assessments

1. Name: Ed Kniel

(a) Feedback is provided: on behalf of

Organization: Teck Cominco Trail Operations Job Title: Superintendent H&S

(b) Feedback is provided: from an employer's perspective

2. E-mail: ed.kniel@teckcominco.com

3. Feedback:

Section #: 1.1 Definitions

Comments: It should be recognized that a stockpile by this definition could include material stored below grade e.g. in a pond or other means of below-surface containment. In the case of Trail, we have 'stockpiles' of material that are level-to-grade which we regularly drive (and have for many years) tandem trucks and excavators. This material has been dewatered for many years and is of a similar consistency to soil.

A second issue specific to our site - due to the age of the site, we have soil that over many years has become contaminated with metals, and therefore cannot be used as fill. By this definition, any such native soil excavated from the site falls within the definitions and requirements of this section of the Reg

These concerns will be referenced subsequently

Section #: 4.1

Comments: At Trail Operations, the site is bisected by KVR railway. KVR has care and control of their land and equipment, even though a failure of the KVR equipment poses a potential risk to Trail Operations and it's employees (e.g. derailment). How does this definition cover such overlapping hazards? Our concern, for example, is if Trail Operations is responsible for the hazards imposed by KVR

Section #: 4.1.1 (2)

Comments: Unstable ground condition is not defined. This requires clarification. See examples below

In our case, due to the age and complexity of our site infrastructure, we routinely encountered conditions whereby small 'sinkholes' appear due to leaks in underground water services. It appears that these sinkholes could fall within the scope of the definition of 'unstable' and therefore our understanding is that each and every such subsidence would require a terrain stability assessment by a qualified, registered professional. This is in our opinion both unwarranted and impractical, as it would unduly delay our ability to respond and repair the damaged piping, thus exacerbating the problem and potentially worsening / making less safe the situation.

Also, this section includes the phrase 'is or may be a risk'. This is a circular path - how would a non-expert employer know that there 'is or may be' such a risk without employing the services of such a professional? Does this imply that each employer must use such a professional to first ascertain whether or not the services of such a professional are required??

On this same note, the explanatory notes (Page 5 of 11, paragraph 3) indicate that "it is not expected that a qualified registered professional be present on a day-to-day basis..." However, the section (2) states quite clearly that "a qualified registered professional must conduct..." These statements do not seem readily reconcilable in our context.

Section #: 20.14.2 and 20.14.3

Comments: 20.14.2 indicates that if mobile equipment is to be used on a stockpile, the stockpile must be constructed in accordance with the instructions of a qualified professional. In the case of Trail Operations, many such stockpiles exist that have already been constructed at the time this proposed amendment would take effect. Because we cannot meet this requirement, does this imply we cannot take mobile equipment on such stockpiles?? This is unworkable for us. There should be a 'grandfathering' provision inserted into this section.

The term 'unstable face' in 20.14.3 is not defined. This is potentially a very big issue, because if the intent is that it means 'working face' this requirement will have a very substantial and detrimental effect on the day-to-day operations at Trail Operations. In our opinion, a working face is not necessarily an unstable face, and in our context, because many of the stockpiles we handle on a day-to-day basis have a very high angle of repose (high moisture contents), restrictions on the height of a working face on a stockpile are potentially crippling. Imposing such restriction effectively increases the required footprint of a stockpile of a given volume. The Trail Operations site is bounded on every side and finite in extent, therefore there is no physical room to reduce the working height of stockpiles by spreading them over a larger area. Again, the nature of the stockpiled materials at Trail Operations is such that many larger-volume piles have a very high angle of repose, so that within the reach of an excavator boom they can be (and have been) sculpted to ensure stable sides.

Similar to previous comments, because a number of the stockpiles in question are also historical or legacy in nature, they are stacked relatively high (high angle of repose) and thus to restrict the ability to excavate based on reach of the equipment may effectively prohibit our ability to recover material from these legacy piles.

Furthermore, at Trail Operations, because we continually receive, handle and move materials, stockpiles are not static but grow and ebb and appear and disappear. Also, these stockpiles change in shape and footprint depending on how much material is being added or removed. This set of proposed requirements implies that every time we begin a stockpile with even the hypothetical chance we will put mobile equipment on it at some undetermined point in future requires written instructions from a designated professional - again, this is not a practical thing we can do on a day-to-day basis, because we do not necessarily know in advance.

The term 'mobile equipment is also undefined in this context. With reference to my comments regarding definitions in section 1.1 above, such definitions imply that we require the instructions of a designated professional before we, for example, take a tandem truck onto a historical pile of dewatered process material on a level grade, or take a Bobcat on top of a small pile of contaminated soil from a building excavation on-site. Again, these types of restrictions are completely unworkable in the context of our day-to-day activities at Trail Operations.

Finally, we suggest that section 20.14.3 be supplemented with some provision for exemptions on the basis of the opinion of a suitable registered professional.

4. Please indicate your level of support of the proposed amendments:generally disagree

5. If you agree or disagree with the proposed amendments, please provide reason(s):

Section #: as above

Comments: as above - refer to comments in section 3 of this response

Levitz, Alena

Subject: FW: SPAM: Your submission has been received - #070502

-----Original Message-----

From: WorkSafeBC [mailto:prevweb@worksafebc.com]
Sent: Wednesday, July 11, 2007 3:25 PM
To: ed.kniel@teckcominco.com
Subject: SPAM: Your submission has been received - #070502

Your submission has been received.

Submission ID: P09.S56.NP2.SZL

Part 6: Substance Specific Requirements, relating to biohazardous material

1. Name: ed.kniel@teckcominco.com

(a) Feedback is provided: on behalf of
Organization: Teck Cominco Trail Operations Job Title: Superintendent -
H&S

(b) Feedback is provided: from an employer's perspective

2. E-mail: ed.kniel@teckcominco.com

3. Feedback:

Section #: 5.1

Comments: The definition of 'adverse health effect' is very broad, and may include (in the case of sewage treatment, for example), cases of illness such as gastroenteritis which is understood to be generally non-life threatening for adults. However, under the Explanatory Notes section (page 8 of 18) a paragraph states "to summarize, revisions ... as proposed cover worker exposure to infectious agents capable of causing high morbidity or death." These two statements are not readily reconciled. If the latter statement is indeed the intent, the the defintion of 'adverse health effect' should be altered to make the intent much clearer. Alternatively, WorkSafe should consider the use of an Appendix where it lists the specific conditions / agents of concern as well as resulting conditions (e.g. HIV AIDS) so that employers have a clear idea of which specific agents are the intention of the amendments, so that compliance efforts can be targetted effectively.

Section #: 5.2

Comments: This sections states that 'If a worker is or may be exposed...'. Inclusion of the phrase 'may be' in this context is extremely open-ended and we cannot understand how we are to strictly comply with such a provision. In practice, the presence, identity and risk of exposure to infectious agents is not well known or quantified in our context. Certain activities within our operation pose what is best described as a theoretical / hypothetical risk of exposure. These amendments imply that with even a hypothetical scenario of exposure, all the provisions are necessary for each of those activities. This is not consistent with a risk-based approach.

Some phrasing about 'reasonableness' or amendments which link the degree of control to the extent of the risk should be incorporated in sections such as these.

The same comments apply to section 6.34(1)(b) which requires 'a list of ALL work activities for which there is POTENTIAL for occupational exposure.' Our site employs roughly 1500 people in 20 production plants spanning approximately 200 ha - listing all work activities for which the mere potential exists for occupational exposure to an infectious agent is in practice, impossible.

Section #:5.2 (a)

Comments: the proposed text strikes out the words 'placards, signs, tags'. This text should instead remain in the revised text as MSDSs or labels are not always the most practical or appropriate means of communicating hazards in the workplace.

Section #:5.2 (c)

Comments: We fail to understand why written procedures are a necessary step in preventing exposure. The need for appropriate protective measures is self-evident, but repeated requirements throughout the Regulations for written procedures remove the discretion of organizations to document procedures in those cases where such documents actually add value or provide benefit.

Section #: Explanatory Note - Page 1 of 18

Comments: The third (final) paragraph of the Explanatory Note on this page of the document should be included in the associated guidance document once the amendments are promulgated. Not to do so has the potential to create a great deal of confusion and unnecessary angst on the part of employers and employees across the province.

Section #:6.33

Comments: A number of these definitions reference WHO Guidelines. By referencing such documents in the Regulation, it would appear they become de facto regulatory requirements in the province. Under such circumstances, WorkSafe should provide such documents to employers throughout the province via, for example, availability on the WorkSafeBC web site

Section #: 6.34(1)

Comments: This section appears to be directed largely towards health care facilities i.e. hospitals, clinics etc. There is, however, no such limitation in the proposed wording. For sites such as ours that are NOT health care facilities, these requirements are largely unworkable - see further comments below. If WorkSafe wishes to impose specific requirements on health care facilities, they should then limit in the text of the amendment the scope of such requirements to the target audience

Section #:6.34(1) (a)

Comments: The risk assessment references a 'qualified person'. In this instance, what constitutes a 'qualified person'? Unlike many employers in the province, our site has the benefit of employing a registered Industrial Hygienist, who based on personal past experience may or may not have knowledge of infectious agents. In practice, it is not clear how it is possible to conduct such risk assessments going forward given it is unclear who is able to conduct them.

The explanatory notes on page 10 of 18 attempt to address this, but even so, it remains unclear what is meant by "has knowledge of microorganisms, infectious agents, means of transmission ..." etc. Arguably, a lay person could claim to have knowledge of such items (e.g. bacteria and viruses exist, and a good way to prevent transmission is to avoid sneezing on someone and to be sure to wash your hands). This 'explanation' does not provide substantially more clarity on the issue.

Section #:6.34(1) (b)

Comments: See comments under section 5.2

Section #:6.34(1) (h)

Comments:

How would we as an employer not engaged in the provision of health care services even know if a worker has been exposed? What constitutes 'exposed' in any event? If a coworker is rumoured to have hepatitis C, or alternatively a readily communicable illness for example, are co-workers in his immediate work area deemed to be "exposed"?

Section #:6.39(1) and 6.39(2)

Comments:

In this section, 'risk' of exposure is not defined - see initial comments under 5.2 and 6.34(1). How would we as an employer even know if a worker is at risk of exposure?

Specifically under (2), does this include provision of a seasonal influenza vaccine? If

so, this is potentially onerous on employers. Furthermore, how are we as an employer meant to be kept advised of changes to the list of required vaccines? Again, we are not in any way associated with the health care industry.

Section #:6.40

Comments:

This clause includes the open-ended 'may have been exposed' and does not limit that potential exposure to an occupational exposure. How then would we as an employer even know if a worker has been exposed? It appears that if an employee is exposed outside of the workplace as a result of, for example, high-risk behaviours (e.g. intravenous drug use), then the employer is expected to know this and counsel the employee to consult a doctor. Alternatively, if an employee during time away from work comes in contact with an infectious agent through, for example, overseas travel, what is expected of the employer?? This clause is impossible to implement in practice, and raises the spectre of employees viewing employers in an Orwellian 'Big Brother' light. Once again, we call your attention to the fact that such infectious agents are neither readily identified nor detected.

Section #:G6.34-2 (Pandemic influenza)

Comments: On page 15 of 18, the guideline states that "the majority of workplaces in British Columbia will require an ECP (for pandemic influenza)." As an employer, we hold strongly the view that such issues are best addressed as a Public Health issue by various levels of government, and that WorkSafe by way of this guideline should not be attempting to devolve to private companies what rightly should remain in a governmental domain.

4. Please indicate your level of support of the proposed amendments:generally disagree
5. If you agree or disagree with the proposed amendments, please provide reason(s):

Section #:

Comments: See comments in section 3 above

Caldwell, Virginia

Subject: FW: SPAM: Your submission has been received - #070502

-----Original Message-----

From: WorkSafeBC [mailto:prevweb@worksafebc.com]
Sent: Tuesday, July 10, 2007 10:55 AM
To: ed.kniel@teckcomico.com
Subject: SPAM: Your submission has been received - #070502

Your submission has been received.

Submission ID: P09.S16.VP2.MXY

Part 14, Cranes and Hoists, in its entirety

1. Name: Ed Kniel

(a) Feedback is provided: on behalf of
Organization: Teck Cominco Trail Operations Job Title: H & S
Superintendent

(b) Feedback is provided: from an employer's perspective

2. E-mail: ed.kniel@teckcomico.com

3. Feedback:

Section #: 14.2 (2)

Comments: This section requires adherence to electrical standards by reference to design requirements (implying new installations). There is a lack of clarity around existing installations. Our opinion is that a 'grandfathering' provision needs to be built into any such provision to exempt existing installations from these requirements.

Section #: 14.2 (4)

Comments: It is not clear from the text whether adherence to ONE of the listed standards is sufficient, or whether ALL standards listed must be met.

Section #: 14.3 (1)

Comments: We question the need for including the year of manufacture as part of permanent identification on the crane. We do not see this being of any practical benefit to managing cranes safely. Year of manufacture should be part of the records, but there is no purpose to label the crane itself.

Section #: 14.13 (4)

Comments: Reference is made to a 'qualified person' without definition of what constitutes a qualified person. (Also in 14.54.1) The term 'qualified' is defined in Part 1 of the Reg, but is this the intent?? This generic definition is, for example, inconsistent with the CSA standard referencing cranes which requires 10,000 hours experience. We do not endorse use of the CSA definition, but are looking for clarity on this issue with any amendments that reference the term.

Section #: 14.38 (6)

Comments: In this paragraph, the term 'effective supervision' is undefined. With such uncertainty, this clause is potentially very problematic. Trail Operations operates a complex workplace, with multiple employees and contractors regularly working in close proximity. At any given moment in time, movement of persons or equipment could put a person not performing a lift in the vicinity of a location in which a lift is being performed. We have an Entry Permit system for entry into plants, but we do not (and

cannot) have every employee under direct supervision at every moment of every day.

It appears from the Explanatory Notes that the regulation is meant to apply to mobile cranes, but it is not in the wording limited to that scope of applicability.

Section #: 14.42.1 (4)

Comments: Taken literally, the general requirement to repeat the crew talks following (any) change to people or equipment could be interpreted to require such a repeat under any of the following scenarios:

- Repair a flat tire on a mobile crane performing a critical lift;
 - Replacement in kind of lifting straps
- etc.

It should be self-evident that to repeat crew talks under such scenarios is unnecessary. We understand the intention as outlined in the Explanatory Notes, but the actual wording of the clause is much more broad and generic, and should be changed.

4. Please indicate your level of support of the proposed amendments:generally disagree

5. If you agree or disagree with the proposed amendments, please provide reason(s):

Section #:

Comments: See above comments