



Virginia
Regulatory
Town Hall

townhall.virginia.gov

**Exempt Action Final Regulation
Agency Background Document**

Agency name	Virginia Department of Labor and Industry/Safety and Health Codes Board
Virginia Administrative Code (VAC) citation	<p>16 VAC 25-90-1910.145, Specifications for accident prevention signs and tags</p> <p>16 VAC 25-90-1910.147, The control of hazardous energy (lockout/tagout)</p> <p>16 VAC 25-90-1910.177, Servicing multi-piece and single-piece rim wheels</p> <p>16 VAC 25-100-1915.80, Scope, application, definitions, and effective dates</p> <p>16 VAC 25-100-1915.81, Housekeeping</p> <p>16 VAC 25-100-1915.82, Lighting</p> <p>16 VAC 25-100-1915.83, Utilities</p> <p>16 VAC 25-100-1915.84, Working alone</p> <p>16 VAC 25-100-1915.85, Vessel radar and communication system</p> <p>16 VAC 25-100-1915.86, Lifeboats</p> <p>16 VAC 25-100-1915.87, Medical services and first aid</p> <p>16 VAC 25-100-1915.88, Sanitation</p> <p>16 VAC 25-100-1915.89, Control of hazardous energy (lockout/tags-plus)</p> <p>16 VAC 25-100-1915.90, Safety color code for marking physical hazards</p> <p>16 VAC 25-100-1915.91, Accident prevention signs and tags</p> <p>16 VAC 25-100-1915.92, Retention of DOT markings, placards, and labels</p> <p>16 VAC 25-100-1915.93, Motor vehicle safety equipment, operation and maintenance</p> <p>16 VAC 25-100-1915.94, Servicing multi-piece and single-piece rim wheels</p> <p>16 VAC 25-100-1915.162, Ship's boilers</p> <p>16 VAC 25-100-1915.164, Ship's propulsion machinery</p> <p>16 VAC 25-100-1915.163, Ship's piping systems</p> <p>16 VAC 25-100-1915.181, Electric circuits and distribution boards</p>
Regulation title	General Working Conditions in Shipyard Employment
Action title	General Working Conditions in Shipyard Employment; Final

	Rule and Corrections
Final agency action date	October 13, 2011
Document preparation date	October 17, 2011

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, Executive Orders 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

Federal OSHA revised and updated standards to the existing Subpart F of 29 CFR part 1915 that addresses hazards in general working conditions in shipyard employment. Shipyard employment activities are performed aboard vessels, in confined or enclosed spaces below deck, on scaffold and on busy crowded docks. These revisions update existing requirements to reflect advances in industry practices and technology, consolidate certain safety and health requirements into a single subpart, and provide protection from hazards not previously addressed, including the control of hazardous energy.

The final rule will cover diverse working conditions in shipyard employment, including sanitation, medical services and first aid, motor vehicle and pedestrian safety, lighting, housekeeping, and hazardous energy. It will apply to all shipyard employment at landside facilities, on vessels and in vessel sections. The revised final rule will not apply to landside fish-processing facilities, which will continue to be covered by Part 1910, general industry requirements.

In addition, on July 25, 2011, federal OSHA published a correction to §§ 1910.145 and 1910.147 of this revised standard. In the first sentence in paragraph (a)(1) of §1910.145, OSHA substituted “intended to indicate” following “(as included in paragraphs (c) through (e) of this section)” for “that indicate”. The corrected sentence now reads: “These specifications apply to the design, application, and use of signs or symbols (as included in paragraphs (c) through (e) of this section) **intended to** (*emphasis added*) indicate and, insofar as possible, define specific hazards that could harm workers or the public, or both, or to property damage”.

The first sentence in paragraph (a)(1)(i) of §1910.147 was corrected to read: “This standard covers the servicing and maintenance of machines and equipment in which the **unexpected** (*emphasis added*) energization or start up of the machines or equipment, or release of stored energy could cause injury to employees.”

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

On October 13, 2011, the Safety and Health Codes Board adopted federal OSHA's final rule for General Working Conditions in Shipyard Employment and subsequent corrections, with an effective date of January 15, 2012, except for §1915.89, which will become effective and enforceable on April 15, 2012.

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

This final rule will have no impact on the institution of the family or family stability.

To access the final rule for General Working Conditions in Shipyard Employment and Subsequent Corrections, please see attachments or go to:

www.osha.gov/FedReg_oshapdf/FED20110502.pdf

www.osha.gov/FedReg_oshapdf/FED20110725A.pdf

**General Working Conditions in Shipyard Employment;
Revised Final Rule; and Corrections**

As Adopted by the
Safety and Health Codes Board

Date: October 13, 2011



VIRGINIA OCCUPATIONAL SAFETY AND HEALTH PROGRAM

VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY

Effective Dates: January 15, 2012
April 15, 2012 for 16 VAC 25-100-1915.89 only

16 VAC 25-90-1910.145	16 VAC 25-90-1910.147	16 VAC 25-90-1910.177
16 VAC 25-100-1915.80	16 VAC 25-100-1915.81	16 VAC 25-100-1915.82
16 VAC 25-100-1915.83	16 VAC 25-100-1915.84	16 VAC 25-100-1915.85
16 VAC 25-100-1915.86	16 VAC 25-100-1915.87	16 VAC 25-100-1915.88
16 VAC 25-100-1915.89	16 VAC 25-100-1915.90	16 VAC 25-100-1915.91
16 VAC 25-100-1915.92	16 VAC 25-100-1915.93	16 VAC 25-100-1915.94
16 VAC 25-100-1915.162	16 VAC 25-100-1915.163	16 VAC 25-100-1915.164
16 VAC 25-100-1915.181		

When the regulations, as set forth in the Final Rule for General Working Conditions in Shipyard Employment, Parts 1910 and 1915, and subsequent corrections to §§1910.145 and 1910.147, are applied to the Commissioner of the Department of Labor and Industry and/or to Virginia employers, the following federal terms shall be considered to read as below:

Federal Terms

VOSH Equivalent

29 CFR

VOSH Standard

Assistant Secretary

Commissioner of Labor and
Industry

Agency

Department

August 1, 2011

January 15, 2012

October 31, 2011

April 15, 2012