

November 15, 2006

Proposed Changes - Consensus Standards In Maritime/Shipyard Employment

Oregon OSHA proposes to adopt the Federal OSHA changes as they appear in the October 17, 2006 Federal Register. These changes enhance the fire protection in shipyard employment standard (Division 5, Maritime, CFR 1915) by requiring employers to comply with the newer standards, which may be even more protective than the older standards. Federal OSHA states these changes will not result in additional compliance costs. Although Federal OSHA has jurisdiction over most marine activity, Oregon OSHA must remain at least as effective as the federal standard. Therefore, we propose to adopt the federal changes in Oregon.

When does this happen: Adoption will be in January 2007, with an effective date of January 16, 2007.

To get a copy: Our web site - www.orosha.org Rules/Compliance – Proposed Rules
Telephone - 503-378-3272, OR-OSHA Resource Center

To comment: Department of Consumer and Business Services/Oregon OSHA
350 Winter Street NE
Salem, OR 97301-3882
Email - tech.web@state.or.us
Fax - 503-947-7461

Comment period closes: **December 22, 2006**

OR-OSHA contact: **Ron Preece @ 503-378-3272, Central Office**

NOTE: In compliance with the Americans with Disabilities Act (ADA), this publication is available in alternate formats by calling 503-378-3272.

Secretary of State
NOTICE OF PROPOSED RULEMAKING*

A Statement of Need and Fiscal Impact accompanies this form.

Department of Consumer and Business Services/Oregon OSHA

Agency and Division

OAR 437

Administrative Rules Chapter Number

Sue Joye

Rules Coordinator

350 Winter Street NE Salem OR 97301-3882

Address

503-947-7449

Telephone

RULE CAPTION

Propose to adopt Federal OSHA's updating of consensus standards in Maritime

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

AMEND: OAR 437-005-0001

ORS 654.025(2) and 656.726(4)

Stat. Auth.

ORS 654.001 through 654.295

Stats. Implemented

RULE SUMMARY

Oregon OSHA proposes to adopt the Federal OSHA changes as they appear in the October 17, 2006 Federal Register. These changes enhance the fire protection in shipyard employment standard (Division 5, Maritime, CFR 1915) by requiring employers to comply with the newer standards, which may be even more protective than the older standards. Federal OSHA states these changes will not result in additional compliance costs. Although Federal OSHA has jurisdiction over most marine activity, Oregon OSHA must remain at least as effective as the federal standard. Therefore, we propose to adopt the federal changes in Oregon.

This will have a delayed effective date of January 16, 2007.

Please visit our web site www.orosha.org Click 'Rules & Laws' in the left vertical column and view our proposed, adopted, and final rules.

A public rulemaking hearing may be requested in writing by 10 or more people, or by an association with 10 or more members, within 21 days following the publication of the Notice of Proposed Rulemaking in the *Oregon Bulletin* or 28 days from the date Notice was sent to people on the agency mailing list, whichever is later. If sufficient hearing requests are received, the notice of the date and time of the rulemaking hearing must be published in the *Oregon Bulletin* at least 14 days before the hearing.

The agency requests public comment on whether other options should be considered for achieving the rule's substantive goals while reducing the negative economic impact of the rule on business.

/s/Michael D. Wood

Signature

December 22, 2006

Last Day for Public Comment

Last day to submit written comments to the Rules Coordinator

Michael D. Wood

Printed name

11/13/06

Date

*The *Oregon Bulletin* is published on the 1st of each month and updates the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00pm on the preceding workday.

ARC 923-2005

STATEMENT OF NEED AND FISCAL IMPACT

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Department of Consumer and Business Services/OR-OSHA

Agency and Division

OAR 437

Administrative Rules Chapter Number

In the Matter of: Amending OAR 437-005-0001

Rule Caption: (Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.)

Propose to adopt Federal OSHA's updating of consensus standards in Maritime

Statutory Authority: ORS 654.025(2) and 656.726(4)

Other Authority:

Stats. Implemented: ORS 654.001 through 654.295

Need for the Rule(s):

Oregon OSHA's standards must be at least as effective as Federal OSHA's, therefore we propose to adopt these changes as they appear in the October 17, 2006 Federal Register.

Documents Relied Upon, and where they are available:

OAR 437-005, Division 5, Maritime Activities

Federal Register, 10/17/06, vol. 71, no. 200, p. 60843

Fiscal and Economic Impact, including Statement of Cost of Compliance:

Based on their findings, Federal OSHA concludes that incorporating the new versions of the NFPA standards will not impose any additional costs on any private or public sector entity.

How were small businesses involved in the development of this rule?

Because the rule imposes no additional costs on employers, Federal OSHA certifies that it would not have a significant impact on a substantial number of small entities.

Administrative Rule Advisory Committee consulted?: No.

If not, why?: Not necessary with this nature of rulemaking.

/s/Michael D. Wood

Authorized Signer

Michael D. Wood

Printed name

11/13/06

Date