

# **Legislative Regulation Review Committee**

2009-036

Department of Labor

**SAFETY & HEALTH STANDARDS FOR  
SHIPBREAKING & LONGSHORING**

REGULATIONS OF CONNECTICUT STATE AGENCIES  
TITLE 31. LABOR  
DEPARTMENT OF LABOR  
OCCUPATIONAL SAFETY AND HEALTH STANDARDS

Section 1. Section 31-372-104-1917 of the Regulations of Connecticut State Agencies is amended by adding the following:

**Section 31-372-104-1917. Safety and health standards for Shipbreaking**

<u>Standard Affected</u>	<u>Subject</u>	<u>Fed. Reg. Date</u>	<u>Action</u>
1917	Authority	12/10/08	Amended
1917.71	Terminals handling intermodal containers or roll-on roll-off operations	12/10/08	Amended

Sec. 2. Section 31-372-105-1918 of the Regulations of Connecticut State Agencies is amended by adding the following:

**Section 31-372-105-1918. Safety and Health Regulations for Longshoring**

<u>Standard Affected</u>	<u>Subject</u>	<u>Fed. Reg. Date</u>	<u>Action</u>
1918	Authority	12/10/08	Amended
1918.85	Containerized cargo operations	12/10/08	Amended

**Statement of Purpose:** The adoption by reference of these revisions to the Federal Occupational Safety and Health Standards will serve to update Connecticut Occupational Safety and Health Standards in accordance with Section 31-372 of the Connecticut General Statutes. On December 10, 2008, the federal Occupational Safety and Health Administration published its intent to adopt revisions to specified standards relating to vertical tandem lifts. The standard revisions became effective in private sector employment on April 9, 2009.

Conn. Gen. Stat. 31-372 requires, as an element of Connecticut's approved Public Sector-Only State Plan, that the Department of Labor's Occupational Safety and Health Division (CONN-OSHA) adopt all occupational health and safety standards, amendments or changes adopted or recognized by the United States Secretary of Labor under the authority of the Occupational Safety and Health Act of 1970.

These proposed adoptions by reference revise the marine terminals standard and related longshoring standards to include new requirements related to the practice of lifting two intermodal containers together, one on top of the other, connected by semiautomatic twistlocks (SATLs). This practice is known as vertical tandem lift (VTL). This revised standard permits VTLs of not more than two empty containers provided certain safeguards are followed. In promulgating the final rule, OSHA deemed that the limitations in the final rule would substantially reduce the risk to employees of performing VTLs and were necessary to protect workers from the significant risk of death or injury inherent in the procedure.

**CERTIFICATION**

R-39 REV. 1/77

Be it known that the foregoing:

Regulations  Emergency Regulations

Are:

Adopted  Amended as hereinabove stated  Repealed

By the aforesaid agency pursuant to:

Section 31-372 of the General Statutes.

Section of the General Statutes, as amended by Public Act No. of the Public Acts.

Public Act No.

After publication in the Connecticut Law Journal on March 17, 2009 of the notice of the proposal to:

Adopt  Amend  Repeal such regulations

(If applicable):  And the holding of an advertised public hearing on April 15, 2009.

WHEREFORE, the foregoing regulations are hereby:

Adopted  Amended as hereinabove stated  Repealed

Effective:

When filed with the Secretary of the State.

(OR)

the day of 2008.

In Witness Whereof: | Date | Signed (Head of Board, Agency or Commissioner) | Official Title,  
Duly Authorized

4/21/09 [Signature]

Approved by the Attorney General as to legal sufficiency | Signed | Official Title, Duly in  
accordance with Sec. 4-169, as amended, C.G.S. | Authorized

[Signature] 5/14/09 ATTORNEY GENERAL

Approved

Disapproved

Disapproved in part, (Indicate Section Numbers disapproved only)

Rejected without prejudice

By the Legislative Regulation Review Committee in accordance | Date | Signed (Clerk of the Legislative  
with Sec. 4-170, as amended, of the General Statutes  
Regulation Review Committee)

Two certified copies received and filed, and one such copy forwarded to the Commission on Official Legal  
Publications in accordance with Section 4-172, as amended, of the General Statutes.

Date | Signed (Secretary of the State) | By

Instructions

1. One copy of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the Attorney General for his determination of legal sufficiency. Section 4-169 of the General Statutes.
2. Seventeen copies of all regulations for adoption, amendment or repeal, except emergency regulations, must be presented to the standing Legislative Regulation Review Committee for its approval. Section 4-170 of the General Statutes.
3. Each regulation must be in the form intended for publication and must include the appropriate regulation section number and section heading. Section 4-172 of the General Statutes.
4. Indicate by "(NEW)" in heading if new regulation. Amended regulation must contain new language in capital letters and deleted language in brackets. Section 4-170 of the General Statutes.