

Comments sent to SOS_RFI@nist.gov "Standardization feedback for Sub-Committee on Standards."

Ajit Jillavenkatesa, 100 Bureau Drive,
Stop 1060, Gaithersburg, MD 20899-1060, 301-975-8519,
ajit.jilla@nist.gov.

Response for: National Institute of Standards and Technology, Department of Commerce, request for information:

"Effectiveness of Federal Agency Participation in Standardization in Select Technology Sectors for National Science and Technology Council's Sub-Committee on Standardization"

Response:

The Occupational Safety and Health Administration needs to be encouraged to incorporate by reference existing and future ANSI and ISEA voluntary consensus standards. The ANSI and ISEA standards must remain current to within a five-year period. These voluntary consensus standards are developed by persons with expertise and with public comment. Neither the public nor the voluntary standards committee members are paid for their contributions.

The Occupational Safety and Health Act has no provisions for their government unique standards to be current. To utilize these and other voluntary consensus standards would enable OSHA to redirect their resources from standards writing to education and enforcement, or to as direct cost savings (estimated from OPM 2010 pay tables, 5 GS/GM 15's + 15 GS 14's + 15 GS 13's + 5 (contractors and administrative staff average GS 9) equivalent \approx \$ 3,790,600 per year. An estimated cost of \$75 per voluntary consensus standard or a site purchase for public use could be less than the expense to produce an OSHA standard, on average of every six to 17 years.).

Several voluntary consensus standards related to safety and health procedures for construction workers exist or are soon to be published for performing electrical transmission work, nuclear facility

rehabilitation/reconditioning/new construction at existing facilities, occupational and emergency health protections for those not in the medical professions, emergency planning and incident command interaction, etc., such as:

- A10.3 Powder-Actuated Fastening Systems
- A10.17 Safe Operating Practices for Hot Mix Asphalt (HMA) Construction
- A10.19 Pile Installation and Extraction Operations
- A10.20 Ceramic Tile, Terrazzo, and Marble Work
- A10.21 Safe Construction Demolition of Wind Generation/Turbine Facilities (under development)
- A10.23 Safety Requirements for the Installation of Drilled Shafts (under development)
- A10.25 Sanitation in Construction
- A10.26 Emergency Procedures for Construction Sites (under development)
- A10.27 Hot Mix Asphalt Facilities
- A10.29 Aerial Platforms in Construction (under development)
- A10.32 Personal Fall Protection Used in Construction and Demolition Operations
- A10.33 Safety and Health Program Requirements for Multi-Employer Projects
- A10.34 Public Protection
- A10.39 Construction Safety and Health Audit Program
- A10.40 Reduction of Musculoskeletal Problems in Construction
- A10.41 Equipment Operator and Supervisor Qualifications and Responsibilities (under development)
- A10.42 Rigging Qualifications and Responsibilities in the Construction Industry
- A10.43 Confined Spaces in Construction (under development)
- A10.44 Lockout/Tagout in Construction
- A10.46 Hearing Loss Prevention
- A10.47 Highway Construction Safety
- A10.48 Communication Tower Erection (under development)
- A10.49 Control of Health Hazards (under development)

Direct utilization of voluntary consensus standards by OSHA would benefit many industries in addition to the construction industry. The DOL reports for the Executive Order A119 (OMB Circular A-119) and the "National Technology Transfer and Advancement Act of 1995" (Pub. L. 104-113), beginning after the issuance of these documents in 1997, show few incorporated or fully utilized referenced voluntary consensus standards. In these DOL reports, one ANSI, A10 standard (A10.13) has been cited by DOL for the past eight years (not including 2010)

as being incorporated by reference, however, this voluntary consensus standard neither is incorporated by reference nor appears in the OSHA standards (see 29 CFR 1926, Subpart R.)

Selected Sections From, "Department of Labor (DOL) Fiscal Year 2009 Agency Report." Columns with different numbers reflect number changes in the numbering of the Agency Reporting forms; NA indicates the question changed content or no longer appeared.

	Government Unique Standard: ... 2009, #2-9 2008, #2-8 2007, #2-8 2006, #2-6 2005, #2-5 2004, #1-4 2003, #1-2 2002, #1-2 2001, #2 2000, #1 1999, #1 1989, #1 1997, #1	Comment by commenter	#3 ... (VCS) your agency substituted for Government Unique Standards (GUS) ...		#9 Please provide any conformity assessment activities ...	# 10 ... uses ... guidance ...update ...
2009	(Incorporated: 2002) ... ANSI A10.13	Not "Incorporated by Reference"	0	NA	No commentno...no...
2008	(Incorporated: 2002) ... ANSI A10.13	Not "Incorporated by Reference"	0	NA	No commentno...no...
2007	(Incorporated: 2002) ... ANSI A10.13	Not "Incorporated by Reference"	0	NA	No commentno...no...
2006	(Incorporated: 2002) ... ANSI A10.13	Not "Incorporated by Reference"	0	NA	No commentno...no...
2005	(Incorporated: 2002) ... ANSI A10.13	Not "Incorporated by Reference"	0	NA	No commentno...no...
2004	(Incorporated: 2002) ... ANSI	Not "Incorporated by Reference"	0	NA	No commentno...no...

	A10.13					
2003	(Incorporated: 2002) ... ANSI A10.13	Not "Incorporated by Reference"	0	#6-1 reports its use Response: Only first time use ...	#9 ... examples or case studies of standards successes ... attempts to update over 200 national consensus standards that were incorporated by reference ... over 30 years old.	#10 Note, different question than #10 above.
2002	(Incorporated: 2002) ... ANSI A10.13	Not "Incorporated by Reference"	0	#6-1 reports its use Response: Only first time use ...	No comment.	#10 Note, different question than #10 above.
2001	0	NA	Now #2 Response, 0	NA	#8 ...examples ... Response, None.	#10 Note, different question than #10 above.
2000	0	NA	Now #2 Response, 0	NA	#8 ...examples ... Response, None.	#10 Note, different question than #10 above.
1999	0	NA	Now #2 Response, 0	NA	NA	NA
1998	0	NA	Now #2 Response, 0	NA	NA	NA
1997	0	NA	Now #2 Response, 0	NA	NA	NA

There is an industry need for updated occupational safety and health standards. The use of voluntary consensus standards addresses this need for guidance that addresses new hazards, equipment, processes, and procedures. The Occupational Safety and Health Administration should be encouraged to utilize this professional resource.

Sincerely,

Camille Villanova, Occupational Safety and Health Consultant
P. O. Box 9804
Alexandria, VA 22304
202-255-6194