



MINUTES  
KENTUCKY OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD  
PUBLIC MEETING

The annual meeting of the Kentucky Occupational Safety and Health Standards Board was held in the Conference Room B at The Kentucky Higher Education Assistance Authority in Frankfort, Kentucky on Tuesday, August 24, 2010 at 1:00 p.m.

Chairman J. R. Gray called the meeting to order. Ms. Lisa Barker called the roll. The following members were in attendance: Mr. John Brothers, Mr. David Hart, Ms. Donna Haynes, Ms. Alison Muth, Mr. Vaughn Plummer, Ms. Donna Ringo, Mr. Isa Shabazz, Ms. Savannah Wade, and Ms. Pamla Wood.

Chairman Gray acknowledged the first item on the agenda to approve the Minutes from the last meeting on May 4, 2010. The Chairman asked for comments or proposed changes and there were none. Chairman Gray asked for a motion to be made. Ms. Haynes made the motion, seconded by Mr. Plummer. The Chairman called for discussion, hearing none; he called for a vote. The motion passed unanimously.

Chairman Gray called for Old Business. Hearing none, he moved to the next agenda item.

Chairman Gray recognized Mr. Bob Elkins, Safety Standards Specialist, Kentucky Labor Cabinet to brief the Board regarding "Cranes and Derricks in Construction;" final rule published in the August 9, 2010 *Federal Register*. The rationale behind this standard involves about 8,000 crane wrecks every year with some there may be equipment damage and some loss of life. There are approximately 89 crane related fatalities each year according to OSHA information. There are four main causes of death and incidents related to cranes and derricks which are electrocutions, crushed by, struck by and falls. The standard encompasses five major changes. The first is the third party qualified or certified operator. The second is the qualified rigger. The third is qualified signal persons. The fourth is increased inspection requirements. The fifth is ground condition requirements. There are shift and monthly inspections done by competent persons and annual inspections done by qualified persons. Operators will have four years to obtain an accredited certification. Riggers and signal persons have to be qualified 90 days after August 9, 2010. This standard only pertains to construction. With this final rule, OSHA is estimating prevention of 22 fatalities and up to 175 serious but non-fatal injuries annually. [Adoption of this final rule is required.] Adoption will amend Kentucky Administrative Regulations (KAR) 803 KAR 2:400, 2:402, 2:411, 2:412, 2:413, 2:414, 2:417, 2:418, 2:419, 2:421, and 2:423. It will allow the creation of 803 KAR 2:430, 2:505 and 2:550. Mr. Elkins asked for questions. Mr. Brothers asked for clarification on the distinction between construction work and maintenance. Mr. Elkins and Mr. Chuck Stribling, OSH Federal-State Coordinator both respond.

Chairman Gray asked for other questions and there being none, called for a motion to accept Mr. Elkins' report and approve the standard as written. Mr. Brothers made the motion, seconded by Ms. Muth. The Chairman asked for other discussion or questions. Ms. Muth offered a clarification. Chairman Gray asked for other questions or discussion and there being none, called for a vote. The motion passed unanimously.

Chairman Gray recognized Mr. Elkins again to brief the Board regarding "Safety Standards for Steel Erection," final rule; technical amendment published in the May 17, 2010 *Federal Register*. This is due to a terrible accident while work was being done on a bridge. A steel girder fell killing 3 people in an automobile on the highway underneath. The National Safety Board investigation found the bracing was not adequate. In addition, the Highway Administration Standards, if followed would have prevented the accident. OSHA is in the business of protecting employees, not protecting the public but this is viewed as the same. The Kentucky Occupational Safety and Health Program supports the adoption of this final rule. [If adopted, the direct final rule would amend Kentucky Administrative Regulations (KAR) 803 KAR 2:417.]

Chairman Gray asked for questions or discussion and there being none, called for a motion. Ms. Haynes made the motion, seconded by Ms. Wade. The Chairman asked for discussion and hearing none, called for a vote. The motion passed unanimously.

Chairman Gray called for announcements or comments.

Chairman Gray declared the meeting adjourned at 1:43 p.m.