VOSH PROGRAM DIRECTIVE: 12-265  

Subject: Sawmills, §1910.265; Amendments

Purpose: This directive transmits to field personnel amendments to the Sawmills standard, which resulted from the adoption of the Final Rule on Walking-Working Surfaces (81 FR 82494, 18 November 2016).

This Program Directive is an internal guideline, not a statutory or regulatory rule, and is intended to provide instructions to VOSH personnel regarding internal operation of the Virginia Occupational Safety and Health Program and is solely for the benefit of the program. This document is not subject to the Virginia Register Act or the Administrative Process Act; it does not have general application and is not being enforced as having the force of law.

Scope: This Directive applies VOSH-wide.

Reference: 81 FR 82494, 18 November 2016

Cancellation: Not Applicable

Effective Date: 01 April 2018

Expiry Date: Not Applicable

Action: Directors and Managers shall ensure that field personnel understand and comply with the policies and procedures established in this Directive and that they are uniformly administered.

C. Ray Davenport  
Commissioner

Distribution:  
Commissioner of Labor and Industry  
Assistant Commissioner-Programs  
VOSH Directors and Managers  
VOSH DLS and OIS Staffs  
Consultation Programs Manager  
VOSH Compliance & Cooperative Programs Staffs  
OSHA Region III & OSHA Norfolk Area Offices
When the guidelines, as set forth in this Program Directive, are applied to the Commissioner of the Department of Labor and Industry and/or to Virginia employers, the following federal terms if, and where they are used, shall be considered to read as below:

<table>
<thead>
<tr>
<th>Federal Terms</th>
<th>VOSH Equivalent</th>
</tr>
</thead>
<tbody>
<tr>
<td>OSHA</td>
<td>VOSH</td>
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<tr>
<td>Federal Agency</td>
<td>State Agency</td>
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<td>Department</td>
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<tr>
<td>Regional Administrator</td>
<td>Assistant Commissioner</td>
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<td>Area Director</td>
<td>Regional Director</td>
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<td>VOSH Program Director</td>
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<tr>
<td>Regional Solicitor</td>
<td>Attorney General or VOSH</td>
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<td>Division of Legal Support (DLS)</td>
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<tr>
<td>Office of Statistics</td>
<td>VOSH Research and Analysis</td>
</tr>
<tr>
<td>29 CFR</td>
<td>VOSH Standard</td>
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<tr>
<td>Compliance Safety and Health Officer (CSHO)</td>
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</tbody>
</table>
I. Background

On November 18, 2016, federal OSHA published its new Final Rule on Walking-Working Surfaces (81 FR 82494), which also impacted §1910.265, Sawmills, in Subpart R – Special Industries.

On February 16, 2017, the Safety and Health Codes Board adopted the new Final Rule on Walking-Working Surfaces and its resulting amendment to §1910.265, Sawmills, with an effective date of May 15, 2017.

II. Summary

In addition to promulgating the new standard on Walking-Working Surfaces, federal OSHA amended §1910.265, Sawmills, by revising paragraphs (c)(4)(v), (c)(5)(i), and (f)(6) to reference Subpart D, Walking-Working Surfaces, §§1910.21 through 1910.30, to ensure that employers comply with all of the applicable general industry ladder requirements.

To access the Final Rule for the Walking-Working Surfaces and Personal Protective Equipment (Fall Protection Systems) and the Amendments to the Sawmills standard, please click on the link below:

SAWMILLS; Amendments

As Adopted by the

Safety and Health Codes Board

Date: 16 February 2017

VIRGINIA OCCUPATIONAL SAFETY AND HEALTH PROGRAM

VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY

Effective Date: 15 May 2017

16VAC25-1910.265, Sawmills
When the regulations, as set forth in the amendments to the standard on Sawmills, §1910.265, 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:

<table>
<thead>
<tr>
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<tbody>
<tr>
<td>29 CFR</td>
<td>VOSH Standard</td>
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<tr>
<td>Assistant Secretary</td>
<td>Commissioner of Labor and Industry</td>
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<td>Agency</td>
<td>Department</td>
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<td>17 January 2017</td>
<td>15 February 2017</td>
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</tbody>
</table>
19. In § 1910.265, revise paragraphs (c)(4)(v), (c)(5)(l), and (f)(6) to read as follows:

§ 1910.265 Sawmills.

(c) * * * *  
(4) * * *  
(v) Elevated platforms. Where elevated platforms are used routinely on a daily basis, they shall be equipped with stairways or fixed ladders that comply with subpart D of this part.  
* * * *  
(5) * * *  
(l) Construction. Stairways shall be constructed in accordance with subpart D of this part. 
* * * *  
(f) * * *  
(6) Ladders. A fixed ladder complying with the requirements of subpart D of this part, or other adequate means, shall be provided to permit access to the roof. Where controls and machinery are mounted on the roof, a permanent stairway with standard handrail shall be installed in accordance with the requirements in subpart D.