

agreement in accordance with paragraph (g) of this section.

8. A new § 405.244-1 is added, to read as follows:

§ 405.244-1 Payment of supplementary medical insurance benefits; kidney donor services.

Notwithstanding any other provisions in this title, there are no deductible or coinsurance requirements with respect to services furnished to an individual in connection with the donation of a kidney for transplant surgery.

9. Section 405.250 is amended by revising the heading and paragraphs (a) and (b), and by adding a new paragraph (c) to read as follows:

§ 405.250 Procedures for payment; medical and other health services furnished by participating provider or ESRD facility home health services.

Payment for medical and other health services (see §§ 405.230(a)(3), 405.231, and 405.232), and for home health services (see §§ 405.230(a)(4), 405.233 through 405.236), furnished by a participating provider of services is made to such provider only if:

(a) A written request for payment is filed by or on behalf of the individual to whom the services were furnished to have such payment made;

(b) A physician certifies and recertifies when required (see subpart P of this part) that:

(1) In the case of medical and other health services (except certain outpatient services specified in § 405.231 (c), (k), and (l) and institutional or home dialysis services specified in § 405.231 (o) and (p)), such services were medically required; or

(3) In the case of outpatient physical therapy and speech pathology services:

(iii) Such services were furnished while the individual was under the care of a physician; and

(c) In the case of home dialysis support services (see § 405.231 (p), (3) and (4)), the services are furnished in accordance with a written plan prepared and periodically reviewed by a team that includes the patient's physician and other professionals familiar with the patient's condition (see § 405.2137(b)(2)).

10. Section 405.251 is amended by revising the heading, introductory sentence, and paragraphs (a) and (b), to read as follows:

§ 405.251 Procedures for payment; medical and other health services furnished by other than a participating provider or ESRD facility.

Payment for medical and other health services furnished by a person or organization other than a participating provider of services of ESRD facility may be made to the individual who incurred such expenses, or to the person or organization that provided such services, under the following circumstances:

(a) *Payment to the individual.* Payment may be made to an individual who incurred expenses for medical and other health services furnished him by a person or organization other than a participating provider of services or ESRD facility, if:

(1) He files a written request for payment;

(2) An itemized bill (which may be receipted or unpaid) is submitted which shows in detail the services furnished; and

(3) The items or services furnished such individual are "medical and other health services" (including "emergency outpatient services," if payment cannot be made under the provisions of § 405.249 solely because the hospital furnishing such services has not elect-

ed to claim such payment) for which payment may be made under the provisions set forth in § 405.230(a) (1) and (2).

(b) *Payment to the person who furnished the services.* Payment in the amount determined in accordance with § 405.240 may be made to a person or organization, other than a participating provider of services or ESRD facility, that furnishes an enrolled individual medical and other health services for which payment may be made under the provisions set forth in §§ 405.230(a) (1) and (2), 405.231, and 405.232, if:

11. The appendix to subpart B is deleted.

APPENDIX (DELETED)

12. A new § 405.906 is added, to read as follows:

§ 405.906 Premiums not required for certain kidney donors.

Notwithstanding any other provisions in this title, no premiums are required from a kidney donor who is eligible for benefits in connection with kidney transplant surgery, solely on the basis of section 1881(d) of the Act. A kidney donor enrolled for Medicare part B benefits is not relieved of liability for premiums by virtue of his or her donating a kidney.

(Secs. 1861(s)(2)(F), 1881(b)(1)(B), (4), (5), (6), and (7), 1881(d), and 1881(e) (42 U.S.C. 1395x).)

(Catalog of Federal Domestic Assistance Program No. 13.773, Medicare—Hospital Insurance; and 13.774, Medicare—Supplementary Insurance.)

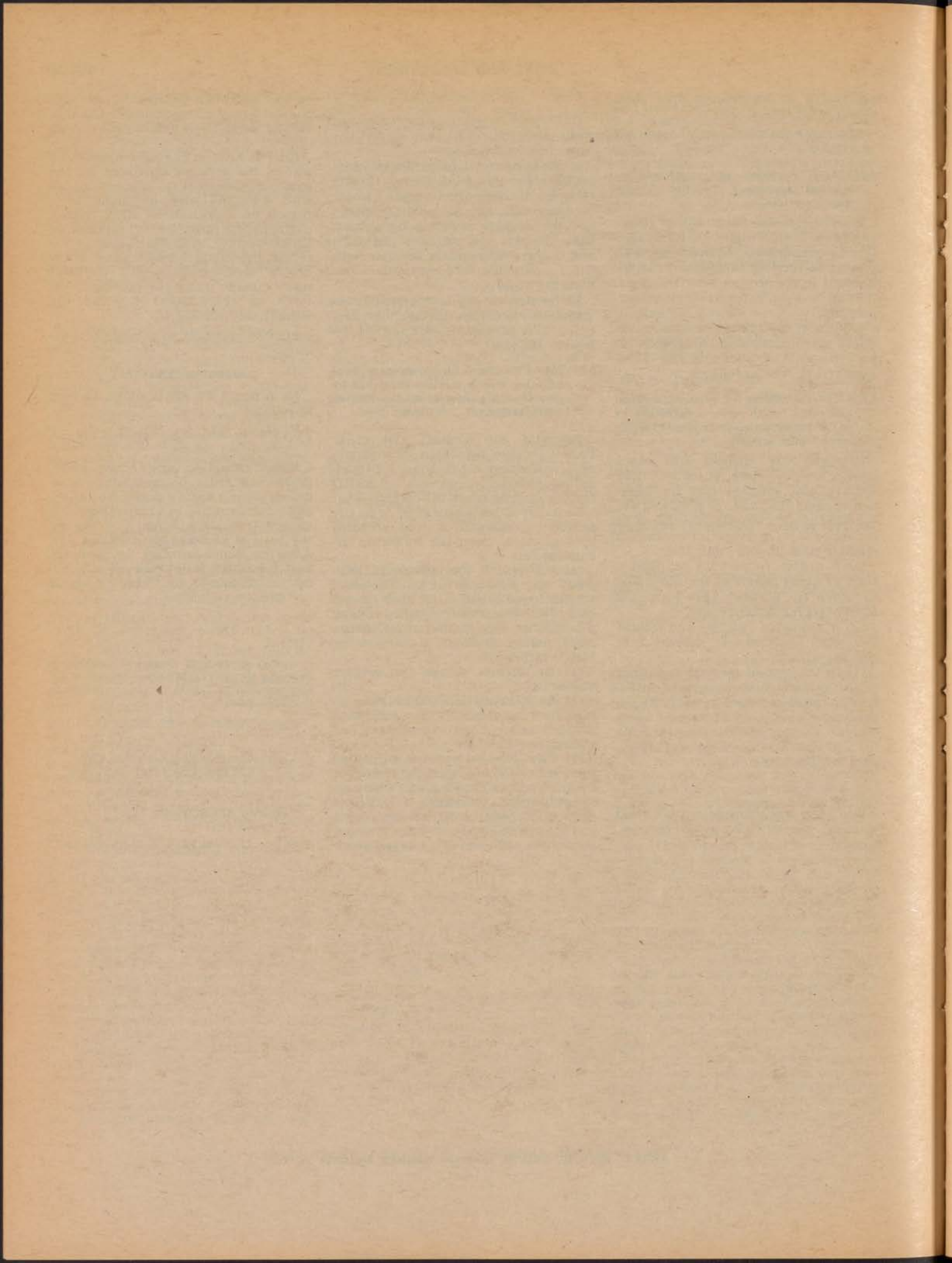
Dated: September 27, 1978.

ROBERT A. DERZON,
Administrator, Health Care
Financing Administration.

Approved: October 18, 1978.

JOSEPH A. CALIFANO, Jr.,
Secretary.

[FR Doc. 78-29965 Filed 10-23-78; 8:45 am]



Registered
Proprietary

TUESDAY, OCTOBER 24, 1978

PART VIII



**DEPARTMENT OF
LABOR**

**Occupational Safety and
Health Administration**



**SELECTED GENERAL AND
SPECIAL (COOPERAGE
AND LAUNDRY
MACHINERY, AND
BAKERY EQUIPMENT)
INDUSTRY SAFETY AND
HEALTH STANDARDS**

Revocation

[4510-26-M]

Title 29—Labor

CHAPTER XVII—OCCUPATIONAL
SAFETY AND HEALTH ADMINIS-
TRATION, DEPARTMENT OF LABORPART 1910—OCCUPATIONAL SAFETY
AND HEALTH STANDARDSSelected General Industry Safety and
Health Standards; Revocation

AGENCY: Occupational Safety and Health Administration, Department of Labor.

ACTION: Final rule.

SUMMARY: This final rule revokes certain general industry safety and health standards codified in 29 CFR Part 1910. These standards are among those proposed for revocation on December 13, 1977 (42 FR 62734). OSHA has determined that revocation of most of the provisions proposed for revocation will better effectuate the purposes of the Occupational Safety and Health Act by allowing OSHA to concentrate its enforcement resources on hazards which have greater significance and impact on exposed employees. The Agency believes that this action will likewise permit both employers and employees to focus their attention toward the elimination or reduction of the more significant hazards in the workplace. OSHA has also determined that revocation of certain of those standards proposed for revocation would not be beneficial to employee safety or health, and therefore these requirements have been retained in the best interest of worker protection.

EFFECTIVE DATE: November 24, 1978.

FOR FURTHER INFORMATION
CONTACT:

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SUPPLEMENTARY INFORMATION:

I. BACKGROUND

In order to assure safe and healthful working conditions for working men and women, the United States Congress enacted in 1970 the Occupational Safety and Health Act (the Act) (84 Stat. 1590, 29 U.S.C. 651 *et seq.*). Among other things, the Act authorized the Secretary of Labor " * * * to set mandatory occupational safety and health standards applicable to businesses affecting interstate com-

merce. * * * " (Section 2(b)(3) of the Act, 29 U.S.C. 651). Cognizant of the necessity of creating a speedy mechanism to issue standards expeditiously upon the statute's effective date, Congress in Section 6(a) of the Act authorized the Secretary " * * * [to] promulgate as an occupational safety or health standard any national consensus standard. * * * " 29 U.S.C. 655(a).

Following this Congressional direction, OSHA promulgated its initial occupational safety and health standards for General Industry on May 29, 1971, as 29 CFR Part 1910 (36 FR 10466). These standards were derived primarily from national consensus standards which were originally developed by such voluntary nongovernmental organizations as the American National Standards Institute (ANSI) and the National Fire Protection Association (NFPA). OSHA also adopted, as occupational safety and health standards, established Federal standards previously issued under several prior Acts of Congress; however, none of the standards derived from such established Federal standards were proposed for revocation in this rulemaking.

Since the adoption of these consensus standards, OSHA has received comments from many affected parties concerning the effectiveness, relevance, and applicability of a large number of their provisions. In the appropriations bill for fiscal year 1977, Congress specifically directed OSHA to eliminate "so-called 'nuisance standards' or standards which do not deal with workplace conditions that are clearly hazardous to the health or safety of workers or are more properly under the jurisdiction of State Departments of Public Health." More recently, President Carter ordered the Executive Departments to reduce and simplify the existing body of governmental regulations.

The Secretary of Labor and the Assistant Secretary for Occupational Safety and Health have responded to this mandate by reviewing the Agency's regulations and regulatory policy and redirecting its enforcement efforts toward more significant safety and health hazards. Among the initial steps was the creation of a task force charged with identifying and recommending to the Assistant Secretary provisions within 29 CFR Part 1910 (General Industry Safety and Health Standards) which should be modified. In order to achieve its first goals expeditiously, the Agency sought to identify those provisions within Part 1910 where the desired modification could be accomplished through the simple revocation of one or more provisions. The task force review culminated in two proposals to revoke a total of approximately 1,100 regulatory require-

ments. The proposals were announced on December 5, 1977, and published in the FEDERAL REGISTER on December 13, 1977 (42 FR 62734 and 42 FR 62892). The first proposal (Docket S-250), proposed to revoke selected standards of general applicability; the second (Docket S-251), involving special industry standards, proposed to revoke in their entirety 29 CFR 1910.214 (cooperage machinery), 1910.263 (bakery equipment), and 1910.264 (laundry machinery and operations). The standards proposed for revocation were all provisions derived from national consensus standards promulgated pursuant to section 6(a) of the Act.

In addition to these rulemakings, the Agency is continuing its on-going review of each Subpart of Part 1910 which subsequently will result in comprehensive revisions of 29 CFR Part 1910 (General Industry). In revising these subparts, the Agency intends to develop and promulgate new standards which will concentrate on the more serious safety hazards facing employees. Efforts will also be made to simplify regulatory language and eliminate detail wherever possible. OSHA believes that this will facilitate compliance, improve enforcement, and increase employee protection.

II. PROCEDURAL HISTORY

The December 13, 1977 proposal provided for a comment period continuing through March 3, 1978. Interested parties representing both employees and employers individually requested that this be extended to May 3, 1978. After reviewing such requests OSHA extended the comment period to May 3, 1978 (43 FR 9830, 43 FR 9831, March 10, 1978) for both Docket Nos. S-250 and S-251.

During the comment period, OSHA also received requests from several labor organizations to discuss the standards proposed for revocation. The requests were granted and meetings were conducted during the period March 13-23, 1978. Individual OSHA staff members presented the Agency's position regarding specific provisions proposed for revocation and outlined OSHA's policy objectives. A written memorandum summarizing the meetings was prepared and entered into the public record on April 11, 1978. Similar opportunity was made available to other interested groups. No other persons or groups requested similar meetings.

Eight interested parties filed requests for a hearing on the proposal to revoke general industry standards. Two requests were denied by the Agency in writing; one on the grounds that the nature of the hearing requested was beyond the scope of the particular rulemaking, and also that requesting party failed to substantiate

ly comply with the Agency's rules governing application for public hearing (29 CFR 1911.11 and reprinted in the preamble to the proposal); and second request, likewise for failure to substantially comply with 29 CFR 1911.11. The remaining requests were formally withdrawn by the filing parties. Therefore, no public hearing was held on the proposal.

III. GENERAL FINDINGS OF THE AGENCY AND SUMMARY OF THE FINAL RULE

In response to the many public concerns regarding the effectiveness, relevance, and applicability of these national consensus standards, OSHA has committed itself to a program of developing safety and health standards that more effectively achieve the goals and purposes of the Occupational Safety and Health Act by allowing OSHA to concentrate its enforcement resources on higher hazard industries and operations. As a first step, the Agency is revoking a number of those regulations identified by OSHA which most clearly have no direct or immediately relationship to the safety and health of employees, or are otherwise inappropriate to enforce pursuant to the Agency's statutory purposes.

In taking this action, OSHA has determined that these revocations will permit the Agency to better effectuate the purposes of the Act by focusing Agency resources on hazards which have greater significance and impact on exposed employees. The Agency also believes that this action will likewise permit both employers and employees to focus their attention toward the elimination or reduction of the more significant hazards in the workplace. OSHA believes that the objectives of this rulemaking are being achieved without compromising the health or safety of the affected workers.

For the reasons stated herein, the Agency has determined that the findings of the Secretary in this rulemaking meet the provisions of section 6(b)(8) of the Act, 29 U.S.C. 655.

Several criteria were used in determining which general industry standards should be proposed for revocation. In general, these categories were grouped as to standards which were:

1. Obsolete or inconsequential.
2. Concerned with comfort or convenience.
3. Directed toward public safety or property protection.
4. Subject to enforcement by other regulatory agencies.
5. Contingent on manufacturer's approval or recommendation.
6. Encumbered by unnecessary detail.
7. Adequately covered by other general standards.

A detailed listing identifying the standard proposed for revocation with one or more revocation criteria was prepared by OSHA and filed with its Technical Data Center for public inspection and copying. Notice of this document's availability was made in the preamble to the proposal. These criteria are discussed briefly below.

Criterion No. 1.—Obsolete or inconsequential. Some provisions have clearly become obsolete due to technological change or the expiration of time set forth within the standard itself. In the Agency's judgment, revocation of these provisions would not jeopardize employee safety in the workplace. Other provisions have been shown to be inconsequential to worker safety because they do not impose substantive requirements appropriate for mandatory enforcement by the Agency.

Criterion No. 2.—Concerned with comfort or convenience. Provisions proposed for revocation under this criterion were determined to be directed primarily to the comfort and convenience of employees rather than to safety or health hazards. Although the objectives of these standards may have beneficial consequences, they are not appropriate for enforcement as mandatory requirements under the Occupational Safety and Health Act.

Criterion No. 3.—Directed toward public safety or property protection. Some of the national consensus standards promulgated as OSHA standards are explicitly directed toward property protection or the safety of the general public, rather than employee safety and health. However, the Act defines occupational safety and health standards as standards which provide for "safe and healthful employment and places of employment." Section 3(8) of the Act. Therefore, the Agency proposed for revocation under this criterion provisions which were determined to explicitly and primarily affect the general public or property. However, standards which OSHA has ascertained do directly benefit employee safety or health, notwithstanding any public safety or property aspects, have not been revoked.

Criterion No. 4.—Subject to enforcement by other regulatory agencies. Standards proposed for revocation under this criterion are those which cover situations over which another Federal agency has exercised its statutory authority consistent with section 4(b)(1) of the Act. This section provides that OSHA's jurisdiction over specific working conditions is preempted whenever other Federal agencies "exercise statutory authority to prescribe or enforce standards or regulations affecting occupational safety or health." 29 U.S.C. § 653(b)(1). In addition, section 4(b)(3) of the Act,

which reflects the Act's intent to avoid unnecessary duplication of governmental effort, also supports the revocation of these provisions.

Criterion No. 5.—Contingent on manufacturer's approvals or recommendations. Another group of OSHA standards proposed for revocation specifically requires employers to obtain the written approval of manufacturers for modifications of equipment. Such provisions may also require the employer to follow the manufacturer's instruction or recommendations for the equipment. Standards of this type were revoked based on the following: (1) the standard contained few or no guidelines for the manufacturers' approvals or recommendations; (2) the manufacturers' approval or recommendations appeared to be motivated by concerns only remotely related to employee safety; and/or (3) the standard gave full discretion to the manufacturer, placing OSHA in a difficult position to challenge effectively the appropriateness of the manufacturer's recommendation in an enforcement proceeding.

Criteria Nos. 6.—Encumbered by unnecessary detail and 7.—Adequately covered by other general standards. Numerous provisions and standards proposed for revocation contain very detailed design or construction requirements. These details should not be mandated for all situations. However, OSHA recognizes these highly detailed provisions may still be useful guidelines to be followed whenever appropriate. The revocation of these provisions will permit employers greater flexibility in selecting the specific methods to abate these workplace hazards, including the development of new technology. Moreover, other generally applicable provisions in 29 CFR Part 1910 will provide adequate protection without jeopardizing employee safety or health. In selecting the standards under these criteria, consideration was given to the nature of the operation, the type of hazard involved, and the adequacy of coverage under general standards.

A total of 230 comments were received regarding docket No. S-250. Of these, 58 were received from various trade associations, 89 from management, 22 from labor unions, 21 from other interested persons and 40 from various Governmental sources. Of the comments objecting to the proposed rulemaking, some were general in nature, addressing the concept of rulemaking and/or the criteria used in determining the standards proposed for revocation, while others addressed their objections to specific provisions proposed for revocation. Most of the comments in favor of the proposed rulemaking were general in nature.

OSHA has reviewed the provisions proposed for deletion, considering the criterion which most strongly supports revocation in light of specific public comments in favor of and opposed to revocation. The criteria for revocation of specific provisions were utilized in the following order of descending frequency: Encumbered by unnecessary detail (Criteria 6); Adequately covered by other general standards (Criteria 7); Directed toward public safety or property protection (Criteria 3); Obsolete or inconsequential (Criteria 1); Subject to enforcement by other regulatory agencies (Criteria 4); Contingent on manufacturer's approval or recommendation (Criteria 5); and Concerned with comfort or convenience (Criteria 2). Of the approximately 700 general industry standards proposed for revocation, 607 are being revoked. Upon reexamination of the evidence, OSHA has determined that certain standards proposed for revocation should be retained in the interest of worker protection.

IV. SPECIFIC FINDINGS OF THE SECRETARY

Therefore, in consideration of the evidence and public comments, OSHA has made the following specific determinations regarding the general industry standards proposed for revocation.

SUBPART D—WALKING-WORKING SURFACES

§ 1910.22 General requirements. A large number of commenters objected to the revocation of this provision, citing the dangers of overloading floors, especially balconies. At least two commenters cited specific cases where a building floor had collapsed due to overloading, causing injury to employees. Another commenter noted that this standard is frequently cited by Compliance Safety and Health Officers. Other commenters noted that local building officials should monitor the floor loading and establish appropriate controls to prevent overloading. However, still other commenters noted that building officials are seldom involved except when a building is initially constructed or substantially remodeled. They further implied that only OSHA would be able to detect overloading of floors which would occur during the normal course of building use.

Other commenters suggested a revision of the standard to improve its clarity. OSHA will consider the suggestions for revision and subsequent rulemaking when rewriting this subpart. However, this suggestion goes beyond the scope of this proceeding.

Upon reexamination of the evidence, OSHA has determined that in the best interest of worker protection the fol-

lowing provisions in 1910.22(d) should not be revoked:

Paragraph 1910.22(d)(1).

Paragraph 1910.22(d)(2).

§ 1910.23 Guarding floor and wall openings and holes. The provisions proposed for deletion in this section are concerned with the wood to be used for constructing railings and overhang of rail ends.

Paragraph 1910.23(e)(3) contains a very detailed requirement for the material to be used in the construction of railings which references documents that are unnecessarily detailed, and in some cases, no longer available because they are out of date. Therefore, this paragraph is revoked.

Paragraph 1910.23(e)(3)(v)(d) relates to the elimination of overhang of rail ends. Objections were received to this proposed revocation because those commenting considered that rail end overhang could constitute a hazard in a panic situation. OSHA has reviewed this objection and does not agree that the rail overhang which is prohibited by this provision would constitute a hazard. Therefore, this provision is revoked.

§ 1910.24 Fixed industrial stairs. No comments were received which objected to the proposed revocation of this standard, but two of those commenting suggested a partial deletion or revision of the standard. After reviewing the suggestions of the commenters for a partial deletion or revision of the standard, OSHA disagrees that it is necessary to retain a portion of paragraph 1910.24(k). As currently stated, this provision is inconsequential because it is stated only in terms of the desirability of using an open-grating type tread and cannot be enforced. Furthermore, other acceptable methods are available for providing a non-slip tread on outside stairs. For these reasons, this provision is revoked.

§ 1910.25 Portable wood ladders. This section contains a large number of detailed requirements for the construction, care, and use of common types of portable wood ladders. Comments were received objecting to the revocation of a portion of paragraph 1910.25(b)(1)(i) which contains a reference to Table D-5 that has very detailed requirements concerning the wood used for construction of ladders. OSHA disagrees with these commenters because the portion of this paragraph which is being retained will still provide an adequate assurance that the wood used for construction ladders is of sufficient quality. The revised paragraph will read as follows: "All wood parts shall be free from sharp edges and splinters; sound and free by accepted visual inspection from shake, wane, compression failures, decay or other irregularities. Low density wood shall not be used."

A large number of detailed requirements related to the type of materials to be used in ladder construction, especially the wood used, and the construction details for the ladder, follow in this section. All of the paragraphs proposed for revocation contain unnecessarily detailed information and are beyond the capability of a typical employer to ascertain when buying a wood ladder. The ladder manufacturer may choose from a variety of wood and construction methods to achieve an overall specification for the allowable load guaranteed for the ladder. OSHA compliance efforts can be directed principally toward insuring that the wood is sound and the ladder is stable.

For example, paragraph 1910.25(b)(1)(ii) contains detailed requirements related to permissible irregularities in western hemlock used for ladder construction. This requirement is unnecessarily detailed because the requirements being retained in paragraph 1910.25(b)(1)(i) are sufficient to insure that wood of adequate quality is used for ladder construction.

As another example, paragraph 1910.25(c)(2)(ii)(b) contains unnecessarily detailed construction requirements for ladders. Other equally acceptable methods exist for construction of ladders. It should also be noted, at this point, that OSHA is retaining provisions in paragraph 1910.25(d) which relate to the care and use of ladders. The specific provisions which are being retained in this section will permit OSHA compliance officers to issue citations for ladders which are not maintained adequately to be safe and serviceable regardless of the construction method used. For instance, paragraph 1910.25(d)(1) contains the following requirements which are being retained: "To insure safety and serviceability, the following precautions on the care of ladders shall be observed:

(i) Ladders shall be maintained in good condition at all times, the joint between the steps and side rails shall be tight, all hardware and fittings securely attached and the moveable parts shall operate freely without binding or undue play.

"(ii) Metal bearings of locks, wheels, pulleys, ect., shall be frequently lubricated.

"(iii) Frayed or badly worn rope shall be replaced.

"(iv) Safety feet and other auxiliary equipment shall be kept in good condition to insure proper performance.

"(x) Ladders shall be inspected frequently and those which have developed defects shall be withdrawn from service for repair or destruction and tagged or marked as 'Dangerous, Do Not Use.'

"(xi) Rungs shall be kept free of greases and oil."

OSHA believes that these provisions which are being retained provide adequate requirements for insuring the safety of wood ladders.

Paragraphs 1910.25(d)(1)(v) 1910.25(d)(1)(vi), and 1910.25(d)(1)(vii), 1910.25(d)(1)(viii), and 1910.25(b)(1)(ix) all contain recommended precautions for the storage, painting and transporting of wood ladders. They are considered to be unnecessary details and are revoked.

Paragraph (b)(1)(ii) of 1910.25 is revoked.

Paragraph (b)(2)(i) of 1910.25 is revoked.

Paragraph (b)(2)(ii) of 1910.25 is revoked.

Paragraph (b)(2)(iii) of 1910.25 is revoked.

Paragraph (b)(2)(iv) of 1910.25 is revoked.

Paragraph (b)(2)(v) of 1910.25 is revoked.

Paragraph (b)(3)(i) of 1910.25 is revoked.

Paragraph (b)(3)(ii) of 1910.25 is revoked.

Paragraph (b)(3)(iii) of 1910.25 is revoked.

Paragraph (b)(4) of 1910.25 is revoked.

Paragraph (b)(4)(i) of 1910.25 is revoked.

Paragraph (b)(4)(ii) of 1910.25 is revoked.

Paragraph (b)(5) of 1910.25 is revoked.

Paragraph (c)(1)(i) of 1910.25 is revoked.

Paragraph (c)(1)(ii) of 1910.25 is revoked.

Paragraph (c)(1)(iii) of 1910.25 is revoked.

Paragraph (c)(1)(iii)(a) of 1910.25 is revoked.

Paragraph (c)(1)(iii)(b) of 1910.25 is revoked.

Paragraph (c)(1)(iii)(c) of 1910.25 is revoked.

Paragraph (c)(1)(iii)(d) of 1910.25 is revoked.

Paragraph (c)(2)(i)(a) of 1910.25 is revoked.

Paragraph (c)(2)(i)(d) of 1910.25 is revoked.

Paragraph (c)(2)(i)(e) of 1910.25 is revoked.

Paragraph (c)(2)(i)(g) of 1910.25 is revoked.

Paragraph (c)(2)(i)(h) of 1910.25 is revoked.

Paragraph (c)(2)(i)(i) of 1910.25 is revoked.

Paragraph (c)(2)(ii)(a)(1) of 1910.25 is revoked.

Paragraph (c)(2)(ii)(a)(2) of 1910.25 is revoked.

Paragraph (c)(2)(ii)(b) of 1910.25 is revoked.

Paragraph (c)(2)(ii)(c) of 1910.25 is revoked.

Paragraph (c)(2)(ii)(c)(1) of 1910.25 is revoked.

Paragraph (c)(2)(ii)(c)(2) of 1910.25 is revoked.

Table D-4 of Subpart D is revoked.

Table D-3 of Subpart D is revoked.

Paragraph (c)(2)(ii)(d) of 1910.25 is revoked.

Paragraph (c)(2)(iii)(a)(1) of 1910.25 is revoked.

Paragraph (c)(2)(iii)(a)(2) of 1910.25 is revoked.

Paragraph (c)(2)(iii)(b) of 1910.25 is revoked.

Paragraph (c)(2)(iii)(c) of 1910.25 is revoked.

Paragraph (c)(2)(iii)(c)(1)(i) of 1910.25 is revoked.

Paragraph (c)(2)(iii)(c)(1)(ii) of 1910.25 is revoked.

Paragraph (c)(2)(iii)(c)(2) of 1910.25 is revoked.

Paragraph (c)(2)(iii)(c)(3) of 1910.25 is revoked.

Paragraph (c)(2)(iv)(a) of 1910.25 is revoked.

Paragraph (c)(2)(iv)(b) of 1910.25 is revoked.

Paragraph (c)(2)(iv)(c) of 1910.25 is revoked.

Paragraph (c)(2)(iv)(c)(1) of 1910.25 is revoked.

Paragraph (c)(2)(iv)(c)(2) of 1910.25 is revoked.

Paragraph (c)(3) of 1910.25 is revoked.

Paragraph (c)(3)(i)(a) of 1910.25 is revoked.

Paragraph (c)(3)(i)(b) of 1910.25 is revoked.

Paragraph (c)(3)(i)(c) of 1910.25 is revoked.

Paragraph (c)(3)(i)(d) of 1910.25 is revoked.

Paragraph (c)(3)(i)(e) of 1910.25 is revoked.

Paragraph (c)(3)(i)(f) of 1910.25 is revoked.

Paragraph (c)(3)(i)(g) of 1910.25 is revoked.

Paragraph (c)(3)(i)(h) of 1910.25 is revoked.

Paragraph (c)(3)(i)(i) of 1910.25 is revoked.

Paragraph (c)(3)(i)(j) of 1910.25 is revoked.

Paragraph (c)(3)(ii)(b) of 1910.25 is revoked.

Paragraph (c)(3)(ii)(c) of 1910.25 is revoked.

Paragraph (c)(3)(ii)(d) of 1910.25 is revoked.

Paragraph (c)(3)(iii)(b) of 1910.25 is revoked.

Paragraph (c)(3)(iii)(c) of 1910.25 is revoked.

Paragraph (c)(3)(iii)(d) of 1910.25 is revoked.

Paragraph (c)(3)(iii)(e) of 1910.25 is revoked.

Paragraph (c)(3)(iii)(f) of 1910.25 is revoked.

Paragraph (c)(3)(iii)(g)(1) of 1910.25 is revoked.

Paragraph (c)(3)(iii)(g)(2) of 1910.25 is revoked.

Paragraph (c)(3)(iv)(b) of 1910.25 is revoked.

Paragraph (c)(3)(iv)(c) of 1910.25 is revoked.

Paragraph (c)(3)(iv)(c)(1) of 1910.25 is revoked.

Paragraph (c)(3)(iv)(c)(2) of 1910.25 is revoked.

Paragraph (c)(3)(iv)(c)(3) of 1910.25 is revoked.

Paragraph (c)(3)(iv)(c)(4) of 1910.25 is revoked.

Table D-4 of Subpart D is revoked.

Paragraph (c)(3)(v)(b) of 1910.25 is revoked.

Paragraph (c)(3)(v)(c) of 1910.25 is revoked.

Paragraph (c)(3)(v)(d) of 1910.25 is revoked.

Paragraph (c)(3)(v)(e) of 1910.25 is revoked.

Paragraph (c)(3)(v)(f) of 1910.25 is revoked.

Paragraph (c)(3)(v)(g) of 1910.25 is revoked.

Paragraph (c)(4) of 1910.25 is revoked.

Paragraph (c)(4)(i) of 1910.25 is revoked.

Paragraph (c)(4)(i)(a) of 1910.25 is revoked.

Paragraph (c)(4)(i)(b) of 1910.25 is revoked.

Paragraph (c)(4)(i)(c) of 1910.25 is revoked.

Paragraph (c)(4)(i)(d) of 1910.25 is revoked.

Paragraph (c)(4)(i)(e) of 1910.25 is revoked.

Paragraph (c)(4)(i)(f) of 1910.25 is revoked.

Paragraph (c)(4)(ii)(b) of 1910.25 is revoked.

Paragraph (c)(4)(ii)(b)(1) of 1910.25 is revoked.

Paragraph (c)(4)(ii)(b)(2) of 1910.25 is revoked.

Paragraph (c)(4)(iii)(b) of 1910.25 is revoked.

Paragraph (c)(4)(iii)(c) of 1910.25 is revoked.

Paragraph (c)(4)(iii)(d) of 1910.25 is revoked.

Paragraph (c)(5)(ii) of 1910.25 is revoked.

Paragraph (c)(5)(iii) of 1910.25 is revoked.

Paragraph (c)(5)(iv) of 1910.25 is revoked.

Paragraph (c)(5)(v) of 1910.25 is revoked.

Paragraph (c)(5)(vi)(a) of 1910.25 is revoked.

Paragraph (c)(5)(vi)(b) of 1910.25 is revoked.

Paragraph (c)(5)(vi)(c) of 1910.25 is revoked.

Paragraph (c)(5)(vi)(d) of 1910.25 is revoked.

Paragraph (c)(5)(vii)(a) of 1910.25 is revoked.

Paragraph (c)(5)(vii)(b) of 1910.25 is revoked.

Paragraph (c)(5)(vii)(c) of 1910.25 is revoked.

Paragraph (c)(5)(vii)(d) of 1910.25 is revoked.

Paragraph (c)(5)(vii)(e) of 1910.25 is revoked.

Paragraph (c)(5)(vii)(f) of 1910.25 is revoked.

Paragraph (d)(1)(v) of 1910.25 is revoked.

Paragraph (d)(1)(vi) of 1910.25 is revoked.

Paragraph (d)(1)(vii) of 1910.25 is revoked.

Paragraph (d)(1)(viii) of 1910.25 is revoked.

Paragraph (d)(1)(ix) of 1910.25 is revoked.

Paragraph (d)(2)(xxi) of 1910.25 is revoked.

Table D-5 of subpart D is revoked.

§ 1910.26 Portable metal ladders. This section contains a large number of detailed requirements for the construction, care, and use of common types of portable metal ladders. One comment was received with the following statement: "I hereby request that the following list of standards not be rewritten. To add or delete from the present wording of these standards can only lead to retrogression in the telecommunications industry." The commenter than provided a list of sections, one of which was Section 1910.26. OSHA finds that this comment is not detailed with regard to any of the particulars of the paragraphs proposed for revocation in this section.

Another commenter pointed out that the proposed revocation of paragraph 1910.26(a)(3)(viii) would be inconsistent with the retention of paragraph 1910.25(c)(2)(i)(f) which requires that a metal spreader or locking device be used to hold the front and back sections of a stepladder open. OSHA agrees with this commenter that the revocation of paragraph 1910.26(a)(3)(viii) would be inconsistent and therefore this paragraph is not revoked.

The revocations which OSHA has proposed for this section, with the exception of those noted above, all provide unnecessary detail regarding the materials to be used and the construction methods for metal ladders. For example, paragraph 1910.26(b)(2) contains detailed requirements for the testing of straight and extension ladders. Such provisions are only applicable to a manufacturer of a ladder who has the facilities and equipment to test the ladder in accordance with the procedures. Even in this instance, it

should be noted that a more recent ANSI standard is available for the construction and testing of ladders. The typical employer who purchases a portable metal ladder would not possess the capabilities for testing of the ladder, but rather would purchase a ladder guaranteed for a given load which is in keeping with his intended use of the ladder. OSHA has retained certain provisions related to the construction of portable metal ladders that it believes are essential to the construction of the ladder and which can easily be observed by compliance officers, such as paragraph 1910.26(a)(1)(v) which is as follows: "Rungs and steps shall be corrugated, knurled, dimpled, coated with skid-resistant material, or otherwise treated to minimize the possibility of slipping." In addition, OSHA is retaining a number of paragraphs related to the care and use of ladders which are found in 1910.26(c)(2) beginning with paragraph (iv) and continuing through the remainder of the section. OSHA believes that the sections which are being retained will provide adequate requirements for the care of ladders to insure that a ladder which has been purchased originally as a safe ladder can be required to be maintained so that it continues to be a safe ladder.

OSHA therefore finds that the following paragraphs are unnecessary detailed.

Paragraph (a)(1)(i) of 1910.26 is revoked.

Paragraph (a)(1)(ii) of 1910.26 is revoked.

Paragraph (a)(1)(iv) of 1910.26 is revoked.

Paragraph (a)(1)(vi) of 1910.26 is revoked.

Paragraph (a)(2)(v)(a) of 1910.26 is revoked.

Paragraph (a)(2)(v)(b) of 1910.26 is revoked.

Paragraph (a)(3)(i) of 1910.26 is revoked.

Paragraph (a)(3)(ii) of 1910.26 is revoked.

Paragraph (a)(3)(iv) of 1910.26 is revoked.

Paragraph (a)(3)(v) of 1910.26 is revoked.

Paragraph (a)(3)(vi) of 1910.26 is revoked.

Paragraph (a)(4)(ii) of 1910.26 is revoked.

Paragraph (a)(4)(iii) of 1910.26 is revoked.

Paragraph (a)(4)(iv) of 1910.26 is revoked.

Paragraph (a)(4)(v) of 1910.26 is revoked.

Paragraph (a)(5)(ii) of 1910.26 is revoked.

Paragraph (a)(5)(iii) of 1910.26 is revoked.

Paragraph (a)(5)(iv) of 1910.26 is revoked.

Paragraph (a)(5)(v) of 1910.26 is revoked.

Paragraph (a)(5)(vi) of 1910.26 is revoked.

Paragraph (b)(1) of 1910.26 is revoked.

Paragraph (b)(2)(i) of 1910.26 is revoked.

Paragraph (b)(2)(ii) of 1910.26 is revoked.

Paragraph (b)(2)(iii) of 1910.26 is revoked.

Paragraph (b)(2)(iv) of 1910.26 is revoked.

Paragraph (b)(2)(v) of 1910.26 is revoked.

Paragraph (b)(2)(vi) of 1910.26 is revoked.

Paragraph (b)(2)(vii) of 1910.26 is revoked.

Paragraph (b)(3)(i)(a) of 1910.26 is revoked.

Paragraph (b)(3)(i)(b) of 1910.26 is revoked.

Paragraph (b)(3)(ii) of 1910.26 is revoked.

Table D-6 of subpart D is revoked.

Paragraph (c)(2)(i) of 1910.26 is revoked.

Paragraph (c)(2)(ii) of 1910.26 is revoked.

Paragraph (c)(2)(iii) of 1910.26 is revoked.

§ 1910.28 Safety requirements for scaffolding. OSHA received one comment regarding the proposed revocation of paragraph 1910.28(i)(2) which is concerned with the type of power unit which may be used for single point adjustable suspension scaffolds. The commenter objected to the revocation of this paragraph which requires that power units be either electrically or air motor driven. The basis of the objection stated was that the revocation of this paragraph would permit other types of power units to be used which, in the opinion of the commenter, would be unsafe. OSHA disagrees with this commenter, noting that the scaffolding, including power units, must be of a type tested and listed by Underwriters' Laboratories or Factory Mutual Engineering Corp., as stated in paragraph 1910.28(i)(1). Since this requirement is applicable to single-point adjustable suspension scaffolds, OSHA considers the requirement that the power unit be either electrically or air motor driven is inconsequential and this paragraph is hereby revoked.

A large number of commenters objected to the proposed revocation of paragraph 1910.28(i)(9) which requires that equipment shall be maintained and used in accordance with the manufacturers' instructions. The commenters included both manufacturers and distributors of single-point adjustable suspension scaffolds and organized labor. After reviewing these comments, OSHA believes that the

commenters' concerns are warranted for requiring that the equipment, because of its critical safety aspects, should be maintained and used in accordance with the manufacturers' instructions. OSHA, therefore, agrees with the commenters and will not revoke this paragraph.

Some of the commenters objected to the deletion of the words, "construction, alteration, demolition, and" from paragraph 1910.28(v). The purpose of the proposed revocation of this portion of the paragraph was to avoid duplication and misapplication of the general industry standards where other standards specifically exist in 29 CFR Part 1926.451 for scaffolding to be used during building construction, alteration, or demolition. Apparently, those commenting in opposition to this proposed revocation are not aware that other standards exist which are applicable to construction and further pursuant to OSHA's regulation governing the interpretation of standards 29 CFR 1910.5 that the general industry standards in 29 CFR Part 1910 are not to be applied where comparable standards exist in 29 CFR 1926. OSHA feels that this revocation is necessary to restrict the scope of the section appropriately and, therefore, the selected words noted above are revoked from this paragraph.

§ 1910.29 *Manually propelled mobile ladder standards and scaffolds (towers)*. OSHA received one comment with respect to a partial proposed revocation of 1910.29(a)(2)(iii) where the words "shall be of standard manufacture and conform to standard specifications of strength, dimensions, and weights and" were proposed for revocation. The revised paragraph would then read as follows: "The materials used in mobile ladder stands and scaffolds shall be selected to safely support the design working load." The commenter noted that while the portions remaining after the proposed revocation indicate that a safe design is to be used, there exists the possibility that workers could become confused and use nonstandard materials in the construction of mobile ladder stands and scaffolds without realizing that they had compromised the safe design of the ladder stand or scaffold. OSHA recognizes that this type of equipment is typically designed with certain component parts that are unique for that application and the use of other apparently similar component parts could compromise the integrity of the scaffold or ladder stand. For these reasons, OSHA agrees with the commenter, and the words proposed for revocation will be retained.

SUBPART E—MEANS OF EGRESS

§ 1910.36 *General requirements—means of egress*. Paragraph

1910.36(b)(8) contains the requirement that every building or structure occupied by workers shall have at least two means of egress which are distant from one another. This proposed revocation provoked a significant amount of comment. These commenters were largely opposed to the revocation of this paragraph, stating their belief that at least two means of egress should always be provided.

OSHA's position in proposing the revocation of this paragraph was that the other sections of 1910.36(b) not being proposed for revocation provided adequate requirements for means of emergency egress without specifically stating that a minimum number of two means of egress should be provided regardless of other precautions taken in assuring safe egress. While OSHA continues to believe that adequate requirements exist in the remainder of 1910.36(b) without the specific incorporation of 1910.36(b)(8), OSHA agrees with the commenters that the specific statement that at least two means of egress should be provided does reinforce the requirements present in the other portions of 1910.36(b). Therefore, this paragraph is not revoked.

SUBPART F—POWERED PLATFORMS, MANLIFTS, AND VEHICLE-MOUNTED WORK PLATFORMS

§ 1910.66 *Powered platforms for exterior building maintenance*. Paragraph 1910.66(c) prescribes regulations for hoisting ropes and rope connections for use with type F powered platforms for exterior building maintenance. OSHA has reviewed the comments received and studied the evidence and has determined that certain paragraphs in the section dealing with the fabrication of both the wire rope and the metal data tags represented requirements so detailed, that the flexibility needed to achieve maximum workplace hazard abatement was limited. OSHA has determined therefore that four provisions in this section may be revoked without reducing employee safety. The four provisions being revoked from paragraph 1910.66(c) for containing unnecessary detail are 1910.66(c)(20)(ii) which deals with overall wire grade, wire coding, drawing to finished size and other mechanical properties; 1910.66(c)(21)(i)(h) which requires the name of the person or firm who installed the rope; 1910.66(c)(21)(ii) which specifies the fabrication of the rope tag and the lettering characteristics; and 1910.66(c)(21)(iii) which prescribes rope tag installation requirements when ropes are renewed or re-fastened.

Upon reexamination of the evidence, OSHA has determined that, in the best interest of worker protection, the

following provisions in 1910.66(c)(21) should not be revoked:

- 1910.66(c)(21)(i)—metal data tag.
- 1910.66(c)(21)(i)(a)—diameter.
- 1910.66(c)(21)(i)(b)—construction classification.
- 1910.66(c)(21)(i)(c)—preformed or nonpreformed.
- 1910.66(c)(21)(i)(d)—grade of material.
- 1910.66(c)(21)(i)(e)—rated breaking strength.
- 1910.66(c)(21)(i)(f)—name of manufacturer.
- 1910.66(c)(21)(i)(g)—month and year of manufacture.

§ 1910.68 *Manlifts*. Paragraph 1910.68(b) prescribes general requirements applicable to manlifts which are used to carry only personnel trained and authorized by the employer in their use. OSHA has reviewed the comments and the evidence received and determined that the provision proposed for revocation in this paragraph should be revoked because it addresses public safety.

Paragraph 1910.68(b)(8)(vi) requires protection of manlift entrances and exits in buildings to which the public has access. This provision is revoked because public safety is addressed, rather than employee safety.

Paragraph 1910.68(c) prescribes the mechanical requirements applicable to manlifts. Included in this paragraph are two provisions directed toward instruction and warning signs. OSHA has reviewed the evidence and the comments received and determined that these two provisions should be revoked because they contain unnecessary detail.

Paragraph 1910.68(c)(7)(i)(a) provides specific requirements for instruction signs at manlift landings and on manlift belts. This provision is revoked because it contains unnecessary detail for sign letters and colors, and does not address employee safety.

Paragraph 1910.68(c)(7)(iii) provides specific requirements for visitor warning signs at manlift landings. The second sentence of the provision is revoked because it requires unnecessary detail for sign letters and color, and does not address employee safety.

Upon reexamination of the evidence, OSHA has determined that, in the best interest of worker protection, the following provision in 1910.68(e) should not be revoked:

- 1910.68(e)(3)—inspection log.

SUBPART G—OCCUPATIONAL HEALTH AND ENVIRONMENTAL CONTROLS

§ 1910.94 *Ventilation*. This section contains certain requirements for fans and ductwork used in spray booths.

All comments received were in favor of revoking paragraph 1910.94(c)(5)(i)(b) which contains a reference to the obsolete document, Air Moving

and Conditioning Association Standard Bulletin 210, dated April 1962, which addresses a method for rating of fans.

There were no comments advocating retention of paragraph 1910.94 (c)(5)(iii) which contains detailed design specifications for duct construction. Paragraph 1910.107(d) covers this subject area and there is no need for duplicate coverage.

Therefore, paragraphs 1910.94 (c)(5)(i)(b) and 1910.94(c)(5)(iii) are revoked because they contain unnecessary detail.

§ 1910.96 Ionizing radiation. After a careful review of all comments and reexamination of the evidence, OSHA has determined that all 13 provisions of § 1910.96 which were proposed for revocation can be revoked without compromising employee safety and health.

Of the provisions being revoked, three contain inconsequential requirements, four concern loss of the use of facilities and/or damage to property and one entire paragraph containing six provisions, is covered by another Federal agency.

Paragraph 1910.96(b)(5) is concerned with limiting when employers may change the method used to determine calendar quarters for exposure record keeping purposes to the beginning of the calendar year. There were several comments on this proposed revocation, most of which favor retention. The main reason given was that if arbitrary change of quarters was allowed employers would manipulate to allow higher exposures.

OSHA has taken the position that any increased exposure which may be received by an employee because of a change in the method of determining calendar quarters as would be allowed by revocation of paragraph 1910.96(b)(5) would be inconsequential and therefore this paragraph is revoked.

Paragraph 1910.96(e)(1)(ii) explicitly allows other appropriate information on caution signs and labels in addition to that prescribed. There was no substantive comment. This provision is inconsequential and is therefore revoked.

Paragraphs 1910.96(l)(1)(iii) and 1910.96(l)(2)(iii) concern the reporting to OSHA of the loss of the operation of facilities and paragraphs 1910.96(l)(1)(iv) and 1910.96(l)(2)(iii) concern damage to property. Some commenters favored revoking these paragraphs, while a number were opposed. The reason most often given by those opposing revocation was that accidents which cause loss of use of facilities and property damage often also cause injuries and fatalities. Reporting will be followed by investigation and

may prevent a recurrence which could otherwise cause injuries and deaths.

It is the Agency's position that the reporting of such incidents to OSHA is not essential, and therefore these provisions are revoked.

Paragraph 1910.96(o)(2) concerns the information that a former employee should include when requesting exposure records. No substantive comments were received on this proposed revocation. This provision is inconsequential and is therefore revoked.

Paragraph 1910.96(r) is concerned with radiation standards for mining. Mine Safety and Health is under the jurisdiction of the Mine Safety and Health Administration, Department of Labor which has issued such standards in Title 30 of the Code of Federal Regulations. Paragraph 1910.96(r) is therefore revoked.

SUBPART H—HAZARDOUS MATERIALS

1910.103 Hydrogen. This section contains a large number of detailed requirements for installation of gaseous hydrogen systems on consumer premises where the hydrogen supply to the consumer premises originates outside the consumer premises and is delivered by mobile equipment.

The provisions, which are the following lines in Table H-2, line 13 "public sidewalks * * *" and line 14 "line of adjoining property * * *", and the words "and places of public assembly" from the footnote to the Table designated by " * * *", address public safety and property protection concerns. Also line 12 of Table H-4 and the following provision in the footnote which states the words "and places of public assembly" address public protection or property protection issue. Comments were received objecting to the revocation of these provisions. OSHA disagrees with these commenters because the portion of the Table which is being revoked provides protection for public safety and property protection which is not within OSHA's regulatory authority. Therefore, Table H-2 of 1910.103 is amended by striking line 13, "public sidewalks * * *," and line 14, "line of adjoining property * * *," and by striking the words "and places of public assembly" from the footnote to the Table designated by " * * *." Table H-4 of 1910.103 is amended by striking line 12 thereof, and by striking in the footnote the words "and places of public assembly." Upon reexamination of the evidence, OSHA has determined that, in the best interest of worker protection, the following provision in 1910.103 which was proposed for revocation should not be revoked:

Paragraph 1910.103(c)(1)(ii)—Second sentence dealing with protective coating for steel subparts.

§ 1910.104 Oxygen. This section contains a large number of detailed requirements for installation of bulk oxygen systems on industrial and institutional consumer premises.

The majority of comments received support the revocation of paragraphs 1910.104(b)(3)(xiv), public areas; 1910.104(b)(3)(xv), patients; 1910.104 (b)(3)(xvi), sidewalks; and 1910.104 (b)(3)(xvii), adjacent property which are requirements for public safety and property protection.

Therefore, paragraphs 1910.104(b)(3)(xiv), 1910.104(b)(3)(xv), 1910.104(b)(3)(xvi), and 1910.104(b)(3)(xvii) are revoked because they are concerned with public safety and property protection.

In addition, paragraph 1910.104 (b)(3)(xviii), exceptions is amended by striking the numerical references "(xvi) and (xvii)" as these provisions are revoked.

§ 1910.106 Flammable and combustible liquids. Section 1910.106 contains many detailed specifications which are related to tank storage of flammable and combustible liquids.

Some paragraphs contain advisory language which are for information only and are without a basis for enforcement. For example, paragraph 1910.106(b)(1)(i)(e) states that tanks "may" have either combustible or non-combustible linings and does not require mandatory action by the employer. The same is true for paragraph 1910.106(b)(1)(ii)(a).

Comments received support the revocation of these paragraphs for the reasons explained above. Therefore, the provisions in paragraph 1910.106 (b)(1)(i)(e), (b)(1)(ii)(a), (d)(6)(ii)(a), (f)(4)(ii) and (f)(4)(v) are revoked because they are advisory and inconsequential to employee safety.

Certain paragraphs of this section contain detailed specifications which regulate the location of storage tanks with respect to property lines and public ways.

There were comments which objected to the revocation of certain provisions containing specific distances to property lines and public ways; however, the majority of comments supported their revocation because they are directed toward property protection. Therefore, the following paragraphs and supporting Tables are revoked because they mandate specific distances of separation between storage tanks and property lines and are directed to property protection: 1910.106 (b)(2)(i)(a) and Table H-5; 1910.106(b)(2)(i)(b) and Table H-6; 1910.106(b)(2)(i)(c) and Table H-7; 1910.106(b)(2)(i)(d) and Table H-8; 1910.106(b)(2)(i)(e); 1910.106(b)(2)(i)(f) and Table H-9; 1910.106(b)(2)(iii); 1910.106(b)(2)(i) and Table H-20 and 1910.106(h)(2)(ii).

Certain paragraphs in this section regulate the use of drainage and diking systems to control accidental discharging of liquids. For example, paragraphs 1910.106(b)(2)(vii)(b)(1) and (b)(2)(vii)(b)(3) regulate certain design factors of man-made or natural drainage systems which have been included to protect "property, natural water courses, public sewers, and public drains." Since these provisions are directed toward property protection, they are revoked.

Paragraphs 1910.106(b)(2)(vii)(c)(5), (c)(7)(i), (c)(7)(ii), (c)(7)(iii), and (c)(7)(iv), regulate certain design criteria for diking systems. These criteria are encumbered by unnecessary detail and are directed toward property protection. For example, paragraphs 1910.106(b)(2)(vii)(c)(3) and (c)(4) regulate the height and width of dike walls. These requirements are unnecessary because adequate employee protection is provided in paragraphs 1910.106(b)(2)(vii)(c)(1) and (c)(2). Paragraph 1910.106(b)(2)(vii)(c)(7) contains requirements directed toward protection of other storage tanks.

While some comments object to revocations, the majority of comments received support the revocation of these paragraphs because they are encumbered with unnecessary detail and because they are directed toward property protection. Therefore, the following provisions are revoked: 1910.106(b)(2)(vii)(c)(5), 1910.106(b)(2)(vii)(c)(7), 1910.106(b)(2)(vii)(c)(7)(i), 1910.106(b)(2)(vii)(c)(7)(ii), 1910.106(b)(2)(vii)(c)(7)(iii), and 1910.106(b)(2)(vii)(c)(7)(iv). These standards regulate dikes and drainage areas surrounding storage tanks.

Paragraphs 1910.106(b)(2)(viii)(a), (b)(2)(viii)(b), and (b)(2)(viii)(c) contain certain requirements directed toward prevention of liquid spills.

While a few comments objected to the proposed revocations, most of the comments received support this revocation because of the property protection aspects of the requirements. Therefore, the following requirements are revoked: 1910.106(b)(2)(viii)(a), 1910.106(b)(2)(viii)(b), and 1910.106(b)(2)(viii)(c).

One paragraph, 1910.106(b)(5)(vi)(e), provides protection for spherical and spheroidal tanks. Comments support the revocation of this property protection standard. OSHA agrees with the comments and the requirement is revoked because it is directed toward property protection.

Certain paragraphs in this section are directed to the regulation of flammable and combustible liquid storage inside of buildings. These paragraphs limit the amount of liquids that may be stored in certain occupancies based

on the degree of fuel loading as related to public property protection.

For example, paragraph 1910.106(d)(5)(iv) sets limits for the amount of liquids to be stored inside of mercantile or other retail stores. These limits are based on the possible exposure of the public to fires involving stored liquids. Employee protection from exposure to the hazards of fire involving stored liquids is assured by paragraph 1910.106(d)(5)(i). In case of a fire, employees can be evacuated and the amount of fuel load becomes inconsequential to their safety.

Other paragraphs limit the amount of flammable and combustible liquids to be stored in areas where employee exposure is limited and where adequate fire protection systems are provided but not required. For example, Tables H-14 and H-15 limit stacking heights of flammable and combustible liquids in warehouses. Again, limited employee exposure and easy egress from the area makes such limitation unnecessary for employee safety. Paragraph 1910.106(d)(5)(i) would provide adequate employee safety.

Comments received support revocation of standards directed toward property protection when adequate employee safety is provided for in other ways. Therefore, since employee safety is adequately insured by paragraph 1910.106(d)(5)(i), the following provisions are revoked because they are directed to property protection: 1910.106(d)(5)(iv)(a), 1910.106(d)(5)(iv)(b), 1910.106(d)(5)(iv)(c), 1910.106(d)(5)(iv)(d), 1910.106(g)(1)(ii)(c). These standards regulate storage of flammable and combustible liquids in mercantile and service station occupancies.

Tables H-14 and H-15 are amended by striking the two headings entitled "Height" and all numbers appearing thereunder.

Paragraphs 1910.106(e)(3)(iv)(c) and (h)(3)(ii)(c) are directed toward protection of property by regulating plant drainage systems. These paragraphs are revoked because they protect "public waterways, public sewers and adjoining property." Comments received support this revocation.

Paragraph 1910.106(f)(4)(iii) is directed toward property protection because it sets limits to the distances between bridges or similar structures and bulk tank vessels on waterways. Comments received support revocation of this paragraph because it is directed toward property protection. Therefore, the paragraph is revoked.

Paragraph 1910.106(g)(1)(iv) is directed to the sale of flammable or combustible liquids at service stations and is not directly related to employee safety.

Employee safety at service stations during dispensing operations does not

depend on whether the container being filled is labeled or not. The adequacy of containers for storage of liquids is provided for in paragraph 1910.106(d)(2)(i) where approved containers are required. Therefore, paragraph 1910.106(g)(1)(iv) is revoked.

Paragraph 1910.106(i)(4) of this section contains requirements directed toward spill containment and property protection, particularly the property of others. Comments received support the revocation of this paragraph. However, OSHA believes that only the second sentence should be revoked. Therefore, paragraph 1910.106(i)(4) is amended by revoking the second sentence thereof.

Upon reexamination of the evidence, OSHA has determined that in the best interest of worker protection, the following provisions of section 1910.106 should not be revoked:

1910.106(b)(2)(vi)(b).
1910.106(b)(2)(vii)(a).
1910.106(b)(2)(vii)(b).
1910.106(b)(2)(vii)(b)(2).
1910.106(b)(2)(vii)(c).
1910.106(b)(2)(vii)(c)(1).
1910.106(b)(2)(vii)(c)(2).
1910.106(b)(2)(vii)(c)(3).
1910.106(b)(2)(vii)(c)(4).
1910.106(b)(2)(vii)(c)(6).
1910.106(b)(2)(vii)(d).
1910.106(b)(2)(vii)(e).
1910.106(b)(2)(vii)(f).
1910.106(d)(2)(iii)(b).
1910.106(d)(5)(ii)(a).
1910.106(d)(6)(i).
Table H-16
1910.106(d)(6)(ii).
1910.106(d)(6)(ii)(b).
Table H-17
1910.106(g)(3)(vi)(b).
1910.106(g)(3)(vi)(c).

§ 1910.109 Explosives and blasting agents. The OSHA standards for explosives and blasting agents contain some definitions which are inconsequential in enhancing employee safety. These definitions include paragraph 1910.109(a)(9) which provides a definition for "public conveyance" and paragraph 1910.109(a)(11) which provides a definition for "railway." Other definitions are inconsequential to employee safety since they contain information pertaining to standards of another regulatory agency. For example, paragraph 1910.109(a)(20) serves only as a reference to specifications contained in the Department of Transportation regulations.

Some commenters disagree with revoking any definitions since the definitions may provide helpful information in the implementation of the standard. However, the majority of commenters agree with OSHA that there are some definitions which do not contain information which will enhance employee safety or enhance the implementation of the standard. The under-

standing of OSHA's explosives and blasting agents requirements would not be compromised by the revocation of these inconsequential definitions. Therefore, paragraph 1910.109(a)(5) which is the definition for "inhabited building;" 1910.109(a)(9) which is the definition for "public conveyance;" 1910.109(a)(11) which is the definition for "railway;" 1910.109(a)(20) which is the definition for "DOT regulations;" 1910.109(a)(21) which is the definition for DOT requirements; and, 1910.109(i)(1)(ii)(a) which provides information concerning the definition of ammonium nitrate fertilizer are revoked.

Paragraph 1910.109(c)(2)(iii) contains a sentence which prescribes location requirements for warning signs that are required on explosives storage magazines. Commenters agree with OSHA that this sentence can be revoked since it contains unnecessary detail that does not enhance employee safety. Additionally, magazine sign requirements are, in fact, regulated and controlled by another regulatory agency, the Bureau of Alcohol, Tobacco and Firearms of the U.S. Department of Treasury. Accordingly, paragraph 1910.109(c)(2)(iii) is amended by striking the second sentence thereof.

1910.109(d)(2)(ii)(b) prescribes detailed specifications for the marking of placards which are required for vehicles transporting explosives and oxidizing materials. Commenters agree with OSHA that these specifications provide unnecessary detail and can be revoked without compromising employee safety. Additionally, the marking and placarding of vehicles transporting explosives is controlled by another regulatory agency, i.e., the Department of Transportation. Therefore, paragraph 1910.109(d)(2)(ii)(b) is revoked.

Some of the standards contained in Section 1910.109 included property and public safety provisions which do not relate directly to employee safety. These provisions address such property protection requirements as the locking of magazines, minimum distances of storage and use of explosives with respect to "inhabited buildings," and property lines. Other provisions address such public safety requirements as the transportation of explosive material on public conveyances, blasting in congested areas, distances to public highways, and the amount of smokeless propellants and small arms ammunition primers allowed to be displayed in a commercial establishment. These provisions are subject to control by local building and fire code officials, and are regulated by the Department of Transportation and the Bureau of Alcohol, Tobacco and Firearms.

Accordingly, the following provisions are revoked because they are directed

to property protection or public safety in that they specify minimum distance requirements in locating explosive materials installations and storage; and, because they address the use and transportation of explosive materials only in relation to public safety:

1910.109(b)(2) concerning unauthorized receipts of explosives or blasting agents;

1910.109(b)(3) concerning displaying explosive or blasting agents on any highway, street, sidewalk, public way, or public place;

1910.109(c)(3)(viii) concerning the locking of magazines;

1910.109(d)(1)(ii) concerning the transportation of explosives upon public conveyances or vehicles carrying passengers for hire;

1910.109(e)(4)(i) concerning the use of electric blasting caps in congested districts, or on highways, or adjacent to highways open to traffic;

1910.109(g)(2)(i) concerning the location of buildings used for mixing blasting agents with respect to inhabited buildings, passenger railroads and public highways;

1910.109(g)(6)(v) concerning the carrying or transportation of blasting agents upon public vehicles carrying passengers for hire;

1910.109(g)(6)(vii) concerning the marking of blasting agents when transported on public highways;

1910.109(g)(6)(viii) concerning the placarding of vehicles transporting blasting agents on public highways;

1910.109(h)(3)(i)(a) concerning the location of buildings used for mixing water gels in respect to inhabited buildings, passenger railroads, and public highways;

Paragraph 1910.109(h)(3)(i)(b) concerning the distance separating highways, railroads and inhabited buildings from potential explosions in fixed explosive mixing locations;

Paragraph 1910.109(j)(3)(ii) concerning the displaying of smokeless propellants in commercial establishments; and

Paragraph 1910.109(j)(4)(ii) concerning the displaying of small arms ammunition primers in commercial establishments.

The following paragraphs contain provisions which address public protection and property protection. These provisions are also subject to control by local building and fire code officials and are regulated by the Department of Transportation and the Bureau of Alcohol, Tobacco and Firearms. Accordingly, these paragraphs are amended as follows:

Paragraph 1910.109(b)(1) which concerns the general hazard of explosives is amended by striking words, "and property."

Table H-21 which is the *American Table of Distances for Storage of Ex-*

plosives is amended by striking the three column headings entitled, "Inhabited buildings, passenger railways, and public highways;" and, also striking all numbers appearing thereunder.

Paragraph 1910.109(c)(1)(viii) which concerns location requirements for Class II magazines is amended by striking the words, "neighboring inhabited buildings, railways, highways, and."

Paragraph 1910.109(c)(4)(iii) which concerns magazine locks is amended by striking the second sentence thereof.

Paragraph 1910.109(d)(3)(i) which prescribes requirements for drivers of vehicles transporting explosives is amended by striking the words, "physically fit, careful, capable, reliable, able to read and write the English language, and not addicted to the use, or under the influence of intoxicants, narcotics, or other dangerous drugs, and not less than 21 years of age. He shall be."

Paragraph 1910.109(d)(3)(ii) which concerns parking requirements for vehicles transporting explosives is amended by striking the words, "bridge, tunnel, dwelling, building, or" and "congregate or assemble."

Paragraph 1910.109(e)(1)(iii) which concerns the covering of a blast to prevent the throwing of fragments is amended by striking the words "railway, or highway."

Paragraph 1910.109(g)(5)(i)(c) which concerns onsite storage of blasting agents is amended by striking the words, "Table H-21 with respect to inhabited buildings, passenger railways, and public highways and according to."

Paragraph 1910.109(g)(5)(ii)(a) which concerns warehouse location requirements for blasting agents is amended by striking the words, "the provisions of Table H-21 with respect to inhabited buildings, passenger railways, and public highways, and according to."

Paragraph 1910.109(i)(1)(i)(e) which concerns the production and storage of ammonium nitrate is amended by striking the words, "provided that no distinct undue hazard to the public is created."

Paragraph 1910.109(i)(2)(iii)(e) which concerns the continued use of existing buildings for storage of ammonium nitrate is amended by striking the words, "or adjoining property."

The following paragraphs contain minimum age requirements for those employees in charge of storage magazines and for drivers of vehicles transporting explosives. There are requirements are inconsequential to employee safety, and the public safety aspect is regulated and controlled by the Bureau of Alcohol, Tobacco and Firearms, and the Department of Trans-

portation. Accordingly, those paragraphs which specify minimum age requirements are amended as follows:

Paragraph 1910.109(c)(5)(viii) is amended by striking the words, "who shall be at least 21 years of age."

Paragraph 1910.109(g)(5)(vii) is amended by striking the words, "who shall be not less than 21 years of age."

Paragraph 1910.109(g)(6)(ii) is amended by striking the words, "at least twenty-one (21) years of age who is capable, careful, reliable, and."

§ 1910.110 *Storage and handling of liquified petroleum gases.* Section 1910.110 contains a large number of property and public safety requirements for liquified petroleum gas (LPG) installations, use, and handling.

Paragraphs 1910.110(a)(17) and (a)(18) prescribe definitions for DOT regulations and DOT requirements. All comments received were in favor of revoking these definitions. Therefore, because the definitions in paragraphs 1910.110(a)(17) and (a)(18) are inconsequential in nature and pertain to standards of another regulatory agency, they are revoked.

Paragraphs 1910.110(b)(6)(ii) and (b)(6)(iv) prescribe locations for LPG containers. The vast majority of comments received favored the revocation of these provisions. The provisions are directed toward property protection and their intent is regulated and controlled by local building and fire officials.

Therefore, the phrase "or line of adjoining property which may be built on" in paragraph 1910.110(b)(6)(ii) and all of paragraph (b)(6)(iv) are revoked because they are directed towards property protection which is beyond OSHA's regulatory authority, and in addition, employee safety will not be compromised.

Paragraphs 1910.110 (b)(11)(iii)(i), (b)(11)(iv)(g), and (b)(15)(viii)(b) relate to the minimum distances which vaporizers and tank car or transport truck loading and unloading points may be located to adjacent property. The vast majority of comments received were in favor of revoking these provisions. Therefore, the phrase "or line of adjoining property which may be built upon" in paragraphs 1910.110 (b)(11)(iii)(i), (b)(11)(iv)(g) and all of paragraph (b)(15)(viii)(b) are revoked because they are directed to property protection which is beyond OSHA's regulatory authority.

Paragraphs 1910.110(c)(5)(iv), (a), (a)(1), (a)(2), (a)(3), and (b) prescribe requirements which are directed solely to public protection. Consistent with the overwhelming majority of comments received, paragraphs 1910.110(c)(5)(iv) (a), (a)(1), (a)(2), (a)(3), and (b) are revoked.

Paragraph 1910.110(c)(5)(ix)(c) specifies that LPG containers shall be

removed from a building once a training class has terminated. An overwhelming number of the comments received were in favor of revoking this requirement. Since this provision is directed to property protection, paragraph 1910.110(c)(5)(ix)(c) is revoked.

Paragraphs 1910.110 (d)(13)(i)(b), (d)(13)(ii)(a), and (d)(13)(iii)(b) prescribe locations for container-charging rooms. The majority of comments received favor revoking these provisions. The provisions are directed toward property protection of future buildings, and the intent of the provisions are regulated and controlled by local building and fire officials. Therefore, paragraphs 1910.110 (d)(13)(i)(b), (d)(13)(ii)(a), and (d)(13)(iii)(b) are revoked because they are directed towards property protection.

Paragraph 1910.110(d)(15) states "Above ground containers shall be kept properly painted." The vast majority of comments received were in favor of revoking this provision. Therefore, paragraph 1910.110(d)(15) is revoked because it is directed towards property protection which is beyond OSHA's regulatory authority.

Paragraphs 1910.110 (e)(13)(iii), (e)(13)(iv), (f)(3)(i), and (f)(3)(ii) prescribe requirements for the use of LPG powered industrial trucks, and the storage of LPG cylinders within buildings frequented by the public. The majority of comments received favored the revoking of these provisions. Therefore, paragraphs 1910.110 (e)(13)(iii), (e)(13)(iv), (f)(3)(i) and (f)(3)(ii) are revoked since public protection in general does not have particular impact on employee safety.

Paragraphs 1910.110 (f)(6)(i)(b), (f)(6)(i)(d) and the phrase "and adjoining property lines which may be built upon" in paragraph (h)(6)(i)(a) prescribe the location of containers stored outside and containers stored at service stations. The majority of comments received favored the revoking of these provisions since they relate to property protection. Accordingly, paragraphs 1910.110 (b)(6)(i)(b) (f)(6)(i)(d) and the phrase "and adjoining property lines which may be built upon" in paragraph (h)(6)(i)(a) are revoked.

Paragraph 1910.110(g)(1) specifies the application of the requirements for LPG systems used on vehicles and trailers. The phrase proposed for revocation "or public service purposes such as mobile libraries and clinics" deals with public safety. The vast majority of comments received were in favor of revoking this requirement. Therefore, the phrase shown above in paragraph 1910.110(g)(1) is revoked because it addresses a public safety issue.

§ 1910.111 *Storage and handling of anhydrous ammonia.* Paragraph 1910.111(a)(2) provides definitions of

the terms used in the section on the storage and handling of anhydrous ammonia. OSHA has reviewed the evidence and the comments received and determined that the two provisions in this paragraph proposed for revocation should be revoked because they are inconsequential.

Paragraph 1910.111(a)(2)(xiii) references paragraph 1910.111(a)(2)(xii) for the definition of "DOT regulations." This provision is revoked as being inconsequential, because the term "DOT regulations" is synonymous with the term "DOT specifications" in Paragraph 1910.111(a)(2)(xii).

Paragraph 1910.111(a)(2)(xiv) references paragraph 1910.111(a)(2)(xii) for the definition of the "DOT requirements." This provision is revoked as being inconsequential, because the term "DOT requirements" is synonymous with the term "DOT specifications" in paragraph 1910.111(a)(2)(xii).

Paragraph 1910.111(b) provides basic rules for the storage and handling of anhydrous ammonia. OSHA has examined the evidence and the comments received and determined that the six provisions proposed for revocation in paragraph 1910.111(b) may be revoked without compromising employee safety. Two provisions are revoked from paragraph (b) because they address public safety; two are revoked because they are inconsequential; one because another Federal agency is exercising statutory authority with regard to that provision and another because it is concerned with property protection.

Paragraph 1910.111(b)(5)(iii) requires that permanent storage containers be located outside densely populated areas. This provision is revoked because it addresses public safety.

Paragraph 1910.111(b)(5)(iv) and Table H-35 specify the distances between permanent storage containers and public property. Paragraph 1910.111(b)(5)(iv) and Table H-35 are revoked because they address property protection and public safety.

Paragraph 1910.111(b)(11)(iii) requires that the regulations of the Department of Transportation (DOT) must be followed if shipped under the jurisdiction of DOT. This provision is revoked because it relates to the regulatory authority of DOT and not of OSHA.

Paragraph 1910.111(b)(11)(iv) refers to paragraph 1910.111(d) for information on filling densities of refrigerated storage containers. This provision is revoked as being inconsequential because it only references information in another paragraph of the standard.

Paragraph 1910.111(b)(12)(vi)(f) requires an oil separator be provided in the discharge side of the compressor used for transferring anhydrous ammonia. This provision is revoked be-

cause the purpose of this provision is to prevent contamination of the ammonia, rather than protect employee safety.

Paragraph 1910.111(b)(13)(iii) provides specific requirements for caution signal used at tank car unloading points and operations. The last sentence of this provision is revoked as being inconsequential because it specifies the colors to be used on the caution sign.

Paragraph 1910.111(c) provides regulations for systems utilizing stationary, non-refrigerated storage containers. OSHA has examined the evidence and the comments received and determined that the provision proposed for revocation in paragraph 1910.111(c) may be revoked because it is concerned with property protection.

Paragraph 1910.111(c)(4)(ii) requires that the corrosion-resistant coating of storage containers be put in good condition, before they are reinstalled underground. The first sentence of this provision is revoked because it is directed toward protection of property rather than employee safety.

Paragraph 1910.111(d) prescribes regulations for systems utilizing containers with the storage of anhydrous ammonia under refrigerated conditions. OSHA has examined the evidence and the comments received and determined that the provision proposed for revocation in paragraph 1910.111(d) may be revoked because it addresses the protection of property; namely, the anhydrous ammonia in the system.

Paragraph 1910.111(d)(12)(ii) requires that an oil separator be installed in the discharge line of the compressor used in an anhydrous ammonia refrigeration system. This provision is revoked because it provides design requirements for the oil separator, and insures its performance in preventing oil contamination of the anhydrous ammonia. These design requirements are provided to insure product quality rather than employee safety.

SUBPART I—PERSONAL PROTECTIVE EQUIPMENT

§ 1910.134 *Respiratory protection.* This section contains an advisory provision which is in the form of a non-mandatory recommendation.

A comment received objected to the revocation of paragraph 1910.134(g)(3)(iii) which recommends the location of markings on respirator canisters. OSHA disagrees with the commenter because all respirators used to meet OSHA standards will continue to be required to be approved by NIOSH or its predecessor. NIOSH certification criteria mandates in 30 CFR 11.153 that such marks be on canisters before approval is granted. Therefore, para-

graph 1910.134(g)(3)(iii) is revoked because effective regulation is provided by NIOSH.

SUBPART J—GENERAL ENVIRONMENT CONTROLS

§ 1910.141 *Sanitation.* Paragraph 1910.141(b)(1)(ii) provides construction specification for drinking fountain surfaces. A number of commenters stated that such detailed specifications were unnecessary to assure sanitary drinking fountains. However, other commenters believed that drinking fountains were not adequately covered by other general standards and therefore were important to employee health. OSHA has reviewed the arguments and has concluded that such detailed specifications are unnecessary and that the requirement for potable water, paragraph 1910.141(b)(1)(i), is sufficiently broad in scope to address unsanitary drinking fountains. Therefore, paragraph 1910.141(b)(1)(ii) is revoked.

Ice in contact with drinking water is required to be made of potable water and kept in a sanitary condition by paragraph 1910.141(b)(1)(iv). Although some commenters believed this specification was necessary to assure clean water, OSHA does not agree that this provision is needed. Paragraph 1910.141(b)(1)(i) already requires potable water, and any ice made from non-potable water would by definition contaminate the water into which it was placed and render this water non-potable. Therefore paragraph 1910.141(b)(1)(iv) is revoked.

Paragraph 1910.141(b)(1)(vi) prohibits the use of the common drinking cup and other common utensils. A number of commenters pointed to the use of common utensils as a source of the spread of disease. OSHA has reviewed the comments and decided to retain this provision in the interest of worker protection.

Paragraph 1910.141(b)(1)(vii) provides for sanitary containers for unused drinking cups and for receptacles for used cups. A number of commenters considered this provision to be a component of the preceding requirement prohibiting a common drinking cup. However, OSHA regards this paragraph as a separable provision and one which should be revoked because it adds unnecessary detail and is inconsequential.

Paragraph 1910.141(c)(1)(iv) requires an increase in the number of toilet facilities in accordance with the number of non-employees who are permitted use of the facilities. Although a number of commenters opposed revocation of this provision, OSHA has concluded that agency authority in this area should extend only to requiring minimum numbers of facilities for employees. Use of such facilities in a

place of employment by the public would be more generally a problem of public health, and any additional requirements for such shared facilities beyond the OSHA provisions would appropriately fall under the purview of local or state building codes or public safety and health authorities. Further, this particular provision is in large part inconsequential in that the provision lacks substantive requirements appropriate for mandatory enforcement by this agency with respect to determining the relative usage of the facilities by the public and the number of additional water closets that would therefore be necessary.

Toilet paper and holders are required for every water closet by paragraph 1910.141(c)(1)(v). Paragraph 1910.141(c)(1)(vi) requires covered receptacles in toilet rooms used by women. The Agency has considered the arguments for and against the retention of these provisions, and as a matter of policy has adjudged them to encumber this section with unnecessary detail.

Paragraph 1910.141(c)(1)(vii) is a requirement for a minimum number of lavatories for toilet facilities. Because paragraph 1910.141(d)(1)(i) requires lavatories in all places of employment, paragraph 1910.141(c)(1)(vii) is considered as being adequately covered by other general standards. Therefore, OSHA has determined that this provision should be revoked.

Paragraph 1910.141(c)(2)(ii) and 1910.141(c)(2)(iii) are concerned with the construction details of toilet rooms and paragraphs 1910.141(c)(3)(i), 1910.141(c)(3)(ii) and 1910.141(c)(3)(iii) are concerned with toilet facilities. OSHA has decided to revoke these provisions on the ground that they add unnecessary and non-essential detail.

The portion of paragraph 1910.141(d)(2)(i) and Table J-2 of that section which are proposed for revocation are concerned with the number of lavatories required relative to the number of employees. OSHA had reviewed the comments for and against the retention of these provisions and has determined that these provisions contain unnecessary detail. The remaining requirements for lavatories in sub-section 1910.141(d)(2) are considered adequate in addressing the need for washing facilities in a place of employment.

Paragraph 1910.141(d)(2)(v) requires that receptacles be provided for used hand towels and paragraph 1910.141(d)(2)(vi) and 1910.141(d)(2)(vii) are concerned with specifications for warm air blowers. There was relatively little interest in these provisions by commenters. Paragraphs 1910.141(d)(2)(v) and 1910.141(d)(2)(vi) add unnecessary detail and

paragraph 1910.141(d)(2)(vii) is an unnecessary cross reference to Subpart S which contains the necessary provisions. Therefore, these three paragraphs are revoked.

Upon reexamination of the evidence OSHA has determined that, in the best interest of worker protection, the following provisions in 1910.141 should not be revoked.

Paragraph 1910.141(c)(1)(i)—Toilet Facilities—General.

Table J-1—Minimum number of water closets.

Paragraph 1910.141(c)(1)(ii)—Toilet Facilities—General.

Paragraph 1910.141(c)(2)(i)—Construction of toilet rooms.

Paragraph 1910.141(f)—Clothes drying facilities.

Paragraph 1910.141(g)(3)—Waste disposal containers.

§ 1910.143 *Nonwater carriage disposal systems*. Section 1910.143, which was proposed for revocation in its entirety, contains very detailed specifications for toilet facilities which may be used where water closets are not feasible. Comments in favor of revocation said that OSHA should not be involved with sanitary facilities in as much as general public health and sanitation are primary concerns of State and local authorities. Other comments argued that these standards are necessary to protect workers where local authorities have not issued comparable regulations.

The Agency has reviewed the comments and examined the evidence and has determined to revoke section 1910.143 in its entirety. Hazards related to inadequate nonwater carriage disposal systems or to the lack of such sanitary facilities have an intrinsic relationship to community oriented health problems rather than being limited solely to those of the workplace. Standards or specifications relating to such facilities are more properly within the purview and expertise of community or State public health officials who can determine the disposal systems most appropriate and acceptable for the local environment.

§ 1910.144 *Safety color code for marking physical hazards*. Section 1910.144 is concerned with the use of color only for equipment and the surfaces of various structures. Employee safety is not enhanced by such unnecessarily detailed requirements for these various colors and applications.

The majority of comments received object to the revocation of these requirements. OSHA disagrees with these commenters because the requirements in 1910.145 which are being retained will provide for adequate recognition of hazards. The colors specified in the color coding standard when used solely by themselves are not very effective since they have no criteria

for the hue and, therefore, no standardization in the physical application of color coding. The protection of employees can be better addressed by the use of signs where color and legend are used. Additionally, color by itself may cause those who are visually handicapped (color blind) to fail to understand the intended message.

An example of the unnecessary detail in the standard is the use of red only for fire exits. There are several model buildings codes and many local fire and building regulations that require or permit green exit signs, thus creating a conflict with the OSHA requirements. Additionally, Subpart E, Means of Egress, 1910.37(q)(4) states that, "Every sign shall be distinctive in color and shall provide contrast with the decoration, interior finish, or other signs." This allows for flexibility and research innovation, such as the determination of an appropriate color in smoke conditions.

Another example is that other designations and not only the color green as required in 1910.144(a)(4) could serve the purpose of indicating "safety" and the location of first aid equipment (such as the cross symbol). In 1910.144(a)(5) the blue color requirements that caution against the starting, use, or movement of equipment, with no mention of how to employ the color, could be served more clearly by utilizing accident prevention signs or tags required in 1910.145(f)(i) that are used for a "temporary means of warning all concerned of a hazardous condition * * *." The vague requirement in 1910.144(a)(6) concerning the use of purple for radiation is covered in the 1910.96, Ionizing Radiation requirements. Additionally the use of black and yellow for radiation signs is finding greater acceptance nationally.

Therefore, the following provisions are revoked for color coding because they are unnecessarily detailed.

SAFETY COLOR CODE FOR MARKING PHYSICAL HAZARDS

Paragraph 1910.144(a)(1)(i)(a) is revoked.

Paragraph 1910.144(a)(1)(i)(b) is revoked.

Paragraph 1910.144(a)(1)(i)(c) is revoked.

Paragraph 1910.144(a)(1)(i)(d) is revoked.

Paragraph 1910.144(a)(1)(i)(e) is revoked.

Paragraph 1910.144(a)(1)(i)(f) is revoked.

Paragraph 1910.144(a)(1)(i)(g) is revoked.

Paragraph 1910.144(a)(1)(i)(h) is revoked.

Paragraph 1910.144(a)(1)(i)(i) is revoked.

Paragraph 1910.144(a)(1)(i)(j) is revoked.

Paragraph 1910.144(a)(1)(i)(k) is revoked.

Paragraph 1910.144(a)(2) is revoked.

Paragraph 1910.144(a)(4) is revoked.

Paragraph 1910.144(a)(5) is revoked.

Paragraph 1910.144(a)(6) is revoked.

Paragraph 1910.144(a)(7) is revoked.

Paragraph 1910.144(b) is revoked.

Upon reexamination of the evidence, OSHA has determined that, in the best interest of worker protection, the following provisions in 1910.144 should not be revoked:

Paragraph 1910.144(a)(1)(i)—Red.

Paragraph 1910.144(a)(1)(ii)—Danger.

Paragraph 1910.144(a)(1)(iii)—Stop.

Paragraph 1910.144(a)(3)—Yellow.

§ 1910.145 *Specifications for accident prevention signs and tags*. Section 1910.145 contains a large number of detailed requirements for the design, application, and use of signs and symbols for accident prevention. Comments were received objecting to the revocation of any of the provisions contained in this section. Several commenters objected to the loss of the standardization of accident prevention signs and tags. Additionally, several objected to the possibility of the employees not being able to recognize the purpose of a sign because of a less specified standard. OSHA disagrees with these commenters because accident prevention signs and tags can be designed and applied in a manner different from that specified in this section, and the new sign will be as effective as a sign designed in conformance with the detailed specification requirements of section 1910.145.

For example, table J-2 includes dimensional specifications for caution signs. This table is unnecessarily detailed and restrictive for sign design, thereby preventing innovative and more effective designs from being acceptable.

As another example, paragraph 1910.145(d)(6)(ii) requires the use of a specific format and standard sizes for danger signs. Other equally acceptable methods exist for designing danger signs. Therefore, the following provisions are revoked because they are unnecessarily detailed:

Paragraph 1910.145(d)(3)(i).

Paragraph 1910.145(d)(3)(ii).

Paragraph 1910.145(d)(3)(iii).

Paragraph 1910.145(d)(4)(ii).

Table J-1.

Table J-2.

Paragraph 1910.145(d)(5).

Paragraph 1910.145(d)(6)(ii).

Figure J-1.

Figure J-2.

Figure J-3.

Figure J-4.

Figure J-5.

Figure J-6.

Figure J-7.

Paragraph 1910.145(d)(7)(i).

Paragraph 1910.145(d)(7)(ii).

Paragraph 1910.145(d)(8).

Paragraph 1910.145(d)(9).

Paragraph 1910.145(d)(11).

Paragraph 1910.145(e)(1).

Paragraph 1910.145(e)(3).

Figure J-9.

Paragraph 1910.145(e)(5).

Paragraph 1910.145(e)(6).

Paragraph 1910.145(e)(7).

Paragraph 1910.145(e)(8).

Paragraph 1910.145(f)(7)(i).

Figure J-10.

Figure J-11.

Figure J-12.

Figure J-13.

Figure J-14.

Figure J-15.

Paragraph 1910.145(f)(7)(ii).

Paragraph 1910.145(f)(8)(i).

Table J-3.

Table J-4.

There are a number of paragraphs which make reference to the unnecessarily detailed tables, figures, and paragraphs which are being revoked. For this reason, the following paragraphs are amended as shown to eliminate reference to revoked provisions:

Paragraph 1910.145(d)(1) is amended as follows:

(d) *Sign design.* (1) All signs shall be furnished with rounded or blunt corners and shall be free from sharp edges, burrs, splinters, or other sharp projections. The ends or heads of bolts or other fastening devices shall be located in such a way that they do not constitute a hazard.

Paragraph 1910.145(e)(4) is amended as follows:

(4) *Biological hazard signs.* The biological hazard warning shall be used to signify the actual or potential presence of a biohazard and to identify equipment, containers, rooms materials, experimental animals, or combinations thereof, which contain or are contaminated with viable hazardous agents. For the purpose of this paragraph the term "biological hazard," or "biohazard," shall include only those infectious agents presenting a risk or potential risk to the well-being of man. The symbol design shall be a fluorescent orange or orange-red color. Background color is optional as long as there is sufficient contrast for the symbol to be clearly defined. Appropriate wording may be used in association with the symbol to indicate the nature or identity of the hazard, name of individual responsible for its control, precautionary information, etc., but never should this information be superimposed on the symbol.

Paragraph 1910.145(f)(4)(i) is amended as follows:

(4) *Danger tags.* (i) Danger tags should be used only where an immediate hazard exists. There should be no variation in the type of design of tags posted or hung to warn of specific dangers.

Paragraph 1910.145(f)(5)(i) is amended as follows:

(5) *Caution tags.* (i) Caution tags should be used only to warn against potential hazards or to caution against unsafe practices.

Paragraph 1910.145(f)(6) is amended as follows:

(6) *Out of order tags.* Out of order tags should be used only for the specific purpose of indicating that a piece of equipment, machinery, etc., is out of order and to attempt to use it might present a hazard.

Paragraph 1910.145(d)(2)(ii), which makes reference to table J-1 is revoked.

Paragraph 1910.145(f)(1)(ii) contains a requirement related to property damage which is not within the scope of the Occupational Safety and Health Act. For this reason paragraph (f)(1)(ii) is amended as follows:

(ii) The purpose of this paragraph is to establish a set of specifications for tags based on experience and previous use. The tags are to be used in industry, mercantile establishments, or wherever such tags can be utilized to help prevent accidental injury to personnel.

Upon reexamination of the evidence OSHA has determined that in the best interest of worker protection the following provisions in 1910.145, should not be revoked.

Paragraph 1910.145(d)(2)(i)—Danger Signs.

Paragraph 1910.145(d)(4)(i)—Caution Signs.

Paragraph 1910.145(d)(6)(i)—Safety Instructions Signs.

Paragraph 1910.145(d)(11)—Symbols.

Paragraph 1910.145(f)(3)(i)—Do Not Start Tags.

Paragraph 1910.145(f)(3)(ii)—Do Not Start Tags.

Figure J-8—Poison/Electricity.

SUBPART L—FIRE PROTECTION

§ 1910.157 *Portable fire extinguishers.* Section 1910.157 contains several requirements which specify the exact manner to be used in mounting portable fire extinguishers and the exact manner to be used in distributing the extinguishers throughout the workplace.

For example, paragraphs 1910.157 (a)(5), (a)(6), (a)(7), and (a)(8) require specific methods of mounting extinguishers depending upon weight, height, which way instructions face, or what type of location is selected.

Some commenters disagree with the revocation of these requirements on the basis that extinguisher mounting and ease of handling is of prime consideration in fire prevention. Even though OSHA agrees that extinguisher mounting criteria are important, it also believes that such detailed requirements for extinguisher mounting are unnecessary; further, OSHA believes that paragraphs 1910.157 (a)(1), (a)(2), (a)(3), and (a)(4) provide suffi-

cient regulation of extinguisher mounting to insure adequate employee safety.

The majority of commenters agree with OSHA that these specific provisions for the mounting of portable fire extinguishers can be revoked because they are inconsequential and are adequately covered elsewhere by another OSHA standard. Accordingly, the following paragraphs are revoked:

Paragraph 1910.157(a)(5).

Paragraph 1910.157(a)(6).

Paragraph 1910.157(a)(7).

Paragraph 1910.157(a)(8).

Certain paragraphs of section 1910.157 contain requirements which are specifically directed toward property protection. For example, paragraph 1910.157(c)(1)(iii) calls for "required building protection" to be provided by certain types of extinguishers. Paragraph 1910.157(c)(1)(v) regulates extinguishers which have been "provided for building protection." Paragraph 1910.157(c)(1)(ii) contains certain wording which applies to building protection.

Only one commenter opposed the revocation of these property protection provisions on the basis that requirements for property protection may have an affect on employee safety. All other commenters support the revocation of those provisions which address property protection. Therefore, OSHA is amending paragraph 1910.157(c)(1)(ii) by striking the words "both the building structure, if combustible and", and is revoking paragraphs 1910.157 (c)(1)(iii) and (c)(1)(v) because they are directed toward property protection.

Upon reexamination of the evidence, OSHA has determined that in the best interest of worker protection, the following provisions in section 1910.157 should not be revoked:

Paragraph 1910.157(d)(3)(iv)—fire extinguisher tag.

Paragraph 1910.157(d)(4)(vii)—second sentence—corrosion of water pail/extinguisher.

Paragraph 1910.157(d)(4)(viii)—record tag for hydrostatic test.

§ 1910.158 *Standpipe and hose systems.* Paragraph 1910.158(b)(2)(i) requires standpipes for class I service to be provided with 2½ inch hose connections on each floor. However, class I standpipe service is for use by fire departments and those trained in handling heavy fire streams (2½" hose). Class I service is directed toward protection of the building and not intended to be used by employees.

One commenter opposed the revocation of this paragraph but gave no reason. Another commenter opposed the revocation of this paragraph because it is based on a consensus standard; the commenter believes that revocation would result in less fire protec-

tion. However, all other commenters agree with OSHA that this provision is directed toward property protection and can be revoked. Additionally, class I standpipe systems are regulated by local building code and fire officials. Accordingly, paragraph 1910.158(b)(2)(i) is revoked.

Paragraph 1910.158(c)(1) addresses minimum water supplies for class I standpipe service. As stated previously, class I standpipe service is not intended to be used by employees. Instead, it is directed toward property protection and used by fire departments and those trained in handling heavy fire streams. Therefore, because class I standpipe systems are directed toward property protection, and because these systems are regulated by local building codes and fire officials, paragraphs 1910.158(c)(1)(i), 1910.158(c)(1)(ii), and 1910.158(c)(1)(iii) are revoked.

Paragraph 1910.158(c)(4) specifies requirements for standpipe fire department connections. A few commenters opposed revocation of this paragraph because they believe fire department connections for class I standpipe systems are essential to employee safety. However, the majority of commenters agree with OSHA that this paragraph is directed more toward property protection than toward employee safety. Additionally, requirements for fire department connections are regulated by building code officials and local fire officials. Therefore, paragraph 1910.158(c)(4), which prescribes requirements for fire department connections, is revoked in its entirety. This includes paragraphs 1910.158(c)(4)(i), 1910.158(c)(4)(ii), 1910.158(c)(4)(iii), 1910.158(c)(4)(iv), 1910.158(c)(4)(v), 1910.158(c)(4)(vi), 1910.158(c)(4)(vii), 1910.158(c)(4)(viii), 1910.158(c)(4)(ix), 1910.158(c)(4)(x), and 1910.158(c)(4)(xi).

§ 1910.159 *Automatic sprinkler systems.* Section 1910.159 contains detailed requirements for fire department connections used to provide auxiliary water supplies to automatic sprinkler systems.

Comments were received which support the revocation of paragraph (b) of this section. OSHA agrees with these commenters because paragraph (b) applies to sprinkler system equipment designed primarily for property protection which will be used by persons other than employees (i.e., the public fire department). Employee evacuation at the time of a fire would limit employee exposure to the hazards needing automatic sprinkler protection and the auxiliary water supply provided by fire department connections which would therefore be used for property protection and fire control.

Therefore, the following paragraphs are revoked because they are directed

toward property protection: 1910.159(b)(1) which concerns the pipe size on fire department connections; 1910.159(b)(2)(i) which concerns the use of approved straightaway check valves on fire department connections; 1910.159(b)(2)(ii) which concerns not using shutoff valves on fire department connections; 1910.159(b)(3) which concerns the use of proper support for fire department connections; 1910.159(b)(4)(i) which concerns the use of approved hose connections for fire department connections; 1910.159(b)(4)(ii) which concerns the compatibility of hose couplings on fire department connections; 1910.159(b)(4)(iii) which concerns the use of caps on hose connections on fire department connections; 1910.159(b)(4)(iv) which concerns the location and arrangement of hose connections for fire department connections; and, 1910.159(b)(4)(v) which concerns the designation of hose connections on fire department connections.

§ 1910.160 *Fixed dry chemical extinguishing systems.* Section 1910.160 contains a requirement for an inspection report of a dry chemical system to be filed with the employer.

Comments were received which objected to the deletion of this requirement. OSHA disagrees with these comments because the location of an inspector's report is inconsequential to employee safety as long as inspections are conducted. Employee protection is insured by paragraphs 1910.160(c)(1)(i) and 1910.160(c)(1)(ii) which require that inspections be conducted. Therefore, paragraph 1910.160(c)(1)(iii) is revoked as inconsequential to employee safety since it only requires that the inspector file his report with the employer.

SUBPART N—MATERIALS HANDLING AND STORAGE

§ 1910.176 *Handling materials—general.* Paragraph 1910.176(d) requires proper drainage in those areas where materials are handled by employees. OSHA has reviewed the evidence and the comments received and determined that this paragraph should be revoked. This provision is adequately covered by the requirements of paragraph 1910.22(a)(2).

§ 1910.178 *Powered industrial trucks.* Paragraph 1910.178(q)(11) requires only glycol base products to be used as an antifreeze in an engine cooling system. Several commenters stated that this provision should be retained because it will prevent the use of such coolants as alcohol. Another commenter stated that one type of antifreeze should not be a requirement, since others are available. OSHA has reviewed the evidence and the comments received and determined that this paragraph should be

revoked because it is directed at protecting property, that is, preventing engine coolant from freezing and cracking the engine.

Upon reexamination of the evidence, OSHA has determined that, in the best interest of worker protection, the following provisions in 1910.178 should not be revoked:

1910.178(a)(4)—modification of trucks.

1910.178(n)(5)—railroad track consideration.

1910.178(q)(6)—altering trucks.

§ 1910.179 *Overhead and gantry cranes.* Upon reexamination of the evidence, OSHA has determined that, in the best interest of worker protection, the following provisions in 1910.179 should not be revoked:

1910.179(h)(2)(i)—hoisting ropes.

1910.179(h)(2)(ii)—socketing ropes.

1910.179(h)(2)(v)—sparing of clips.

1910.179(h)(2)(vi)—swaged fittings.

1910.179(h)(2)(viii)—replacement

rope.

1910.179(h)(4)—hooks.

1910.179(j)(2)(vii)—inspection of rope reeving.

§ 1910.181 *Derricks.* Paragraph 1910.181(f)(2)(i)(g) requires that welding repairs to a derrick be approved by an appointed person. One commenter suggested that we retain this provision, while another suggested that we modify it to require reinspection of derricks on a scheduled frequency. OSHA has considered the evidence and comments received and determined that the paragraph should be revoked because the requirement is inconsequential.

Paragraph 1910.181(f)(3)(iii)(c) requires that pitted or burned electrical contacts should be replaced in sets, and controller parts should be lubricated according to the manufacturer's recommendation. One commenter recommended deletion of this provision, while another recommended a modification of the paragraph. The evidence and comments received on this paragraph has been examined by OSHA, and it has been determined that the paragraph should be revoked. This provision is primarily a requirement for improving the performance of electrical controls and not for enhancing employee safety.

Upon reexamination of the evidence, OSHA has determined that, in the best interest of worker protection, the following provisions in 1910.181(f) should not be revoked:

1910.181(c)(2)—nonpermanent installations.

1910.181(f)(1)—maintenance of derricks.

SUBPART O—MACHINERY AND MACHINE GUARDING

§ 1910.213 *Woodworking machinery requirements.* Section 1910.213 pre-

scribes regulations for woodworking machinery. The original proposal for revocation of four provisions, based on the criteria that they were obsolete or inconsequential, generated a very limited response. The majority of commenters favored deletion. Those comments favoring retention were based on performance of the machine rather than the safety of the employee. There were no substantive objections.

The four paragraphs identified below are revoked because the provisions are either obsolete or inconsequential and in some cases, fall into both categories. Some are obsolete due to changes within the woodworking industry which have improved or altered conditions to the extent that the hazard has been eliminated and the rule is no longer valid; others are termed inconsequential because they have no direct bearing on the safety of employees, do not contain useful information, or are intended to provide operational instructions for effective machine utilization or product acceptance.

Therefore, paragraphs 1910.213(a)(3), 1910.213(m)(2), 1910.213(s)(10), and 1910.213(s)(11) are revoked.

§ 1910.215 Abrasive wheel machinery. Section 1910.215 prescribes the safety regulations for abrasive wheel machinery.

The proposed revocation of three provisions in 1910.215(c)(2), on the basis that they constitute design criteria for the use of machine manufacturers, generated little response. The one objecting comment received requested retention of a paragraph because it presently discourages the use of substitute abrasive wheel flanges and forces equipment manufacturers to comply with safe design factors.

OSHA disagrees with the objecting commenter because the flanges used to support abrasive wheels are accessory tooling provided by the machine manufacturers and impractical for the employer to fabricate. Further, the design criteria is beyond the control of the employer since it was intended to provide the manufacturer with specifications necessary for the equipment to effectively perform its function.

Paragraph 1910.215(c) covers the design and material specifications regulating abrasive wheel flanges. The three paragraphs identified below are revoked because they contain design criteria intended for machine manufacturers use and do not contribute to employee safety and health.

Therefore, paragraphs 1910.215(c)(2)(i), 1910.215(c)(2)(ii), and 1910.215(c)(2)(iii) are revoked.

1910.217 Mechanical power presses. Paragraph 1910.217(a) contains three provisions prescribing the general requirements for coming into compli-

ance with specific portions of the power press standard.

Comments on the proposal for revocation of these paragraphs have been decidedly in favor of the action. There were no substantive objections. The three regulations that follow are revoked because they all contain effective dates that have expired and are now meaningless.

Paragraph 1910.217(a)(1), requiring new installations to be in compliance with the standard by a date that has expired, is revoked.

Paragraph 1910.217(a)(2), requiring existing installations to be in compliance with the standard by a date that has expired, is revoked.

Paragraph 1910.217(a)(3), requiring all installations to be in compliance with the standard by a date that has expired, is revoked.

Paragraph 1910.217(c) establishes the requirements for point of operations safeguarding devices used on mechanical power presses.

The proposal to revoke a portion of one provision and completely revoke three others involving the use of a sweep device because they no longer apply did not provoke many comments. There were no substantive objections. The four regulations that follow will be revoked because sweep devices as a single means of protection from the point of operation hazard are prohibited after December 31, 1976. The date after which use of the device is prohibited has passed and continued use of the performance language relating to it is no longer necessary.

Paragraph 1910.217(c)(3)(v) is amended to read, "The sweep device may not be used for point of operation safeguarding after December 31, 1976." All performance criteria for a sweep device is revoked.

Paragraph 1910.217(c)(3)(v)(a) providing performance criteria for a sweep device is revoked.

Paragraph (c)(3)(v)(b) providing performance criteria for a sweep device is revoked.

Paragraph (c)(3)(v)(c) providing performance criteria for a sweep device is revoked.

Paragraph (c)(3)(v)(d) providing performance criteria for a sweep device is revoked.

Paragraph 1910.217(f) regulates the operation of mechanical power presses in regard to the employment of minors, instruction to operators and inspection and maintenance of equipment.

The proposal for revocation of the paragraph dealing with the employment of minors did not generate very many comments. There were no substantive objections.

The following paragraph is revoked because minimum age for employment as a machine operator is subject to the

Fair Labor Standards Act, regulated by subpart E of 29 CFR part 570, and enforced by the Wage and Hour Division of the Department of Labor.

Paragraph 1910.217(f)(1) providing minimum age requirements for employment is revoked.

1910.219 Mechanical power transmission apparatus. Section 1910.219 contains a large number of detailed requirements for the construction of guards for all types of mechanical power transmission apparatus.

An overwhelming majority of the comments received were in favor of revocation. OSHA concurs with these commenters because those regulations being retained will still provide an adequate assurance that all mechanical power transmission apparatus will be guarded to prevent accidental contact.

Twenty-eight provisions and two tables are being revoked from section 1910.219 because they contain unnecessary detail. These provisions prescribe detailed specifications for the types of materials and methods of guarding mechanical power-transmission apparatus. Other adequate materials and methods of guarding exist. It is not OSHA's intention to limit the employer to certain materials and methods of guarding, but rather to assure adequate employee protection.

For example, paragraph 1910.219(o)(1)(i)(b) contains detailed specifications for the bracing of guards. This requirement is unnecessarily detailed because the requirements being retained in paragraph 1910.219(o)(1)(i)(a) are sufficient to insure that all guards are rigidly braced.

As another example, Table O-12 contains unnecessarily detailed requirements for the types and dimensions of materials used for guards. Other equally acceptable materials exist for guarding mechanical power transmission apparatus. Therefore, the following provisions are revoked for the design and construction of mechanical power transmission apparatus guards because they are unnecessarily detailed:

Paragraph 1910.219(i)(2) is amended by striking all the text immediately following the first complete sentence.

Paragraph 1910.219(m)(1)(iii) is revoked.

Paragraph 1910.219(m)(2) is amended by striking the words, "by one of the following methods:"

Paragraph 1910.219(m)(2)(i)(a) is revoked.

Paragraph 1910.219(m)(2)(i)(b) is revoked.

Paragraph 1910.219(m)(2)(i)(c) is revoked.

Paragraph 1910.219(m)(2)(i)(d) is revoked.

Paragraph 1910.219(m)(2)(i)(e) is revoked.

Paragraph 1910.219(m)(2)(ii) is revoked.

Paragraph 1910.219(m)(2)(iii) is revoked.

Paragraph 1910.219(n)(1) is revoked.

Paragraph 1910.219(n)(2)(i) is revoked.

Paragraph 1910.219(n)(2)(ii) is revoked.

Paragraph 1910.219(n)(3) is revoked.

Paragraph 1910.219(o) is amended by striking the words, "(For the latter, see Table O-13.)".

Paragraph 1910.219(o)(1)(i) is revoked.

Paragraph 1910.219(o)(1)(i)(b) is revoked.

Paragraph 1910.219(o)(1)(i)(c) is revoked.

Paragraph 1910.219(o)(1)(ii) is revoked.

Paragraph 1910.219(o)(2)(ii)(a) is revoked.

Paragraph 1910.219(o)(2)(ii)(b) is revoked.

Paragraph 1910.219(o)(2)(ii)(c) is revoked.

Paragraph 1910.219(o)(2)(ii)(d) is revoked.

Paragraph 1910.219(o)(2)(ii)(e) is revoked.

Paragraph 1910.219(o)(3)(ii) is revoked.

Paragraph 1910.219(o)(3)(iv) is revoked.

Paragraph 1910.219(o)(3)(v) is revoked.

Paragraph 1910.219(o)(4) is amended by striking all the text of the paragraph following the word "guard", starting with the word "construction" and ending with "pulley".

Table O-12 of Subpart O is revoked.

Table O-13 of Subpart O is revoked.

Four provisions of section 1910.219 are being revoked because they are directed primarily toward protection of property rather than that of the employee.

Twelve of the thirteen comments received pertaining to these provisions were in favor of revocation. OSHA agrees with these commenters because these provisions do not relate to employee safety but only to property protection.

For example, paragraph 1910.219(j) calls for self-lubricating bearings. The use of self-lubricating bearings would merely facilitate the protection of the machinery in use and have no effect on employee safety. Therefore, the following provisions are revoked because they are directed toward property protection:

Paragraph 1910.219(d)(5) is revoked.

Paragraph 1910.219(j) is amended by striking the words, "Self lubricating bearings are recommended and."

Paragraph 1910.219(k)(3) is revoked.

Paragraph 1910.219(p)(6)(i) is revoked.

Two provisions of section 1910.219 are being revoked because they pertain to guarding obsolete types of mechanical power transmission apparatus. There were few comments objecting to the revocation. No comments were substantive.

The following two paragraphs pertaining to governor balls and continuous rope drives are revoked:

Paragraph 1910.219(b)(4) is revoked.

Paragraph 1910.219(e)(2)(v) is revoked.

Paragraph 1910.219(c)(5) provides regulations pertaining to power transmission apparatus located in basements. One section of this paragraph was proposed for revocation because it was adequately covered by other standards. Most of the comments agreed with OSHA. There were no substantive objections.

The following paragraph requiring the footing around power transmission apparatus to be dry, firm and level is revoked because it is adequately covered by the general housekeeping requirements in section 1910.22.

Paragraph 1910.219(c)(5)(iv) is revoked.

Upon reexamination of the evidence, OSHA has determined that, in the best interest of worker protection, the following provision in paragraph 1910.219(c) should not be revoked:

Paragraph 1910.219(c)(5)(v)—Protection for the oiler.

SUBPART P—HAND AND PORTABLE POWERED TOOLS AND OTHER HAND-HELD EQUIPMENT

§ 1910.241 Definitions. Paragraph 1910.241(c) defines eleven power lawnmower terms. OSHA has reviewed the evidence and the comments received and determined that this paragraph should be revoked. These definitions contain unnecessary detail because the terms defined are in common usage. In addition, paragraph 1910.243(e)(1)(i) references "American National Standard Safety Specifications for Power Lawnmowers, ANSI B71.1-1968," which is the source of these definitions. Therefore, the following provisions, which define specific power lawnmower terms, are revoked because they are unnecessarily detailed:

Paragraph 1910.241(c)(1)—Blade Tip Circle.

Paragraph 1910.241(c)(2)—Guards.

Paragraph 1910.241(c)(3)—Catcher Assemblies.

Paragraph 1910.241(c)(4)—Walk-Behind Mower.

Paragraph 1910.241(c)(5)—Operator Area, Walk-Behind Mower.

Paragraph 1910.241(c)(6)—Power Reel Mower.

Paragraph 1910.241(c)(7)—Power Rotary Mower.

Paragraph 1910.241(c)(8)—Lowest Blade Position.

Paragraph 1910.241(c)(9)—Riding Mower.

Paragraph 1910.241(c)(10)—Sulky Type Mower.

Paragraph 1910.241(c)(11)—Dead-man Control.

§ 1910.243 Guarding of portable powered tools. Paragraph 1910.243(d)(2) prescribes regulations for explosive actuated fastening tools. OSHA has examined the evidence and the comments received, and determined that the three provisions in this paragraph proposed for amendment should be amended. The amendments would remove safety requirements which are based on the manufacturer's discretion.

Paragraph 1910.243(d)(2)(i), 1910.243(d)(2)(ii), and 1910.243(d)(2)(iii) identify the requirements of design and the characteristics of different types of explosive actuated fastening tools. In addition, these paragraphs require OSHA to enforce the addition of any safety feature the manufacturer may wish to incorporate on such tools. Due to the wording of these provisions, OSHA could not effectively challenge any safety feature added by the manufacturer.

OSHA has reviewed the comments and the evidence and determined that the three paragraphs 1910.243(d)(2)(i), 1910.243(d)(2)(ii), and 1910.243(d)(2)(iii) be amended as follows: Strike from paragraphs 1910.243(d)(2)(i) and 1910.243(d)(2)(iii) the words "and, at the discretion of the manufacturer, any additional safety feature he may wish to incorporate," and from paragraph 1910.243(d)(2)(ii) the words "at the discretion of the manufacturer."

Paragraph 1910.243(d)(3) and Table P-1 identify the requirements for loads and fasteners and contain detailed requirements for identifying the power levels of loads used in explosive actuated fastening tools, by means of a uniform color and numbering system. OSHA has examined the evidence and determined that the provisions and Table proposed for revocation in this paragraph should be revoked because they contain unnecessary detail.

The revocation will not remove the performance requirement that there be a standard means of identifying the power levels of loads used in such tools. Therefore, paragraph 1910.243(d)(3)(i) is amended by striking the last two sentences. Paragraph 1910.243(d)(3)(ii) and Table P-1 are revoked.

Upon reexamination of the evidence, OSHA has determined that, in the best interest of worker protection, the following provision in 1910.243 should not be revoked:

1910.243(e)—Power lawnmowers.

SUBPART Q—WELDING, CUTTING, AND
BRAZING

§ 1910.252 *Welding, cutting, and brazing.* This section prescribes regulations for the safety and health of employees engaged in welding, cutting, and brazing and any other employees who may be exposed to the hazards created by such activities.

OSHA has determined that some of the requirements contained in this section are not necessary for the safety and health of the employee.

A total of 107 comments were received on the proposed amendment of the section, with some commenting on more than one provision. Each comment was considered by OSHA in making its decision on the final rule. A discussion of the comments with OSHA's disposition of them follows.

Several comments were made on subjects not contained in the proposal. Several commenters recommended re-writing of portions or all of some of the rules. These comments dealt with subject matter which is outside of the scope of the proposal and are not discussed.

There were three comments received on the proposal to amend paragraph 1910.252(a)(4)(iii)(b) concerned with servicing piping systems by striking the first sentence thereof. All three commenters were in agreement with the proposed amendment.

OSHA has determined that the striking of the first sentence would not adversely affect the safety of employees. Since this sentence is only informational in nature, it is not enforceable and is inconsequential. Paragraph 1910.252(a)(4)(iii)(b) is therefore amended by striking the first sentence.

Ten comments were received on the proposal to revoke paragraph 1910.252(a)(5)(v)(b); colors for hose and hose connections. One agreed with the proposal as written and nine were opposed. All of the comments opposed stated one or both of the following reasons as to why they opposed the revoking of paragraph 1910.252(a)(5)(v)(b): (a) That color coding of acetylene, oxygen, and air hoses is a universally accepted practice in welding; (b) That removing a requirement for color coding of hoses could result in the mixing of the gases, creating a serious hazard to the employee.

Paragraph 1910.252(a)(5)(v)(b) is only informational in nature and does not contain any requirements for color coding of hoses. It only states a generally recognized practice; it is unenforceable and is of inconsequential value to the standard. For these reasons OSHA does not agree with the recommendations of the commenters. Paragraph 1910.252(a)(5)(v)(b) is therefore revoked.

There were seven comments regarding the amendment of paragraph 1910.252(a)(5)(vi)(d) concerned with union nuts and connections on regulators by striking the last sentence. Two of the commenters favored the proposal and five of the commenters were opposed. All five of the commenters who were opposed took the position that destroying the nuts and connectors would prevent other employees from using faulty equipment. OSHA feels that adequate protection remains in the portion of the paragraph being retained and the striking of the sentence as proposed would not have adverse effect upon the safety of employees since the requirement is of inconsequential value to the standard. Paragraph 1910.252(a)(5)(vi)(d) is therefore amended by striking the last sentence.

There were three comments received on the amendment of paragraph 1910.252(a)(6)(iv)(b)(1) concerned with venting of acetylene generators. Two of the commenters agreed with the proposed amendment. One commenter was opposed to the amendment. The commenter who opposed revocation stated that the proper construction of a vent pipe is considered a safety workman's item and that broken and corroded pipe can discharge acetylene into the working space.

OSHA is of the opinion that to burden the standard with unnecessary details of vent pipe construction tends to inhibit those who seek better means of constructing vent pipes. The provision of adequate venting remains in the standard, thus assuring employee protection. Paragraph 1910.252(a)(6)(iv)(b)(1) is therefore amended by striking all of the provision after "each generator shall be provided with a vent pipe." For these reasons, the proposed amendment is adopted.

There were four comments received on the proposed amendment to paragraph 1910.252(a)(6)(vi)(a)(7); outside generation houses and inside generation rooms for stationary acetylene generators. One commenter recommended that the words "of ample size" be defined. OSHA has determined that the words "of ample size" are vague in meaning and of no consequence for the purposes of the standard; therefore, paragraph 1910.252(a)(6)(vi)(a)(7) is amended by striking the words "of ample size."

Two commenters objected to the revocation of paragraph 1910.252(a)(7)(ii)(c); calcium carbide storage, expressing concern about the safety of workers in adjacent buildings.

OSHA is of the opinion that this type of requirement is addressed to public safety and/or protection of property, neither of which is properly the function of OSHA. OSHA is of the further opinion that this type of protection is best afforded by local au-

thorities; therefore, this paragraph is amended by striking the second sentence.

Two commenters objected to the revocation of paragraph 1910.252(a)(7)(iii)(d); storage outdoors. The reasons they stated were the protection of adjacent buildings and the employees therein. OSHA disagrees, since this paragraph is concerned with public safety and/or protection of property. The paragraph is therefore revoked.

There was no public comment received on paragraphs 1910.252(a)(8)(i) thru (a)(8)(ii)(3) concerning public exhibitions and demonstrations which were proposed for revocation. These paragraphs contain many detailed requirements for public exhibitions and demonstrations, all of which relate to protection of the public, rather than employees. The following paragraphs are therefore revoked:

Paragraph 1910.252(a)(8)(i).
Paragraph 1910.252(a)(8)(ii)(a).
Paragraph 1910.252(a)(8)(ii)(b).
Paragraph 1910.252(a)(8)(ii)(c).
Paragraph 1910.252(a)(8)(ii)(d).
Paragraph 1910.252(a)(8)(ii)(e).
Paragraph 1910.252(a)(8)(ii)(f).
Paragraph 1910.252(a)(8)(ii)(g)(1).
Paragraph 1910.252(a)(8)(ii)(g)(2).
Paragraph 1910.252(a)(8)(ii)(h).
Paragraph 1910.252(a)(8)(ii)(i)(1).
Paragraph 1910.252(a)(8)(ii)(i)(2).
Paragraph 1910.252(a)(8)(ii)(i)(3).

Four comments were received on the proposed amendment to paragraph 1910.252(b)(2)(iv)(b) concerned with control handles for arc welding machines. They stated that retention of the requirement to easily grasp control handles with a gloved hand would make it more convenient for the welder to grasp the wheel or control handles. Two commenters thought that revocation of the requirement could result in a hazard in an emergency but did not support their contention with any data or other pertinent information.

OSHA is of the opinion that this is a requirement concerned with the convenience of the employee. Lacking any substantial evidence to the contrary, paragraph 1910.252(b)(2)(iv)(b) is hereby amended by striking the last sentence.

There were two comments received concerning the proposed amendment to paragraph 1910.252(c)(3)(iii) concerned with the fabrication of a clevis used for attachment to safety chains, both in agreement with the proposal. OSHA has determined that the information proposed for deletion is obsolete. Paragraph 1910.252(c)(3)(ii) is hereby amended by striking the first sentence.

Thirteen comments were received concerning the proposed revocation of paragraph 1910.252(c)(5); hazards and

precautions. Several of the commenters stated that the paragraph should be retained because it required a job hazard analysis to be made or that it related to job hazard analysis in welding. One commenter stated that job hazard analysis is an accepted safety engineering technique. None of the commenters supplied any material, information or data to support their contentions that the requirement should be retained.

Job hazard analysis is one of many techniques that can produce such information. OSHA believes that the requirement of one technique to the exclusion of all others may inhibit the use of newer or alternate methods. This could have a retarding effect upon the development of newer and better technology. The freezing of the state-of-the-art by prescribing a single specification would place undue restraints on those who wish to advance the state-of-the-art or raise the level of safety voluntarily. For these reasons, the recommendations of the commenters are not adopted. Paragraph 1910.252(c)(5) is therefore revoked.

Paragraph 1910.252(e)(3)(ii) contains a great many detailed requirements for protective clothing to be used by welders and was proposed for revocation in its entirety. Since all the requirements relate to the same specific subject matter they are consolidated for the purpose of discussion.

A significant number of comments were received stating that the requirements should be retained because they related to specified protective clothing for welders. OSHA has determined that all of the requirements proposed to be revoked are adequately covered by other general standards, specifically, Subpart I—Personal Protective Equipment, section 1910.132, general provisions, paragraphs 1910.132 (a), (b), and (c) and section 1910.135, occupational head protection.

In view of the fact that none of the commenters furnished any substantial information or facts to show that adequate safety is not provided by sections 1910.132 and 1910.135, the following paragraphs are hereby revoked:

- Paragraph 1910.252(e)(3)(ii).
- Paragraph 1910.252(e)(3)(ii)(a).
- Paragraph 1910.252(e)(3)(ii)(b).
- Paragraph 1910.252(e)(3)(ii)(c).
- Paragraph 1910.252(e)(3)(ii)(d).
- Paragraph 1910.252(e)(3)(ii)(e).
- Paragraph 1910.252(e)(3)(ii)(f).
- Paragraph 1910.252(e)(3)(ii)(g).
- Paragraph 1910.252(e)(3)(ii)(h).
- Paragraph 1910.252(e)(3)(ii)(i).

There were two comments made concerning the proposed amendment to paragraph 1910.252(f)(1)(v)(b); precautionary labels. One commenter recommended that the requirement be retained until other labeling standards

are in effect. OSHA has determined that the requirement is related to public safety, not to the employee's safety. Therefore, paragraph 1910.252(f)(1)(v)(b) is amended by striking the sentence "Keep children away when using," in the warning notice.

Upon reexamination of the evidence, OSHA has determined that, in the best interest of worker protection, the following provision in paragraph 1910.252(f) should not be revoked:

Paragraph 1910.252(f)(1)(v)—Precautionary labels.

SUBPART R—SPECIAL INDUSTRIES

§ 1910.261 *Pulp, paper and paperboard mills.* Paragraph 1910.261(d) prescribes requirements concerning the handling and storage of raw materials other than pulpwood or pulp chips in the pulp, paper and paperboard mills. OSHA has reviewed the comments received and determined that the one sentence proposed for revocation should be revoked.

Paragraph 1910.261(d)(4)(iv) is amended by revoking the last sentence of this paragraph which relates to portable roll chocks because it is concerned with comfort and convenience, and not with employee safety.

Paragraph 1910.261(k) prescribes requirements concerning paper machine rooms. OSHA has reviewed the comments received and determined that the one provision proposed for revocation should be revoked.

Paragraph 1910.261(k)(23) requires a clearance of at least 8 inches between reels of paper to enable forklift trucks to lift the reels. This paragraph is revoked because it does not relate to employee safety.

§ 1910.265 *Sawmills.* Paragraph 1910.265(c) prescribes requirements concerning building facilities and isolated equipment in sawmills. OSHA has reviewed the comments received and determined that the two requirements proposed for revocation should be revoked.

Paragraph 1910.265(c)(20)(iv) relates to possibility of clogging in exhaust pipes. It is revoked because it is directed to property protection, and not employee safety.

Upon reexamination of the evidence, OSHA has determined that in the best interest of worker protection the following provisions in 1910.265 should not be revoked:

- 1910.265(c)(7)—air requirements.
- 1910.265(f)(8)—kiln tender room.

Paragraph 1910.266(d) is concerned with equipment protective devices for stationary and mobile equipment in the pulpwood logging industry. OSHA has reviewed the comments received and determined that the one provision proposed for revocation should be revoked.

Paragraph 1910.266(d)(2)(ii) relates to design details for protective canopy. It is revoked because it is encumbered by unnecessary detail.

Paragraph 1910.266(e) is concerned with pulpwood harvesting in the pulpwood logging industry. OSHA has reviewed the comments received and determined that the two provisions proposed for revocation should be revoked.

Paragraph 1910.266(e)(1)(ii) requires that a flagman be assigned to direct traffic if trees being harvested fall into public roads. This standard is revoked because it is directed toward public safety.

Paragraph 1910.266(e)(9) requires truck drivers to check and tighten loose load binders before entering a public road. It is revoked because it is directed toward public safety.

Upon reexamination of the evidence, OSHA has determined that in the best interest of worker protection the following provisions in 1910.266(c) should not be revoked:

1910.266(c)(5)(ii)—chain saw instructions.

1910.266(c)(6)(i)—equipment instructions.

§ 1910.268 *Telecommunications.* Section 1910.268 is concerned with safety in telecommunications. Three paragraphs of this section were proposed for revocation and are now revoked. Paragraph 1910.268(f)(3) permits the use of multiply construction with contrasting colors for insulating gloves. OSHA has examined the comments received and determined that this paragraph is inconsequential and is revoked without compromising employee safety because it does not contain any requirement. It simply permits the use of multiply construction with contrasting colors in the plies.

Paragraph 1910.268(g)(2)(ii)(b)(4) is revoked as it contains detailed requirements for the placement of pocket tabs on body belts. Five commenters favored revocation claiming that it was a manufacturing detail not related to safety. One commenter simply stated that they were not in favor of revoking it but did not give any reason. OSHA has reviewed the comments received and determined that this provision is encumbered with unnecessary detail and may be revoked without jeopardizing employee safety.

Paragraph 1910.268(g)(2)(ii)(c) specifies the number of tool loops on a body belt. OSHA has examined the comments received and determined that this requirement is inconsequential and provides no determinable safety to the employee. Therefore, its revocation would not compromise employee safety.

SUBPART S—ELECTRICAL

§ 1910.308 *Application.* Paragraph 1910.308(c) states the scope of Subpart S. Paragraph 1910.308(c)(1) is amended by striking the words, "public and private." Since all buildings and other premises are either public or private, the words "public and private" are an unnecessary detail which can be deleted without affecting the scope of the standard.

SUBPART Z—TOXIC AND HAZARDOUS SUBSTANCES LIST

§ 1910.1003-.1017 Paragraph (d)(1) of OSHA standards for cancer causing substances, codified under 1910.1003 thru 1910.1016, and paragraphs (e)(2) and (m)(1)(ii) of 1910.1017, require a daily roster of employees entering regulated areas where potential exposure to these agents could occur. Some commenters argued that these provisions should be retained, because such data could prove value for epidemiological research, for purposes of enforcement and as an adjunct to medical and environmental testing. Information of this general class concerning worker exposure conditions is of considerable value to epidemiological research and is useful for other purposes. However, the Agency has determined that these particular requirements, in the form as written into this group of standards, are of limited benefit in achieving the intended purposes, and therefore add unnecessary detail and do not substantially contribute to employee safety and health. Other paragraphs within these standards relating to employee exposure to these substances, for example, section (f) "Reports" and section (g), "Medical Surveillance" of 1910.1003-.1017 do contain certain recordkeeping requirements which the Agency believes, are necessary and useful and therefore the Agency did not propose to revoke these sections.

These standards will be examined under the continuing review of each subpart of 1910 and revised as necessary to conform with the framework for employee exposure monitoring and recordkeeping established in more recent standards and under the Agency's general policy and procedure for the regulation of carcinogens.

V. TERMINATION OF INTERIM ENFORCEMENT POLICY

In conjunction with the proposal to revoke these standards, an interim enforcement policy was implemented by Program Directives Nos. 200-67 and 200-68 under section 9(a) of the OSH Act, 29 USC § 658(a). Under this interim enforcement policy, violations of the provisions proposed for revocation were treated as de minimis except in those instances where, as a result of

conditions at the worksite, the violations directly or immediately related to employee safety and health. See 42 FR 62735. Where a technical violation was found to exist which did not directly or immediately relate to employee safety and health, it was simply brought to the attention of the employer without need of further employer corrective action.

With the promulgation of this final rule, the interim enforcement policy is being terminated. New Program Directive No. 200-89 revokes Program Directive No. 200-68 with respect to standards involved in this rulemaking upon its effective date. Program Directive 200-67 stating OSHA's enforcement policy regarding de minimis situations generally continues in effect.

Standards proposed for revocation but not revoked will be enforced in accordance with the procedures and policies in effect prior to commencement of this rulemaking.

VI. ECONOMIC IMPACT

In accordance with Executive Order 11821 (39 FR 41501, November 29, 1974), Executive Order 11949 (42 FR 1017, January 5, 1977) and OMB Circular No. A-107 (January 28, 1975), OSHA assessed the potential economic impact of the proposal which is resulting in this final rule. Based on the six economic thresholds, OSHA concluded that the subject matter of the proposal was not a "major" action which would necessitate further economic impact evaluation or the preparation of an Economic Impact Statement. No new evidence has come before the Agency to alter its initial findings in the area of economic impact. Therefore, upon consideration of the entire record using the same criteria, OSHA has concluded that this final rule is not a "major" action, and that no Economic Impact Statement is required, and so certifies.

VII. EFFECTIVE DATE

The revocations listed herein shall be effective as of November 24, 1978.

VIII. AUTHORITY

This document was prepared under the direction of Eula Bingham, Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, D.C. 20210.

Accordingly, pursuant to section 4(b)(2), 6(b) and 8(c) of the Occupational Safety and Health Act of 1970 (84 Stat. 1592, 1593, 1596, 29 U.S.C. 653, 655, 657), the specific statutes referred to in section 4(b)(2), Secretary of Labor's Order No. 8-76 (41 FR 25059), and 29 CFR Part 1911, Part 1910 of Title 29, Code of Federal Regulations, is hereby amended by revoking those selected standards or por-

tions thereof 29 CFR Part 1910 which are listed below.

Signed at Washington, D.C., this 20th day of October, 1978.

These amendments are effective on November 24, 1978.

EULA BINGHAM,
Assistant Secretary of Labor.

Accordingly, Part 1910 of 29 CFR is amended as follows:

Subpart D—Walking-Working

§ 1910.23 Guarding floor and wall openings and holes [Amended]

1. Paragraph (e)(3) of § 1910.23 is revoked.

2. Paragraph (e)(3)(v)(d) of § 1910.23 is revoked.

§ 1910.24 Fixed industrial stairs [Amended]

3. Paragraph (k) of § 1910.24 is revoked.

4. Paragraph (b)(1)(i) of § 1910.25 is amended by deleting the phrases: "of the species specified in Table D-5, seasoned to a moisture content of not more than 15 percent; smoothly machined and dressed on all sides;" and "except as hereinafter provided". As amended, § 1910.25(b)(1)(i) reads as follows:

§ 1910.25 Portable wood ladders.

(b) *Materials.* (1) *Requirements applicable to all wood parts.* (i) All wood parts shall be free from sharp edges and splinters; sound and free from accepted visual inspection from shake, wane, compression failures, decay, or other irregularities. Low density wood shall not be used.

5. Paragraph (b)(1)(ii) of § 1910.25 is revoked.

6. Paragraph (b)(2)(i) of § 1910.25 is revoked.

7. Paragraph (b)(2)(ii) of § 1910.25 is revoked.

8. Paragraph (b)(2)(iii) of § 1910.25 is revoked.

9. Paragraph (b)(2)(iv) of § 1910.25 is revoked.

10. Paragraph (b)(2)(v) of § 1910.25 is revoked.

11. Paragraph (b)(3)(i) of § 1910.25 is revoked.

12. Paragraph (b)(3)(ii) of § 1910.25 is revoked.

13. Paragraph (b)(3)(iii) of § 1910.25 is revoked.

14. Paragraph (b)(4) of § 1910.25 is revoked.

15. Paragraph (b)(4)(i) of § 1910.25 is revoked.

16. Paragraph (b)(4)(ii) of § 1910.25 is revoked.

17. Paragraph (b)(5) of § 1910.25 is revoked.
18. Paragraph (c)(1)(i) of § 1910.25 is revoked.
19. Paragraph (c)(1)(ii) of § 1910.25 is revoked.
20. Paragraph (c)(1)(iii) of § 1910.25 is revoked.
21. Paragraph (c)(1)(iii)(a) of § 1910.25 is revoked.
22. Paragraph (c)(1)(iii)(b) of § 1910.25 is revoked.
23. Paragraph (c)(1)(iii)(c) of § 1910.25 is revoked.
24. Paragraph (c)(1)(iii)(d) of § 1910.25 is revoked.
25. Paragraph (c)(2)(i)(a) of § 1910.25 is revoked.
26. Paragraph (c)(2)(i)(d) of § 1910.25 is revoked.
27. Paragraph (c)(2)(i)(e) of § 1910.25 is revoked.
28. Paragraph (c)(2)(i)(g) of § 1910.25 is revoked.
29. Paragraph (c)(2)(i)(h) of § 1910.25 is revoked.
30. Paragraph (c)(2)(i)(i) of § 1910.25 is revoked.
31. Paragraph (c)(2)(ii)(a)(1) of § 1910.25 is revoked.
32. Paragraph (c)(2)(ii)(a)(2) of § 1910.25 is revoked.
33. Paragraph (c)(2)(ii)(b) of § 1910.25 is revoked.
34. Paragraph (c)(2)(ii)(c) of § 1910.25 is revoked.
35. Paragraph (c)(2)(ii)(c)(1) of § 1910.25 is revoked.
36. Paragraph (c)(2)(ii)(c)(2) of § 1910.25 is revoked.
37. Table D-2 of Subpart D is revoked.
38. Table D-3 of Subpart D is revoked.
39. Paragraph (c)(2)(ii)(d) of § 1910.25 is revoked.
40. Paragraph (c)(2)(iii)(a)(1) of § 1910.25 is revoked.
41. Paragraph (c)(2)(iii)(a)(2) of § 1910.25 is revoked.
42. Paragraph (c)(2)(iii)(b) of § 1910.25 is revoked.
43. Paragraph (c)(2)(iii)(c) of § 1910.25 is revoked.
44. Paragraph (c)(2)(iii)(c)(1)(i) of § 1910.25 is revoked.
45. Paragraph (c)(2)(iii)(c)(1)(ii) of § 1910.25 is revoked.
46. Paragraph (c)(2)(iii)(c)(2) of § 1910.25 is revoked.
47. Paragraph (c)(2)(iii)(c)(3) of § 1910.25 is revoked.
48. Paragraph (c)(2)(iv)(a) of § 1910.25 is revoked.
49. Paragraph (c)(2)(iv)(b) of § 1910.25 is revoked.
50. Paragraph (c)(2)(iv)(c) of § 1910.25 is revoked.
51. Paragraph (c)(2)(iv)(c)(1) of § 1910.25 is revoked.
52. Paragraph (c)(2)(iv)(c)(2) of § 1910.25 is revoked.
53. Paragraph (c)(3) of § 1910.25 is revoked.
54. Paragraph (c)(3)(i)(a) of § 1910.25 is revoked.
55. Paragraph (c)(3)(i)(b) of § 1910.25 is revoked.
56. Paragraph (c)(3)(i)(c) of § 1910.25 is revoked.
57. Paragraph (c)(3)(i)(d) of § 1910.25 is revoked.
58. Paragraph (c)(3)(i)(e) of § 1910.25 is revoked.
59. Paragraph (c)(3)(i)(f) of § 1910.25 is revoked.
60. Paragraph (c)(3)(i)(g) of § 1910.25 is revoked.
61. Paragraph (c)(3)(i)(h) of § 1910.25 is revoked.
62. Paragraph (c)(3)(i)(i) of § 1910.25 is revoked.
63. Paragraph (c)(3)(i)(j) of § 1910.25 is revoked.
64. Paragraph (c)(3)(ii)(b) of § 1910.25 is revoked.
65. Paragraph (c)(3)(ii)(c) of § 1910.25 is revoked.
66. Paragraph (c)(3)(ii)(d) of § 1910.25 is revoked.
67. Paragraph (c)(3)(iii)(b) of § 1910.25 is revoked.
68. Paragraph (c)(3)(iii)(c) of § 1910.25 is revoked.
69. Paragraph (c)(3)(iii)(d) of § 1910.25 is revoked.
70. Paragraph (c)(3)(iii)(e) of § 1910.25 is revoked.
71. Paragraph (c)(3)(iii)(f) of § 1910.25 is revoked.
72. Paragraph (c)(3)(iii)(g)(1) of § 1910.25 is revoked.
73. Paragraph (c)(3)(iii)(g)(2) of § 1910.25 is revoked.
74. Paragraph (c)(3)(iv)(b) of § 1910.25 is revoked.
75. Paragraph (c)(3)(iv)(c) of § 1910.25 is revoked.
76. Paragraph (c)(3)(iv)(c)(1) of § 1910.25 is revoked.
77. Paragraph (c)(3)(iv)(c)(2) of § 1910.25 is revoked.
78. Paragraph (c)(3)(iv)(c)(3) of § 1910.25 is revoked.
79. Paragraph (c)(3)(iv)(c)(4) of § 1910.25 is revoked.
80. Table D-4 of Subpart D is revoked.
81. Paragraph (c)(3)(v)(b) of § 1910.25 is revoked.
82. Paragraph (c)(3)(v)(c) of § 1910.25 is revoked.
83. Paragraph (c)(3)(v)(d) of § 1910.25 is revoked.
84. Paragraph (c)(3)(v)(e) of § 1910.25 is revoked.
85. Paragraph (c)(3)(v)(f) of § 1910.25 is revoked.
86. Paragraph (c)(3)(v)(g) of § 1910.25 is revoked.
87. Paragraph (c)(4) of § 1910.25 is revoked.
88. Paragraph (c)(4)(i) of § 1910.25 is revoked.
89. Paragraph (c)(4)(i)(a) of § 1910.25 is revoked.
90. Paragraph (c)(4)(i)(b) of § 1910.25 is revoked.
91. Paragraph (c)(4)(i)(c) of § 1910.25 is revoked.
92. Paragraph (c)(4)(i)(d) of § 1910.25 is revoked.
93. Paragraph (c)(4)(i)(e) of § 1910.25 is revoked.
94. Paragraph (c)(4)(i)(f) of § 1910.25 is revoked.
95. Paragraph (c)(4)(ii)(b) of § 1910.25 is revoked.
96. Paragraph (c)(4)(ii)(b)(1) of § 1910.25 is revoked.
97. Paragraph (c)(4)(ii)(b)(2) of § 1910.25 is revoked.
98. Paragraph (c)(4)(iii)(b) of § 1910.25 is revoked.
99. Paragraph (c)(4)(iii)(c) of § 1910.25 is revoked.
100. Paragraph (c)(4)(iii)(d) of § 1910.25 is revoked.
101. Paragraph (c)(5)(ii) of § 1910.25 is revoked.
102. Paragraph (c)(5)(iii) of § 1910.25 is revoked.
103. Paragraph (c)(5)(iv) of § 1910.25 is revoked.
104. Paragraph (c)(5)(v) of § 1910.25 is revoked.
105. Paragraph (c)(5)(vi)(a) of § 1910.25 is revoked.
106. Paragraph (c)(5)(vi)(b) of § 1910.25 is revoked.
107. Paragraph (c)(5)(vi)(c) of § 1910.25 is revoked.
108. Paragraph (c)(5)(vi)(d) of § 1910.25 is revoked.
109. Paragraph (c)(5)(vii)(a) of § 1910.25 is revoked.
110. Paragraph (c)(5)(vii)(b) of § 1910.25 is revoked.
111. Paragraph (c)(5)(vii)(c) of § 1910.25 is revoked.
112. Paragraph (c)(5)(vii)(d) of § 1910.25 is revoked.
113. Paragraph (c)(5)(vii)(e) of § 1910.25 is revoked.
114. Paragraph (c)(5)(vii)(f) of § 1910.25 is revoked.
115. Paragraph (d)(1)(v) of § 1910.25 is revoked.
116. Paragraph (d)(1)(vi) of § 1910.25 is revoked.
117. Paragraph (d)(1)(vii) of § 1910.25 is revoked.
118. Paragraph (d)(1)(viii) of § 1910.25 is revoked.
119. Paragraph (d)(1)(ix) of § 1910.25 is revoked.
120. Paragraph (d)(2)(xxi) of § 1910.25 is revoked.
121. Table D-5 of Subpart D is revoked.
- §1910.26 Portable Metal Ladders [Amended]
122. Paragraph (a)(1)(i) of § 1910.26 is revoked.
123. Paragraph (a)(1)(ii) of § 1910.26 is revoked.

124. Paragraph (a)(1)(iv) of § 1910.26 is revoked.

125. Paragraph (a)(1)(vi) of § 1910.26 is revoked.

126. Paragraph (a)(2)(v)(a) of § 1910.26 is revoked.

127. Paragraph (a)(2)(v)(b) of § 1910.26 is revoked.

128. Paragraph (a)(3)(i) of § 1910.26 is revoked.

129. Paragraph (a)(3)(ii) of § 1910.26 is revoked.

130. Paragraph (a)(3)(iv) of § 1910.26 is revoked.

131. Paragraph (a)(3)(v) of § 1910.26 is revoked.

132. Paragraph (a)(3)(vi) of § 1910.26 is revoked.

133. Paragraph (a)(4)(ii) of § 1910.26 is revoked.

134. Paragraph (a)(4)(iii) of § 1910.26 is revoked.

135. Paragraph (a)(4)(iv) of § 1910.26 is revoked.

136. Paragraph (a)(4)(v) of § 1910.26 is revoked.

137. Paragraph (a)(5)(ii) of § 1910.26 is revoked.

138. Paragraph (a)(5)(iii) of § 1910.26 is revoked.

139. Paragraph (a)(5)(iv) of § 1910.26 is revoked.

140. Paragraph (a)(5)(v) of § 1910.26 is revoked.

141. Paragraph (a)(5)(vi) of § 1910.26 is revoked.

142. Paragraph (b)(1) of § 1910.26 is revoked.

143. Paragraph (b)(2)(i) of § 1910.26 is revoked.

144. Paragraph (b)(2)(ii) of § 1910.26 is revoked.

145. Paragraph (b)(2)(iii) of § 1910.26 is revoked.

146. Paragraph (b)(2)(iv) of § 1910.26 is revoked.

147. Paragraph (b)(2)(v) of § 1910.26 is revoked.

148. Paragraph (b)(2)(vi) of § 1910.26 is revoked.

149. Paragraph (b)(2)(vii) of § 1910.26 is revoked.

150. Paragraph (b)(3)(i)(a) of § 1910.26 is revoked.

151. Paragraph (b)(3)(i)(b) of § 1910.26 is revoked.

152. Paragraph (b)(3)(ii) of § 1910.26 is revoked.

153. Table D-6 of Subpart D is revoked.

154. Paragraph (c)(2)(i) of § 1910.26 is revoked.

155. Paragraph (c)(2)(ii) of § 1910.26 is revoked.

156. Paragraph (c)(2)(iii) of § 1910.26 is revoked.

§ 1910.28 Safety requirements for scaffolds [Amended]

157. Paragraph (i)(2) of § 1910.28 is revoked.

158. Paragraph (v) of § 1910.28 is amended by deleting the words, "construction, alteration, demolition and".

Subpart F—Powered Platforms, Manlifts, and Vehicle-Mounted Work Platforms

§ 1910.66 Powered platforms for exterior building maintenance [Amended]

159. Paragraph (c)(20)(ii) of § 1910.66 is revoked.

160. Paragraph (c)(21)(i)(h) of § 1910.66 is revoked.

161. Paragraph (c)(21)(ii) of § 1910.66 is revoked.

162. Paragraph (c)(21)(iii) of § 1910.66 is revoked.

§ 1910.68 Manlifts [Amended]

163. Paragraph (b)(8)(vi) of § 1910.68 is revoked.

164. Paragraph (c)(7)(i)(a) of § 1910.68 is revoked.

165. Paragraph (c)(7)(iii) of § 1910.68 is amended by deleting the second sentence thereof.

Subpart G—Occupational Health and Environmental Control

§ 1910.94 Ventilation [Amended]

166. Paragraph (c)(5)(i)(b) of § 1910.94 is revoked.

167. Paragraph (c)(5)(iii) of § 1910.94 is revoked.

§ 1910.96 Ionizing radiation [Amended]

168. Paragraph (b)(5) of § 1910.96 is revoked.

169. Paragraph (e)(1)(ii) of § 1910.96 is revoked.

170. Paragraph (l)(1)(iii) of § 1910.96 is revoked.

171. Paragraph (l)(1)(iv) of § 1910.96 is revoked.

172. Paragraph (l)(2)(ii) of § 1910.96 is revoked.

173. Paragraph (l)(2)(iii) of § 1910.96 is revoked.

174. Paragraph (o)(2) of § 1910.96 is revoked.

175. Paragraph (r)(1) of § 1910.96 is revoked.

176. Paragraph (r)(2) of § 1910.96 is revoked.

177. Paragraph (r)(3)(i) of § 1910.96 is revoked.

178. Paragraph (r)(3)(ii) of § 1910.96 is revoked.

179. Paragraph (r)(4)(i) of § 1910.96 is revoked.

180. Paragraph (r)(4)(iii) of § 1910.96 is revoked.

Subpart H—Hazardous Materials

§ 1910.103 Hydrogen [Amended]

181. Table H-2 of Subpart H is amended by striking lines 13 and 14 thereof, and by deleting the words "and places of public assembly" from

the footnote to the Table designated by " * * * ".

182. Table H-4 of Subpart H is amended by striking line 12 thereof, and by striking in the footnote the words "and places of public assembly".

§ 1910.104 Oxygen [Amended]

183. Paragraph (b)(3)(xiv) of § 1910.104 is revoked.

184. Paragraph (b)(3)(xv) of § 1910.104 is revoked.

185. Paragraph (b)(3)(xvi) of § 1910.104 is revoked.

186. Paragraph (b)(3)(xvii) of § 1910.104 is revoked.

187. Paragraph (b)(3)(xviii) of § 1910.104 is amended by striking the numerical references "(xvi) and (xvii)".

§ 1910.106 Flammable and combustible liquids [Amended]

188. Paragraph (b)(1)(i)(e) of § 1910.106 is revoked.

189. Paragraph (b)(1)(ii)(a) of § 1910.106 is revoked.

190. Paragraph (b)(2)(i)(a) of § 1910.106 is revoked.

191. Paragraph (b)(2)(i)(b) of § 1910.106 is revoked.

192. Table H-5 of Subpart H is revoked.

193. Table H-6 of Subpart H is revoked.

194. Paragraph (b)(2)(i)(c) of § 1910.106 is revoked.

195. Table H-7 of Subpart H is revoked.

196. Paragraph (b)(2)(i)(d) of § 1910.106 is revoked.

197. Table H-8 of Subpart H is revoked.

198. Paragraph (b)(2)(i)(e) of § 1910.106 is revoked.

199. Table H-9 of Subpart H is revoked.

200. Paragraph (b)(2)(i)(f) of § 1910.106 is revoked.

201. Paragraph (b)(2)(iii) of § 1910.106 is revoked.

202. Paragraph (b)(2)(vii)(b)(1) of § 1910.106 is revoked.

203. Paragraph (b)(2)(vii)(b)(3) of § 1910.106 is revoked.

204. Paragraph (b)(2)(vii)(c)(5) of § 1910.106 is revoked.

205. Paragraph (b)(2)(vii)(c)(7) of § 1910.106 is revoked.

206. Paragraph (b)(2)(vii)(c)(7)(i) of § 1910.106 is revoked.

207. Paragraph (b)(2)(vii)(c)(7)(ii) of § 1910.106 is revoked.

208. Paragraph (b)(2)(vii)(c)(7)(iii) of § 1910.106 is revoked.

209. Paragraph (b)(2)(vii)(c)(7)(iv) of § 1910.106 is revoked.

210. Paragraph (b)(2)(vii)(a) of § 1910.106 is revoked.

211. Paragraph (b)(2)(vii)(b) of § 1910.106 is revoked.

212. Paragraph (b)(2)(viii)(c) of § 1910.106 is revoked.

213. Paragraph (b)(5)(vi)(e) of § 1910.106 is revoked.

214. Paragraph (d)(5)(iv)(a) of § 1910.106 is revoked.

215. Paragraph (d)(5)(iv)(b) of § 1910.106 is revoked.

216. Paragraph (d)(5)(iv)(c) of § 1910.106 is revoked.

217. Paragraph (d)(5)(iv)(d) of § 1910.106 is revoked.

218. Table H-14 is amended by striking the two headings entitled "Height" and all numbers appearing thereunder.

219. Table H-15 is amended by striking the two headings entitled "Height" and all numbers appearing thereunder.

220. Paragraph (d)(6)(ii)(a) of § 1910.106 is revoked.

221. Paragraph (e)(3)(iv)(c) of § 1910.106 is revoked.

222. Paragraph (f)(4)(ii) of § 1910.106 is revoked.

223. Paragraph (f)(4)(iii) of § 1910.106 is revoked.

224. Paragraph (f)(4)(v) of § 1910.106 is revoked.

225. Paragraph (g)(1)(ii)(c) of § 1910.106 is revoked.

226. Paragraph (g)(1)(iv) of § 1910.106 is revoked.

227. Paragraph (h)(2)(i) of § 1910.106 is revoked.

228. Table H-20 of Subpart H is revoked.

229. Paragraph (h)(2)(ii) of § 1910.106 is revoked.

230. Paragraph (h)(3)(ii)(c) of § 1910.106 is revoked.

231. Paragraph (i)(4) of § 1910.106 is amended by deleting the second sentence thereof.

§ 1910.109 Explosives and blasting agents [Amended]

232. Paragraph (a)(5) of § 1910.109 is revoked.

233. Paragraph (a)(9) of § 1910.109 is revoked.

234. Paragraph (a)(11) of § 1910.109 is revoked.

235. Paragraph (a)(20) of § 1910.109 is revoked.

236. Paragraph (a)(21) of § 1910.109 is revoked.

237. Paragraph (b)(1) of § 1910.109 is amended by striking the words "and property".

238. Paragraph (b)(2) of § 1910.109 is revoked.

239. Paragraph (b)(3) of § 1910.109 is revoked.

240. Table H-21 of Subpart R is amended by striking the three column headings entitled "Inhabited buildings, Passenger railways, and Public highways" and also striking all numbers appearing thereunder.

241. Paragraph (c)(1)(viii) of § 1910.109 is amended by striking the words "neighboring inhabited buildings, railways, highways, and".

242. Paragraph (c)(2)(iii) is amended by striking the second sentence thereof.

243. Paragraph (c)(3)(viii) of § 1910.109 is revoked.

244. Paragraph (c)(4)(iii) of § 1910.109 is amended by striking the second sentence thereof.

245. Paragraph (c)(5)(viii) of § 1910.109 is amended by the words "who shall be at least 21 years of age".

246. Paragraph (d)(1)(ii) of § 1910.109 is revoked.

247. Paragraph (d)(2)(ii)(b) of § 1910.109 is revoked.

248. Paragraph (d)(3)(i) of § 1910.109 is amended by striking the words, "physically fit, careful, capable, reliable, able to read and write the English language, and not addicted to the use, or under the influence of intoxicants, narcotics, or other dangerous drugs, and not less than 21 years of age. He shall be".

249. Paragraph (d)(3)(ii) of § 1910.109 is amended by striking the words, "bridge, tunnel, dwelling, building or" and "congregate or assemble".

250. Paragraph (e)(1)(iii) of § 1910.109 is amended by striking the words, "railway, or highway".

251. Paragraph (e)(4)(i) of § 1910.109 is revoked.

252. Paragraph (g)(2)(i) of § 1910.109 is revoked.

253. Paragraph (g)(5)(i)(c) of § 1910.109 is amended by striking the words, "Table H-21 with respect to inhabited buildings, passenger railways, and public highways and according to".

254. Paragraph (g)(5)(ii)(a) of § 1910.109 is amended by striking the words, "the provisions of Table H-21 with respect to inhabited buildings, passenger railways, and public highways, and according to".

255. Paragraph (g)(5)(vii) of § 1910.109 is amended by striking the words "who shall be not less than 21 years of age".

256. Paragraph (g)(6)(ii) of § 1910.109 is amended by striking the words, "at least twenty-one (21) years of age who is capable, careful, reliable, and".

257. Paragraph (g)(6)(v) of § 1910.109 is revoked.

258. Paragraph (g)(6)(vii) of § 1910.109 is revoked.

259. Paragraph (g)(6)(viii) of § 1910.109 is revoked.

260. Paragraph (h)(3)(i)(a) of § 1910.109 is revoked.

261. Paragraph (h)(3)(i)(b) of § 1910.109 is revoked.

262. Paragraph (i)(1)(i)(e) of § 1910.109 is amended by striking the words, "provided that no distinct undue hazard to the public is created".

263. Paragraph (i)(1)(ii)(a) of § 1910.109 is revoked.

264. Paragraph (i)(2)(iii)(e) of § 1910.109 is amended by striking the words, "or adjoining property".

265. Paragraph (j)(3)(ii) of § 1910.109 is revoked.

266. Paragraph (j)(4)(ii) of § 1910.109 is revoked.

§ 1910.110 Storage and handling of liquified petroleum gases [Amended]

267. Paragraph (a)(17) of § 1910.110 is revoked.

268. Paragraph (a)(18) of § 1910.110 is revoked.

269. Paragraph (b)(6)(ii) of § 1910.110 is amended by striking the words, "or line of adjoining property which may be built on".

270. Paragraph (b)(6)(iv) of § 1910.110 is revoked.

271. Paragraph (b)(11)(iii)(i) of § 1910.110 is amended by striking the words, "or line of adjoining property which may be built upon".

272. Paragraph (b)(11)(iv)(g) of § 1910.110 is amended by striking the words, "or line of adjoining property which may be built upon".

273. Paragraph (b)(15)(viii)(b) of § 1910.110 is revoked.

274. Paragraph (c)(5)(iv)(a) of § 1910.110 is revoked.

275. Paragraph (c)(5)(iv)(a)(1) of § 1910.110 is revoked.

276. Paragraph (c)(5)(iv)(a)(2) of § 1910.110 is revoked.

277. Paragraph (c)(5)(iv)(a)(3) of § 1910.110 is revoked.

278. Paragraph (c)(5)(iv)(b) of § 1910.110 is revoked.

279. Paragraph (c)(5)(ix)(c) of § 1910.110 is revoked.

280. Paragraph (d)(13)(i)(b) of § 1910.110 is revoked.

281. Paragraph (d)(13)(ii)(a) of § 1910.110 is revoked.

282. Paragraph (d)(13)(iii)(b) of § 1910.110 is revoked.

283. Paragraph (d)(15) of § 1910.110 is revoked.

284. Paragraph (e)(13)(iii) of § 1910.110 is revoked.

285. Paragraph (e)(13)(iv) of § 1910.110 is revoked.

286. Paragraph (f)(3)(i) of § 1910.110 is revoked.

287. Paragraph (f)(3)(ii) of § 1910.110 is revoked.

288. Paragraph (f)(6)(i)(b) of § 1910.110 is revoked.

289. Paragraph (f)(6)(i)(d) of § 1910.110 is revoked.

290. Paragraph (g)(1) of § 1910.110 is amended by striking the words, "or public service purposes such as mobile libraries and clinics".

291. Paragraph (h)(6)(i)(a) of § 1910.110 is amended by striking the words, "and adjoining property lines which may be built upon".

§ 1910.111 Storage and handling of anhydrous ammonia [Amended]

292. Paragraph (a)(2)(xiii) of § 1910.111 is revoked.

293. Paragraph (a)(2)(xiv) of § 1910.111 is revoked.

294. Paragraph (b)(5)(iii) of § 1910.111 is revoked.

295. Paragraph (b)(5)(iv) of § 1910.111 is revoked.

296. Table H-35 of Subpart H is revoked.

297. Paragraph (b)(11)(iii) of § 1910.111 is revoked.

298. Paragraph (b)(11)(iv) of § 1910.111 is revoked.

299. Paragraph (b)(12)(vi)(f) of § 1910.111 is revoked.

300. Paragraph (b)(13)(iii) of § 1910.111 is amended by striking the last sentence thereof.

301. Paragraph (c)(4)(ii) of § 1910.111 is amended by striking the first sentence thereof.

302. Paragraph (d)(12)(ii) of § 1910.111 is revoked.

Subpart I—Personal Protective Equipment

§ 1910.134 Respiratory protection [Amended]

303. Paragraph (g)(3)(iii) of § 1910.134 is revoked.

Subpart J—General Environmental Controls

§ 1910.141 Sanitation [Amended]

304. Paragraph (b)(1)(ii) of § 1910.141 is revoked.

305. Paragraph (b)(1)(iv) of § 1910.141 is revoked.

306. Paragraph (b)(1)(vii) of § 1910.141 is revoked.

307. Paragraph (c)(1)(iv) of § 1910.141 is revoked.

308. Paragraph (c)(1)(v) of § 1910.141 is revoked.

309. Paragraph (c)(1)(vi) of § 1910.141 is revoked.

310. Paragraph (c)(1)(vii) of § 1910.141 is revoked.

311. Paragraph (c)(2)(ii) of § 1910.141 is revoked.

312. Paragraph (c)(2)(iii) of § 1910.141 is revoked.

313. Paragraph (c)(3)(i) of § 1910.141 is revoked.

314. Paragraph (c)(3)(ii) of § 1910.141 is revoked.

315. Paragraph (c)(3)(iii) of § 1910.141 is revoked.

316. Paragraph (d)(2)(i) is amended by striking the words, "in accordance with the requirements for lavatories as set forth in Table J-2 of this section. In a multiple-use lavatory, 24 lineal inches of wash sink or 20 inches of a circular basin, when provided with water outlets for each space, shall be considered equivalent to one lavatory".

317. Table J-2 of Subpart J is revoked.

318. Paragraph (d)(2)(v) of § 1910.141 is revoked.

319. Paragraph (d)(2)(vi) of § 1910.141 is revoked.

320. Paragraph (d)(2)(vii) of § 1910.141 is revoked.

§ 1910.143 Nonwater carriage disposal systems [Amended]

321. Paragraph (a)(1) of § 1910.143 is revoked.

322. Paragraph (a)(2) of § 1910.143 is revoked.

323. Paragraph (a)(3) of § 1910.143 is revoked.

324. Paragraph (a)(4) of § 1910.143 is revoked.

325. Paragraph (a)(5) of § 1910.143 is revoked.

326. Paragraph (a)(6) of § 1910.143 is revoked.

327. Paragraph (a)(6)(i) of § 1910.143 is revoked.

328. Paragraph (a)(6)(ii) of § 1910.143 is revoked.

329. Paragraph (a)(7) of § 1910.143 is revoked.

330. Paragraph (b)(1) of § 1910.143 is revoked.

331. Paragraph (b)(1)(i) of § 1910.143 is revoked.

332. Paragraph (b)(1)(ii) of § 1910.143 is revoked.

333. Paragraph (b)(1)(iii) of § 1910.143 is revoked.

334. Paragraph (b)(1)(iv) of § 1910.143 is revoked.

335. Paragraph (b)(1)(v) of § 1910.143 is revoked.

336. Paragraph (b)(1)(vi) of § 1910.143 is revoked.

337. Paragraph (b)(1)(vii) of § 1910.143 is revoked.

338. Paragraph (b)(2) of § 1910.143 is revoked.

339. Paragraph (b)(2)(i) of § 1910.143 is revoked.

340. Paragraph (b)(2)(ii) of § 1910.143 is revoked.

341. Paragraph (b)(2)(iii) of § 1910.143 is revoked.

342. Paragraph (b)(2)(iv) of § 1910.143 is revoked.

343. Paragraph (b)(2)(v) of § 1910.143 is revoked.

344. Paragraph (b)(2)(vi) of § 1910.143 is revoked.

345. Paragraph (b)(2)(vii) of § 1910.143 is revoked.

346. Paragraph (b)(2)(viii) of § 1910.143 is revoked.

347. Paragraph (c)(1) of § 1910.143 is revoked.

348. Paragraph (c)(2) of § 1910.143 is revoked.

349. Paragraph (c)(3) of § 1910.143 is revoked.

350. Paragraph (c)(4) of § 1910.143 is revoked.

351. Paragraph (c)(5) of § 1910.143 is revoked.

352. Paragraph (c)(6) of § 1910.143 is revoked.

353. Paragraph (c)(7) of § 1910.143 is revoked.

354. Paragraph (d)(1) of § 1910.143 is revoked.

355. Paragraph (d)(2) of § 1910.143 is revoked.

356. Paragraph (d)(3) of § 1910.143 is revoked.

357. Paragraph (d)(4) of § 1910.143 is revoked.

358. Paragraph (d)(5) of § 1910.143 is revoked.

359. Paragraph (d)(6) of § 1910.143 is revoked.

360. Paragraph (e)(1) of § 1910.143 is revoked.

361. Paragraph (e)(2) of § 1910.143 is revoked.

362. Paragraph (e)(3) of § 1910.143 is revoked.

363. Paragraph (e)(4) of § 1910.143 is revoked.

364. Paragraph (e)(5) of § 1910.143 is revoked.

365. Paragraph (f)(1) of § 1910.143 is revoked.

366. Paragraph (f)(2) of § 1910.143 is revoked.

367. Paragraph (f)(3) of § 1910.143 is revoked.

368. Paragraph (f)(4) of § 1910.143 is revoked.

369. Paragraph (f)(5) of § 1910.143 is revoked.

370. Paragraph (f)(6) of § 1910.143 is revoked.

371. Paragraph (g)(1) of § 1910.143 is revoked.

372. Paragraph (g)(2) of § 1910.143 is revoked.

373. Paragraph (g)(2)(i) of § 1910.143 is revoked.

374. Paragraph (g)(2)(ii) of § 1910.143 is revoked.

375. Paragraph (g)(3) of § 1910.143 is revoked.

376. Paragraph (g)(3)(i) of § 1910.143 is revoked.

377. Paragraph (g)(3)(ii) of § 1910.143 is revoked.

378. Paragraph (g)(3)(iii) of § 1910.143 is revoked.

379. Paragraph (g)(4) of § 1910.143 is revoked.

§ 1910.144 Safety color code for marking physical hazards [Amended].

380. Paragraph (a)(1)(i)(a) of § 1910.144 is revoked.

381. Paragraph (a)(1)(i)(b) of § 1910.144 is revoked.

382. Paragraph (a)(1)(i)(c) of § 1910.144 is revoked.

383. Paragraph (a)(1)(i)(d) of § 1910.144 is revoked.

384. Paragraph (a)(1)(i)(e) of § 1910.144 is revoked.

385. Paragraph (a)(1)(i)(f) of § 1910.144 is revoked.

386. Paragraph (a)(1)(i)(g) of § 1910.144 is revoked.

387. Paragraph (a)(1)(i)(h) of § 1910.144 is revoked.
 388. Paragraph (a)(1)(i)(i) of § 1910.144 is revoked.
 389. Paragraph (a)(1)(i)(j) of § 1910.144 is revoked.
 390. Paragraph (a)(1)(i)(k) of § 1910.144 is revoked.
 391. Paragraph (a)(2) of § 1910.144 is revoked.
 392. Paragraph (a)(4) of § 1910.144 is revoked.
 393. Paragraph (a)(5) of § 1910.144 is revoked.
 394. Paragraph (a)(6) of § 1910.144 is revoked.
 395. Paragraph (a)(7) of § 1910.144 is revoked.
 396. Paragraph (b) of § 1910.144 is revoked.
 § 1910.145 Specifications for accident prevention signs and tags [Amended].
 397. Paragraph (d)(1) of § 1910.145 is amended by: striking from the paragraph heading the words "and colors"; and striking the first and last sentences of such paragraph.
 398. Paragraph (d)(2)(ii) of § 1910.145 is revoked.
 399. Paragraph (d)(3)(i) of § 1910.145 is revoked.
 400. Paragraph (d)(3)(ii) of § 1910.145 is revoked.
 401. Paragraph (d)(3)(iii) of § 1910.145 is revoked.
 402. Paragraph (d)(4)(ii) of § 1910.145 is revoked.
 403. Table J-1 of Subpart J is revoked.
 404. Table J-2 of Subpart J is revoked.
 405. Paragraph (d)(5) of § 1910.145 is revoked.
 406. Paragraph (d)(6)(ii) of § 1910.145 is revoked.
 407. Figure J-1 of Subpart J is revoked.
 408. Figure J-2 of Subpart J is revoked.
 409. Figure J-3 of Subpart J is revoked.
 410. Figure J-4 of Subpart J is revoked.
 411. Figure J-5 of Subpart J is revoked.
 412. Paragraph (d)(7)(i) of § 1910.145 is revoked.
 413. Paragraph (d)(7)(ii) of § 1910.145 is revoked.
 414. Figure J-6 of Subpart J is revoked.
 415. Paragraph (d)(8) of § 1910.145 is revoked.
 416. Paragraph (d)(9) of § 1910.145 is revoked.
 417. Figure J-7 of Subpart J is revoked.
 418. Table J-3 of Subpart J is revoked.
 419. Paragraph (d)(11) of § 1910.145 is revoked.

420. Paragraph (e)(1) of § 1910.145 is revoked.
 421. Paragraph (e)(3) of § 1910.145 is revoked.
 422. Paragraph (e)(4) of § 1910.145 is amended by striking the sentence, "The biohazard symbol shall be designed and proportioned as illustrated in figure J-9."
 423. Figure J-9 of Subpart J is revoked.
 424. Paragraph (e)(5) of § 1910.145 is revoked.
 425. Paragraph (e)(6) of § 1910.145 is revoked.
 426. Paragraph (e)(7) of § 1910.145 is revoked.
 427. Paragraph (e)(8) of § 1910.145 is revoked.
 428. Table J-4 of Subpart J is revoked.
 429. Paragraph (f)(1)(ii) of § 1910.145 is amended by striking the words, "or damage to property, or both."
 430. Paragraph (f)(4)(i) of § 1910.145 is amended by striking the words "(See Fig. J-11)."
 431. Paragraph (f)(5)(i) of § 1910.145 is amended by striking the words, "(See Fig. J-12)."
 432. Paragraph (f)(6) of § 1910.145 is amended by striking the words, "(See Fig. J-13)."
 433. Paragraph (f)(7)(i) of § 1910.145 is revoked.
 434. Figure J-10 of Subpart J is revoked.
 435. Figure J-11 of Subpart J is revoked.
 436. Figure J-12 of Subpart J is revoked.
 437. Figure J-13 of Subpart J is revoked.
 438. Figure J-14 of Subpart J is revoked.
 439. Figure J-15 of Subpart J is revoked.
 440. Paragraph (f)(7)(ii) of § 1910.145 is revoked.
 441. Paragraph (f)(8)(i) of § 1910.145 is revoked.

Subpart L—Fire Protection

§ 1910.157 Portable fire extinguishers [Amended].
 442. Paragraph (a)(5) of § 1910.157 is revoked.
 443. Paragraph (a)(6) of § 1910.157 is revoked.
 444. Paragraph (a)(7) of § 1910.157 is revoked.
 445. Paragraph (a)(8) of § 1910.157 is revoked.
 446. Paragraph (c)(1)(ii) of § 1910.157 is amended by striking the words, "both the building structure, if combustible and"
 447. Paragraph (c)(1)(iii) of § 1910.157 is revoked.
 448. Paragraph (c)(1)(v) of § 1910.157 is revoked.

§ 1910.158 Standpipe and hose systems [Amended]
 449. Paragraph (b)(2)(i) of § 1910.158 is revoked.
 450. Paragraph (c)(1)(i) of § 1910.158 is revoked.
 451. Paragraph (c)(1)(ii) of § 1910.158 is revoked.
 452. Paragraph (c)(1)(iii) of § 1910.158 is revoked.
 453. Paragraph (c)(4)(i) of § 1910.158 is revoked.
 454. Paragraph (c)(4)(ii) of § 1910.158 is revoked.
 455. Paragraph (c)(4)(iii) of § 1910.158 is revoked.
 456. Paragraph (c)(4)(iv) of § 1910.158 is revoked.
 457. Paragraph (c)(4)(v) of § 1910.158 is revoked.
 458. Paragraph (c)(4)(vi) of § 1910.158 is revoked.
 459. Paragraph (c)(4)(vii) of § 1910.158 is revoked.
 460. Paragraph (c)(4)(viii) of § 1910.158 is revoked.
 461. Paragraph (c)(4)(ix) of § 1910.158 is revoked.
 462. Paragraph (c)(4)(x) of § 1910.158 is revoked.
 463. Paragraph (c)(4)(xi) of § 1910.158 is revoked.
 § 1910.159 Automatic sprinkler systems [Amended]
 464. Paragraph (b)(1) of § 1910.159 is revoked.
 465. Paragraph (b)(2)(i) of § 1910.159 is revoked.
 466. Paragraph (b)(2)(ii) of § 1910.159 is revoked.
 467. Paragraph (b)(3) of § 1910.159 is revoked.
 468. Paragraph (b)(4)(i) of § 1910.159 is revoked.
 469. Paragraph (b)(4)(ii) of § 1910.159 is revoked.
 470. Paragraph (b)(4)(iii) of § 1910.159 is revoked.
 471. Paragraph (b)(4)(iv) of § 1910.159 is revoked.
 472. Paragraph (b)(4)(v) of § 1910.159 is revoked.
 § 1910.160 Fixed dry chemical extinguishing systems [Amended]
 473. Paragraph (c)(1)(iii) of § 1910.160 is revoked.
 Subpart N—Materials Handling and Storage
 § 1910.176 Handling Materials—general [Amended].
 474. Paragraph (d) of § 1910.176 is revoked.
 § 1910.178 Powered industrial trucks [Amended].
 475. Paragraph (q)(11) of § 1910.178 is revoked.

§ 1910.181 Derricks [Amended].

476. Paragraph (f)(2)(i)(g) of § 1910.181 is revoked.
 477. Paragraph (f)(3)(iii)(c) of § 1910.181 is revoked.

Subpart O—Machinery and Machine Guarding

§ 1910.213 Woodworking machinery requirements [Amended]

478. Paragraph (a)(3) of § 1910.213 is revoked.
 479. Paragraph (m)(2) of § 1910.213 is amended by striking the second sentence thereof.
 480. Paragraph (s)(10) of § 1910.213 is revoked.
 481. Paragraph (s)(11) of § 1910.213 is revoked.

§ 1910.215 Abrasive wheel and machinery [Amended]

482. Paragraph (c)(2)(i) of § 1910.215 is revoked.
 483. Paragraph (c)(2)(ii) of § 1910.215 is revoked.
 484. Paragraph (c)(2)(iii) of § 1910.215 is revoked.

§ 1910.217 Mechanical power presses [Amended]

485. Paragraph (a)(1) of § 1910.217 is revoked.
 486. Paragraph (a)(2) of § 1910.217 is revoked.
 487. Paragraph (a)(3) of § 1910.217 is revoked.
 488. Paragraph (c)(3)(v) of § 1910.217 is amended by striking all text following the words "The sweep device" through the word "device." As amended, the paragraph reads as follows:

§ 1910.217 Mechanical power presses.

(c) Safeguarding the point of operation ***

- (3) Point of operation devices. ***
 (v) The sweep device may not be used for point of operation safeguarding after December 31, 1976.

489. Paragraph (c)(3)(v)(a) of § 1910.217 is revoked.
 490. Paragraph (c)(3)(v)(b) of § 1910.217 is revoked.
 491. Paragraph (c)(3)(v)(c) of § 1910.217 is revoked.
 492. Paragraph (c)(3)(v)(d) of § 1910.217 is revoked.
 493. Paragraph (f)(1) of § 1910.217 is revoked.

§ 1910.219 Mechanical power-transmission apparatus [Amended]

494. Paragraph (b)(4) of § 1910.219 is revoked.
 495. Paragraph (c)(5)(iv) of § 1910.219 is revoked.

496. Paragraph (d)(5) of § 1910.219 is revoked.

497. Paragraph (e)(2)(v) of § 1910.219 is revoked.

498. Paragraph (j) of § 1910.219 is amended by striking the words, "Self lubricating bearings are recommended and".

499. Paragraph (k)(3) of § 1910.219 is revoked.

500. Paragraph (l)(2) of § 1910.219 is amended by striking all the text immediately following the first complete sentence.

501. Paragraph (m)(1)(iii) of § 1910.219 is revoked.

502. Paragraph (m)(2) of § 1910.219 is amended by striking the words, "by one of the following methods:"

503. Paragraph (m)(2)(i)(a) of § 1910.219 is revoked.

504. Paragraph (m)(2)(i)(b) of § 1910.219 is revoked.

505. Paragraph (m)(2)(i)(c) of § 1910.219 is revoked.

506. Paragraph (m)(2)(i)(d) of § 1910.219 is revoked.

507. Paragraph (m)(2)(i)(e) of § 1910.219 is revoked.

508. Paragraph (m)(2)(ii) of § 1910.219 is revoked.

509. Paragraph (m)(2)(iii) of § 1910.219 is revoked.

510. Paragraph (n)(1) of § 1910.219 is revoked.

511. Paragraph (n)(2)(i) of § 1910.219 is revoked.

512. Paragraph (n)(2)(ii) of § 1910.219 is revoked.

513. Paragraph (n)(3) of § 1910.219 is revoked.

514. Paragraph (o) of § 1910.219 is amended by striking the words, "(For the latter, see Table O-13.)."

515. Paragraph (o)(1)(i) of § 1910.219 is revoked.

516. Paragraph (o)(1)(i)(b) of § 1910.219 is revoked.

517. Paragraph (o)(1)(i)(c) of § 1910.219 is revoked.

518. Paragraph (o)(1)(ii) of § 1910.219 is revoked.

519. Paragraph (o)(2)(ii)(a) of § 1910.219 is revoked.

520. Paragraph (o)(2)(ii)(b) of § 1910.219 is revoked.

521. Paragraph (o)(2)(ii)(c) of § 1910.219 is revoked.

522. Paragraph (o)(2)(ii)(d) of § 1910.219 is revoked.

523. Paragraph (o)(2)(ii)(e) of § 1910.219 is revoked.

524. Paragraph (o)(3)(ii) of § 1910.219 is revoked.

525. Paragraph (o)(3)(iv) of § 1910.219 is revoked.

526. Paragraph (o)(3)(v) of § 1910.219 is revoked.

527. Paragraph (o)(4) of § 1910.219 is amended by striking all the text of the paragraph following the word "guard", starting with the word "construction" and ending with "pulley".

528. Table O-12 of Subpart O is revoked.

529. Table O-13 of Subpart O is revoked.

530. Paragraph (p)(6)(i) of § 1910.219 is revoked.

Subpart P—Hand and Portable Powered Tools and Other Hand-Held Equipment

§ 1910.241 Definitions [Amended]

531. Paragraph (c)(1) of § 1910.241 is revoked.

532. Paragraph (c)(2) of § 1910.241 is revoked.

533. Paragraph (c)(3) of § 1910.241 is revoked.

534. Paragraph (c)(4) of § 1910.241 is revoked.

535. Paragraph (c)(5) of § 1910.241 is revoked.

536. Paragraph (c)(6) of § 1910.241 is revoked.

537. Paragraph (c)(7) of § 1910.241 is revoked.

538. Paragraph (c)(8) of § 1910.241 is revoked.

539. Paragraph (c)(9) of § 1910.241 is revoked.

540. Paragraph (c)(10) of § 1910.241 is revoked.

541. Paragraph (c)(11) of § 1910.241 is revoked.

§ 1910.243 Guarding of portable powered tools [Amended]

542. Paragraph (d)(2)(i) of § 1910.243 is amended by striking the words, "and, at the discretion of the manufacturer, any additional safety features he may wish to incorporate."

543. Paragraph (d)(2)(ii) of § 1910.243 is amended by striking the words, "at the discretion of the manufacturer."

544. Paragraph (d)(2)(iii) of § 1910.243 is amended by striking the words, "and, at the discretion of the manufacturer, any additional safety features he may wish to incorporate."

545. Paragraph (d)(3)(i) of § 1910.243 is amended by striking the last two sentences thereof.

546. Paragraph (d)(3)(ii) of § 1910.243 is revoked.

547. Table P-1 of Subpart P is revoked.

Subpart Q—Welding, Cutting, and Brazing

§ 1910.252 Welding, cutting and brazing [Amended]

548. Paragraph (a)(4)(iii)(b) of § 1910.252 is amended by striking the first sentence thereof.

549. Paragraph (a)(5)(v)(b) of § 1910.252 is revoked.

550. Paragraph (a)(5)(vi)(d) of § 1910.252 is amended by striking the last sentence thereof.

551. Paragraph (a)(6)(iv)(b)(1) of § 1910.252 is amended by striking all the text following "Each generator shall be provided with a vent pipe."

552. Paragraph (a)(6)(vi)(a)(7) of § 1910.252 is amended by striking the words, "of ample size."

553. Paragraph (a)(7)(ii)(c) of § 1910.252 is amended by striking the following words after the first sentence, "The location of such storage buildings shall be away from congested mercantile and manufacturing districts."

554. Paragraph (a)(7)(iii)(d) of § 1910.252 is revoked.

555. Paragraph (a)(8)(i) of § 1910.252 is revoked.

556. Paragraph (a)(8)(ii)(a) of § 1910.252 is revoked.

557. Paragraph (a)(8)(ii)(b) of § 1910.252 is revoked.

558. Paragraph (a)(8)(ii)(c) of § 1910.252 is revoked.

559. Paragraph (a)(8)(ii)(d) of § 1910.252 is revoked.

560. Paragraph (a)(8)(ii)(e) of § 1910.252 is revoked.

561. Paragraph (a)(8)(ii)(f) of § 1910.252 is revoked.

562. Paragraph (a)(8)(ii)(g)(1) of § 1910.252 is revoked.

563. Paragraph (a)(8)(ii)(g)(2) of § 1910.252 is revoked.

564. Paragraph (a)(8)(ii)(h) of § 1910.252 is revoked.

565. Paragraph (a)(8)(ii)(i)(1) of § 1910.252 is revoked.

566. Paragraph (a)(8)(ii)(i)(2) of § 1910.252 is revoked.

567. Paragraph (a)(8)(ii)(i)(3) of § 1910.252 is revoked.

568. Paragraph (b)(2)(iv)(b) of § 1910.252 is amended by striking the second sentence thereof.

569. Paragraph (c)(3)(iii) of § 1910.252 is amended by striking the first sentence thereof.

570. Paragraph (c)(5) of § 1910.252 is revoked.

571. Paragraph (e)(3)(ii) of § 1910.252 is revoked.

572. Paragraph (e)(3)(ii)(a) of § 1910.252 is revoked.

573. Paragraph (e)(3)(ii)(b) of § 1910.252 is revoked.

574. Paragraph (e)(3)(ii)(c) of § 1910.252 is revoked.

575. Paragraph (e)(3)(ii)(d) of § 1910.252 is revoked.

576. Paragraph (e)(3)(ii)(e) of § 1910.252 is revoked.

577. Paragraph (e)(3)(ii)(f) of § 1910.252 is revoked.

578. Paragraph (e)(3)(ii)(g) of § 1910.252 is revoked.

579. Paragraph (e)(3)(ii)(h) of § 1910.252 is revoked.

580. Paragraph (e)(3)(ii)(i) of § 1910.252 is revoked.

581. Paragraph (f)(1)(v)(b) of § 1910.252 is amended by striking the

last line thereof, "Keep children away when using."

Subpart R—Special Industries

§ 1910.261 Pulp, paper, and paperboard mills [Amended]

582. Paragraph (d)(4)(iv) of § 1910.261 is amended by striking the second sentence thereof.

583. Paragraph (k)(23) of § 1910.261 is revoked.

§ 1910.265 Sawmills [Amended].

584. Paragraph (c)(7) of § 1910.265 is revoked.

585. Paragraph (c)(20)(iv) of § 1910.265 is revoked.

§ 1910.266 Pulpwood logging [Amended]

586. Paragraph (d)(2)(ii) of § 1910.266 is revoked.

587. Paragraph (e)(1)(ii) of § 1910.266 is revoked.

588. Paragraph (e)(9) of § 1910.266 is revoked.

§ 1910.268 Telecommunications [Amended]

589. Paragraph (f)(3) of § 1910.268 is revoked.

590. Paragraph (g)(2)(ii)(b)(4) of § 1910.268 is revoked.

591. Paragraph (g)(2)(ii)(c) of § 1910.268 is revoked.

Subpart S—Electrical

§ 1910.308 Application [Amended]

592. Paragraph (c)(1) of § 1910.308 is amended by striking the words, "public and private."

Subpart Z—Toxic and Hazardous Substances

§§ 1910.1003—1910.1017 [Amended]

593. Paragraph (d)(1) of § 1910.1003 4-Nitrobiphenyl is revoked.

594. Paragraph (d)(1) of § 1910.1004 alpha-Naphthylamine is revoked.

595. Paragraph (d)(1) of § 1910.1006 Methyl chloromethyl ether is revoked.

596. Paragraph (d)(1) of § 1910.1007 3,3'-Dichlorobenzidine (and its salts) is revoked.

597. Paragraph (d)(10) of § 1910.1008 bis-Chloromethyl ether is revoked.

598. Paragraph (d)(1) of § 1910.1009 beta-Naphthylamine is revoked.

599. Paragraph (d)(1) of § 1910.1010 Benzidine is revoked.

600. Paragraph (d)(1) of § 1910.1011 4-Aminodiphenyl is revoked.

601. Paragraph (d)(1) of § 1910.1012 Ethylenimine is revoked.

602. Paragraph (d)(1) of § 1910.1013 beta-Propiolactone is revoked.

603. Paragraph (d)(1) of § 1910.1014 2-Acetylaminofluorene is revoked.

604. Paragraph (d)(1) of § 1910.1015 4-Dimethylaminoazobenzene is revoked.

605. Paragraph (d)(1) of § 1910.16 N-Nitrosodimethylamine is revoked.

606. Paragraph (e)(2) of § 1910.1017 Vinyl Chloride is amended by striking the second sentence thereof.

607. Paragraph (m)(2)(ii) of § 1910.1017 is revoked.

[FR Doc. 78-30164 Filed 10-23-78; 8:45 am]

[4510-26-M]

PART 1910—OCCUPATIONAL SAFETY AND HEALTH STANDARDS

Selected Special Industry Safety and Health Standards; Revocation

AGENCY: Occupational Safety and Health Administration, Department of Labor.

ACTION: Final rule.

SUMMARY: This final rule revokes certain safety and health standards codified in 29 CFR 1910.214 (cooperage and machinery), 29 CFR 1910.263 (bakery equipment), and 29 CFR 1910.264 (laundry machinery and operations). These sections were proposed for revocation in their entirety on December 13, 1977 (42 FR 62892). OSHA has determined that revocation of most of the provisions contained within these sections will better effectuate the purposes of the Occupational Safety and Health Act by allowing OSHA to concentrate its enforcement resources on hazards which have greater significance and impact on exposed employees. The Agency believes that this action will likewise permit both employers and employees to focus their attention toward the elimination or reduction of the more significant hazards in the workplace. OSHA has also determined that revocation of certain of the provisions proposed for revocation would not be beneficial to employee safety or health, and therefore these requirements have been retained in the best interest of worker protection.

EFFECTIVE DATE: November 24, 1978.

FOR FURTHER INFORMATION CONTACT:

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SUPPLEMENTARY INFORMATION:

I. BACKGROUND

In order to assure safe and healthful working conditions for working men and women, the U.S. Congress enacted

in 1970 the Occupational Safety and Health Act (the Act) (84 Stat. 1590, 29 U.S.C. 651 *et seq.*). Among other things, the Act authorized the Secretary of Labor " * * * to set mandatory occupational safety and health standards applicable to businesses affecting interstate commerce * * * " (Section 2(b)(3) of the Act, 29 U.S.C. 651). Cognizant of the necessity of creating a speedy mechanism to issue standards expeditiously upon the statute's effective date, Congress in section 6(a) of the Act authorized the Secretary " * * * [to] promulgate as an occupational safety or health standard any national consensus standard * * * " 29 U.S.C. 655(a).

Following this congressional direction, OSHA promulgated its initial occupational safety and health standards for general industry on May 29, 1971, as 29 CFR Part 1910 (36 FR 10466). These standards were derived primarily from national consensus standards which were originally developed by such voluntary nongovernmental organizations as the American National Standards Institute (ANSI) and the National Fire Protection Association (NFPA). OSHA also adopted, as occupational safety and health standards, established Federal standards previously issued under several prior acts of Congress; however, none of the standards derived from such established Federal standards were proposed for revocation in this rulemaking.

Since the adoption of these consensus standards, OSHA has received comments from many affected parties concerning the effectiveness, relevance, and applicability of a large number of their provisions. In the appropriations bill for fiscal year 1977, Congress specifically directed OSHA to eliminate "so-called nuisance standards or standards which do not deal with workplace conditions that are clearly hazardous to the health or safety of workers or are more properly under the jurisdiction of State departments of public health." More recently, President Carter ordered the executive departments to reduce and simplify the existing body of governmental regulations.

The Secretary of Labor and the Assistant Secretary for Occupational Safety and Health have responded to this mandate for change by reviewing the Agency's regulations and regulatory policy, and redirecting its enforcement efforts toward more significant safety and health hazards. Among the initial steps was the creation of a task force charged with identifying and recommending to the Assistant Secretary provisions within 29 CFR Part 1910 (General Industry Safety and Health Standards) which should be modified. In order to achieve its first

goals expeditiously, the Agency sought to identify those provisions within part 1910 where the desired modification could be accomplished through the simple revocation of one or more provisions. The task force review culminated in two proposals to revoke a total of approximately 1,100 regulatory requirements. The proposals were announced on December 5, 1977, and published in the FEDERAL REGISTER on December 13, 1977 (42 FR 62734 and 42 FR 62892). The first proposal (docket S-250), proposed to revoke selected standards of general applicability; the second (docket S-251), involving selected special industry standards, proposed to revoke in their entirety 29 CFR 1910.214 (cooperage machinery), 1910.263 (bakery equipment), and 1910.264 (laundry machinery and operations).

In addition to these rulemakings, the Agency is continuing its on-going review of each Subpart which subsequently will result in comprehensive revisions of 29 CFR Part 1910 (General Industry). In rewriting these subparts, the Agency intends to develop and promulgate new standards which will concentrate on the more serious safety hazards facing employees. Efforts will also be made to simplify regulatory language and eliminate detail wherever possible. OSHA believes that this will facilitate compliance, improve enforcement, and increase employee protection.

The three special industry sections proposed for revocation were derived originally from standards developed by the American National Standards Institute (ANSI) and adopted by OSHA pursuant to Section 6(a) of the Act, 29 U.S.C. 655(a). Since the Agency's adoption, ANSI has substantially revised the respective standards upon which OSHA has relied. The OSHA safety standards adopted for cooperage, § 1910.214, were derived from the ANSI 01.1-1954 standard, "Safety Code for Woodworking Machinery," (reaffirmed in 1961). Subsequently, ANSI has revised its voluntary standard for cooperage, effective 1975. The OSHA safety standards adopted for bakery equipment (§ 1910.263) were drawn from the ANSI Z50.1-1947 "Safety Code for Bakery Equipment," which was initiated in 1943 and received final approval on August 4, 1947. Subsequently, in 1971 ANSI revised its bakery equipment standard. OSHA's Laundry Machinery and Operations standards, § 1910.264 were based on the 1961 national consensus standard ANSI Z8.1-1961, "Safety Code for Laundry Machinery and Operations." The original voluntary standard was first approved in 1924 and became an American Standard in 1941. In June 1953, a revision was started which produced an approved

standard in 1961. Subsequent to OSHA's regulatory adoption, ANSI revised its Z8.1 standard in 1972.

II. PROCEDURAL HISTORY

The December 13, 1977 proposal provided for a comment period continuing through March 3, 1978. Interested parties representing both employees and employers requested that this be extended to May 3, 1978. After reviewing such requests, OSHA extended the comment period to May 3, 1978 (43 FR 9830, 43 FR 9831, March 10, 1978) for both Docket Nos. S-250 and S-251.

During the comment period, OSHA also received requests from several labor organizations to discuss the standards proposed for revocation. The requests were granted and meetings were conducted during the period March 13-23, 1978. Individual OSHA staff members presented the Agency's position regarding specific provisions proposed for revocation and outlined OSHA's policy objectives. A written memorandum summarizing the meetings was prepared and entered into the public record on April 11, 1978. Similar opportunity was made available to other interested groups. No other persons or groups requested similar meetings.

Two requests were received for hearing on the special industry standards proposed for revocation. The Agency denied one request in writing on the grounds that the requesting party failed to substantially comply with the Agency's rules governing application for public hearings (29 CFR 1911.11 and reprinted in the preamble to the proposal). The other request was formally withdrawn by the filing party. Therefore, no public hearing was held on the proposal.

III. GENERAL FINDINGS OF THE AGENCY AND SUMMARY OF THE FINAL RULE

In response to the many public concerns regarding the effectiveness, relevance, and applicability of these national consensus standards, OSHA has committed itself to a program of developing safety and health standards that more effectively achieve the goals and purposes of the Occupational Safety and Health Act by allowing OSHA to concentrate its enforcement resources on higher hazard industries and operations. As a first step, the Agency is revoking a number of those regulations which most clearly have no direct or immediate relationship to the safety or health of employees, or are otherwise inappropriate to enforce pursuant to the Agency's statutory purposes. OSHA has determined that these revocations will permit the Agency to better effectuate the purposes of the Act by focusing Agency resources on hazards which have greater significance and impact on ex-

posed workers. The Agency also believes that this action will likewise permit both employers and employees to focus their attention toward the elimination or reduction of the more significant hazards in the workplace. OSHA believes that the objectives of this rulemaking are being achieved without compromising the health or safety of the affected workers.

For the reasons stated herein, the Agency has determined that the findings of the Secretary in this rulemaking meet the provisions of Section 6(b)(8) of the Act, 29 U.S.C. 655.

In reviewing provisions of Part 1910 for possible revocation, OSHA gave particular attention to sections prescribing regulations for specific industries. This examination was based on several factors. An overriding consideration was whether it was an effective use of OSHA's resources to enforce highly detailed standards with limited applicability in workplace situations which have relatively low accident incidence rates and/or less severe injuries. OSHA has determined as a matter of policy that such a commitment of resources would be of limited benefit where most of the hazards addressed by the highly detailed standard were already covered by other standards of more general applicability.

A second factor was whether the standards were directly relevant to occupational safety or health. Many of the original ANSI provisions from which the OSHA standards were derived were concerned with protection of the equipment itself rather than the employees who work with the equipment. Others were informational in nature or not otherwise appropriate for mandatory enforcement.

Based on these considerations, the special industry standards for cooperage (1910.214), bakery (1910.263), and laundries (1910.264) were proposed for revocation in their entirety. In proposing these sections for revocation, OSHA was of the opinion that their elimination would result in better utilization of its resources by focusing them on higher hazard industries or workplace situations, and would effectuate the current directives of both the President and the Congress to reduce and simplify governmental regulations without compromising the goals and purposes of the Occupational Safety and Health Act. However, OSHA also recognized in its proposal that the evidence and comments might indicate that certain portions of the affected sections should not be revoked (See 42 FR 62892), and therefore the Agency might retain those portions it deemed appropriate if revocation of such provisions would significantly reduce worker safety and health.

A total of 74 comments were received regarding the special industry standards which were proposed for revocation (Docket No. S-251). Of these comments, 17 were received from various trade associations, 16 were received from management, 11 from labor unions, nine from interested individuals and 21 from various governmental sources. Several of the comments received addressed the Agency's overall approach to this rulemaking of proposing to eliminate entire sections of Part 1910 regulations, while others addressed specific provisions within the special industry sections which had been proposed for revocation. Most of the comments in favor of revocation were general in nature. The thrust of the comments objecting to revocation was that there are certain important provisions in these sections for which the general industry standards do not provide adequate or alternative coverage. Upon examining the evidence, OSHA has determined that in the best interest of worker protection, certain of these provisions should not be revoked.

1. *Cooperage machinery: 29 CFR 1910.214.* The hazards addressed by this section's highly detailed provisions are already covered by other OSHA standards of general applicability; specifically: §1910.212 (general machine guarding), §1910.213 (woodworking machinery requirements) and §1910.219 (mechanical power-transmission apparatus) as appropriate. Although specific injury incidence rates for cooperage machinery are not available, industry usage has declined over the years. Therefore, it was determined by OSHA that employee protection would not be diminished by the revocation of this entire section. This determination has not been altered by the comments received. All 38 provisions in this section are therefore revoked.

2. *Bakery equipment: 29 CFR 1910.263.* The proposal suggested that most of the working conditions presently covered by the highly detailed specifications in this section are for the most part addressed by other OSHA standards of more general applicability, such as machine guarding (§1910.212) or mechanical power-transmission apparatus (§1910.219). Upon review of the evidence and public comment, OSHA has determined that most of this section may be revoked without diminishing protection of employee safety or health. Two hundred twenty-three provisions have therefore been revoked from this section. However, it has been determined that revocation of certain requirements in this section might have an adverse impact on worker safety or health, and therefore such provisions

will be retained to provide the necessary protection to exposed employees.

3. *Laundry machinery and operations: 29 CFR 1910.264.* The conditions in the laundry industry which result in the greatest number of accidents involve machine guarding and walking and working surfaces. These conditions are already adequately covered by existing general industry standards, including §1910.212 and §§1910.21-1910.32. Upon review of the evidence and public comments, OSHA has determined that most of this section could be revoked without diminishing protection of employees safety or health. Sixty-four provisions have therefore been revoked from this section. However, it has been determined that a limited number of provisions should be retained to provide the necessary protection to exposed employees.

IV. SPECIFIC FINDINGS OF THE SECRETARY

Therefore, in consideration of the evidence and public comments, OSHA has made the following specific determinations regarding the special industry standards proposed for revocation.

SUBPART O

§1910.214 *Cooperage machinery.* Section 1910.214 consists of 38 regulations in paragraphs (a) through (w) for the safeguarding of cooperage machinery. The proposed revocation of this section is based on the rationale that other standards adequately cover working conditions currently regulated by the cooperage standard did not provoke a great deal of comment. One commenter opposed this revocation because he feared it would leave the industry without protection, another because he did not feel the criteria used by OSHA justified revocation. At least one commenter objected to the revocation because he believed cooperage machinery presented problems different than those encountered with ordinary woodworking or metal cutting machines.

OSHA disagrees with the objecting commenters. While it is true that cooperage machinery differs somewhat in configuration from that of the machinery in paragraph 1910.213 (Woodworking Machinery) it is generically related and therefore similar in function. The hazards are the same as those to be contended with in the operation of machinery in general, woodworking machines and power transmission apparatus.

A paragraph-by-paragraph examination of Section 1910.214 has determined that paragraph 1910.213 does apply where the machines, equipment and methods of safeguarding are identical. Paragraph 1910.212 applies for general machine guarding of ingoing

nip points and rotating or reciprocating parts with the point of operation guarding requirements based on technology found in paragraph 1910.213 for circular saws, cutting heads, planers, jointers, etc. Further, paragraph 1910.219 applies for the guarding of power transmission apparatus and is currently referenced in paragraph 1910.213 for that purpose.

The 38 regulations revoked in paragraph 1910.214 because they are adequately covered by other standards are listed below indicating those standards that do apply.

Paragraph 1910.214(a)(1) requiring the machine to have a hood-type guard and exhaust system is revoked because it is covered by paragraphs 1910.212 (a)(1), (a)(3)(ii) and 1910.213 (a)(12), (g)(1) and (r)(4).

Paragraph 1910.214(a)(2) requiring the balance wheel to be guarded is revoked because it is covered by paragraphs 1910.212(a)(1), 1910.213(a)(9) and 1910.219(b)(1), (1)(ii), (v) and (vi).

Paragraph 1910.214(a)(3) requiring a return device for a swing carriage is revoked because it is covered by paragraph 1910.213(g)(2).

Paragraph 1910.214(a)(4) requiring a limit stop for a swing carriage is revoked because it is covered by paragraphs 1910.212 (a)(1) and (a)(3)(ii), 1910.213 (a)(12) and (g)(3).

Paragraph 1910.214(b)(1) requiring the machine to have a hood-type guard and exhaust system is revoked because it is covered by paragraphs 1910.212 (a)(1), (a)(3)(ii), 1910.213 (a)(12), (c)(1), and (r)(4).

Paragraph 1910.214(b)(2) requiring guards for portions of the saw blades not covered by stationary guards is revoked because it is covered by paragraphs 1910.212 (a)(1), (a)(3)(ii), 1910.213 (a)(12) and (r)(4).

Paragraph 1910.214(b)(3) requiring a limit stop for the table is revoked because it is covered by paragraphs 1910.212 (a)(1), (a)(3)(ii) and 1910.213(g)(3).

Paragraph 1910.214(c)(1) requiring a hinged-type guard for the saw blade and head is revoked because it is covered by paragraphs 1910.212 (a)(1), (a)(3)(ii) and 1910.213(r)(4).

Paragraph 1910.214(c)(2) requiring an exhaust hood to guard the bottom of the saw blade is revoked because it is covered by paragraphs 1910.212 (a)(1), (a)(3)(ii) and 1910.213(r)(4).

Paragraph 1910.214(d)(1) requiring hand-fed rip saws to be equipped with a hood-type guard is revoked because it is covered by paragraphs 1910.213(a)(12), and (c)(1).

Paragraph 1910.214(d)(2) requiring the use of a spreader is revoked because it is covered by paragraph 1910.213 (1)(2).

Paragraph 1910.214(e)(1) requiring a self-adjusting hood-type guard is re-

voked because it is covered by paragraphs 1910.212 (a)(1), (a)(3)(ii), 1910.213 (c)(1), (d)(1) and (r)(4).

Paragraph 1910.214(e)(2) requiring a saw blade guard and exhaust system beneath the table mandrel is revoked because it is covered by paragraphs 1910.212 (a)(1), (a)(3)(ii), 1910.213 (a)(12) and (r)(4).

Paragraph 1910.214(f)(1) requiring a guard and exhaust system for planers is revoked because it is covered by paragraphs 1910.212 (a)(1), (a)(3)(ii), 1910.213 (j)(3), (5) and (r)(4).

Paragraph 1910.214(f)(2) requiring the feed rolls of planers to be guarded is revoked because it is covered by paragraphs 1910.212 (a)(1), and 1910.213 (b)(7).

Paragraph 1910.214(f)(3) requiring the proper adjustment of hold down arrangements is revoked because it is covered by paragraph 1910.212(a)(1).

Paragraph 1910.214(g)(1) requiring the machine to be guarded and an exhaust system provided is revoked because it is covered by paragraphs 1910.212 (a)(1), (a)(3)(ii), 1910.213 (j)(3), (5) and (r)(4).

Paragraph 1910.214(g)(2) requiring the use of a limit stop is revoked because it is covered by paragraph 1910.212(a)(1).

Paragraph 1910.214(g)(3) requiring compliance with (g)(1) and (g)(2) is revoked because the reference to those rules is also revoked.

Paragraph 1910.214(h)(1) requiring a guard for the knives is revoked because it is covered by paragraphs 1910.212 (a)(1), (a)(3)(ii), 1910.213 (j)(5), (o)(3) and (r)(4).

Paragraph 1910.214(h)(2) requiring a point of operation guard to be provided is revoked because it is covered by paragraphs 1910.212 (a)(1), (a)(3)(iii), and 1910.213 (r)(4).

Paragraph 1910.214(i) requiring a hood-type guard and exhaust system is revoked because it is covered by paragraphs 1910.212 (a)(1), (a)(3)(ii), and 1910.213(r)(4).

Paragraph 1910.214(j) requiring counterweights and frictions gears to be guarded is revoked because it is covered by paragraphs 1910.212(a)(1), 1910.213 (a)(9), (1)(4), 1910.219 (e)(6)(ii), (f)(1), (i), (ii), (iii) and (g).

Paragraph 1910.214(k) requiring feed chains and sprockets to be guarded is revoked because it is covered by paragraphs 1910.212 (a)(1), 1910.213(a)(9) and 1910.213 (f)(1), (3).

Paragraph 1910.214(l) requiring rack and drive gear teeth to be guarded is revoked because it is covered by paragraphs 1910.212(a)(1), 1910.213(a)(9), 1910.219(f)(1) (i), (ii) and (iii).

Paragraph 1910.214(m) requiring a tripping mechanism to be guarded is revoked because it is covered by para-

graphs 1910.212 (a)(1), (a)(3)(iii), and 1910.213(b)(6).

Paragraph 1910.214(n)(1) requiring eccentric cams and gear works to be guarded is revoked because it is covered by paragraphs 1910.212 (a)(1), 1910.213(a)(9), 1910.219 (f)(1)(i), (ii), (iii) and (f)(3).

Paragraph 1910.214(n)(2) requiring the flywheel gear to be guarded is revoked because it is covered by paragraphs 1910.212(a)(1), 1910.213(a)(9), and 1910.219(b)(1)(i).

Paragraph 1910.214(o) requiring sprockets and chains to be guarded is revoked because it is covered by paragraphs 1910.212(a)(1), 1910.213(a)(9), 1910.219(f)(1) and (1)(i).

Paragraph 1910.214(p) requiring the nip points to be guarded on belt sanders is revoked because it is covered by paragraphs 1910.212(a)(1) and 1910.213(p)(4).

Paragraph 1910.214(q)(1) requiring friction pulleys and blocks to be guarded is revoked because it is covered by paragraphs 1910.212(a)(1), 1910.213(a)(9), 1910.219 (f)(4) and (g).

Paragraph 1910.214(q)(2) revoked for equipment similar to (q)(1) because it is covered by the same provisions.

Paragraph 1910.214(r) requiring exhaust hoods and guards for disk sanders is revoked because it is covered by paragraphs 1910.212(a)(1) and 1910.213 (p)(3).

Paragraph 1910.214(s) requiring hand-fed jointers to be guarded to suit the provisions of 1910.213 is revoked because it is covered by paragraphs 1910.213(j)(1), (2), (3), (4) and (5).

Paragraph 1910.214(t) requiring gears and pulleys to be guarded is revoked because it is covered by paragraphs 1910.21(a)(1), 1910.213(a)(9), 1910.219 (d)(1), (f)(1)(i), (ii), (iii) and (f)(2), (3) and (4).

Paragraph 1910.214(u) requiring balance and drive wheels to be guarded is revoked because it is covered by paragraphs 1910.212(a)(1), 1910.213(a)(9), 1910.219(b)(1), (i), (ii), (iv), (vi), and (d)(1).

Paragraph 1910.214(v) requiring gears to be guarded is revoked because it is covered in paragraphs 1910.212(a)(1), 1910.213(a)(9), and 1910.219(f)(1)(i).

Paragraph 1910.214(w) requiring inspection and maintenance is revoked because it is covered by paragraph 1910.213(s).

SUBPART R

§ 1910.263 *Bakery equipment.* The comments received regarding the proposed revocation of this entire section ranged from complete agreement to complete disagreement, with a spectrum of comments between either extreme. Some commenters noted that the concept of vertical standards was desirable while others thought that

vertical standards were unnecessary and coverage currently existing in the general industry horizontal standards was adequate. OSHA has adopted the position that vertical standards are desirable for high hazard industries with large worker populations such as construction or maritime, but cannot be justified in other applications because of the resources required to maintain a large body of vertical standards. Specific provisions of 1910.263 were addressed by some commenters and these are treated in the following discussion of the standard.

Paragraph 1910.263(a) prescribes the general requirements that apply to all regulations governing bakery equipment. There were no comments received specifically addressing the revocation of either of the two provisions contained within the paragraph. Paragraph 1910.263(a)(2) which clarifies the application of standards that have been incorporated by reference is to be revoked because it contains unnecessary detail. The general industry standards are held applicable to bakeries under the criteria defined in paragraph 1910.5 for any employment, place of employment or any industry. Further, the provision being revoked does not identify those standards which would be deemed appropriate for application. Upon reexamination of the evidence, OSHA has determined that paragraph 1910.263(a)(1) which defines the scope of the bakery equipment standard should not be revoked.

Paragraph 1910.263(b) contains the definitions which are applicable to the bakery section. There were no comments received specifically addressing the revocation of these provisions. All 14 definitions are revoked because they provide unnecessary detail and information. Seven of the terms are deleted because the regulations they reference have been revoked and the other seven because it is unnecessary to define the equipment involved in order to apply the remaining standards. Paragraph 1910.263(b)(1) defining a dumpbin and blender is revoked because it provides unnecessary detail and information. Paragraph 1910.263(b)(2) defining a flour elevator is revoked as unnecessary due to revocation of the reference in paragraphs 1910.263(d)(4) (i) and (ii). Paragraph 1910.263(b)(3) defining a screw conveyor is revoked because it provides unnecessary detail and information. Paragraph 1910.263(b)(4) defining a bolting reel is revoked as unnecessary due to revocation of the reference in paragraphs 1910.263(b)(5) (i) and (ii). Paragraphs 1910.263(b) (5) and (6) defining sifters and flour scales are revoked because they provide unnecessary detail and information. Paragraph 1910.263(b)(7) defining a flour gate is revoked as being unnecessary

due to revocation of the reference in paragraph 1910.264(d)(10). Paragraphs 1910.263(b) (8) and (9) defining direct fired and recirculating ovens are revoked because they provide unnecessary detail and information.

Also, paragraphs 1910.263(b) (10), (11) and (12) defining flue type, indirect multiple burner and steam tube ovens are revoked as unnecessary detail due to revocation of the reference in paragraphs 1910.263(1)(12) (i), (ii), (iii), and (iv); (13) (i) and (ii); and (14). Paragraph 1910.263(b)(13) defining indirect recirculating ovens is revoked because it provides unnecessary detail and information.

Paragraph 1910.263(b)(14) defining electric ovens is revoked as providing unnecessary detail due to revocation of the reference in paragraph 1910.263(1)(16).

Paragraph 1910.263(c) provides general machine guarding regulations for bakeries. One comment was received addressing the four provisions to be revoked. The commenter favored revocation.

Two provisions being revoked are covered by other regulations, one is being revoked because it deals with employee comfort and convenience or machine design and one because it is directed toward property protection. Paragraph 1910.263(c)(1) requiring each machine to be electrically grounded is revoked because it is covered by paragraph 1910.309(a) and Article 250-42 of the National Electric Code. Paragraph 1910.263(c)(4) requiring the lubrication fittings of rotating parts to be guarded is revoked because it is covered by paragraph 1910.219(h)(1). Paragraph 1910.263(c)(6) requiring removable covers or guards to be made removable with the least effort is revoked because it is concerned with the comfort or convenience of the employee and to basic machine design criteria. Paragraph 1910.263(c)(7) requiring the guards for motors or other equipment to be designed for proper ventilation is revoked because it is a specification directed toward the primary purpose of protecting the machine from damage.

Upon reexamination of the evidence, OSHA has determined that, in the best interest of worker protection, the following provisions in paragraph 1910.263(c) should not be revoked:

Paragraph 1910.263(c)(2)—Enclosure of gears.

Paragraph 1910.263(c)(3)—Enclosure of sprockets and V-belt drives.

Paragraph 1910.263(c)(5)—Special lubrication fittings to avoid reaching into dangerous part of machine.

Paragraph 1910.263(c)(8)—Covering hot pipes to avoid burns.

Paragraph (d) of 1910.263 sets standards for flour-handling equipment used in bakeries. A review of all com-

ments and evidence has enabled OSHA to revoke 36 provisions. A total of 19 are revoked because they are covered by other provisions. Eleven are revoked because they are concerned with protection of property and equipment or product ingredients being handled. Six are revoked because they are concerned with comfort, convenience or design criteria and not with safety of the employee. Paragraph 1910.263(d)(1)(a) requires disconnecting means for motor circuits. This is required by paragraph 1910.309(b) and is covered by Articles 240 and 422 of the National Electrical Code. Therefore, the provision is revoked. Paragraph 1910.263(d)(1)(c) requires motor control switches to be capable of being locked in the open position. This is required by paragraph 1910.309(b) which refers to Articles 240, 422, and 430-86 of the National Electrical Code and paragraph 1910.145(f)(1)(i). The provision is revoked. Paragraph 1910.263(d)(1)(ii) requires removable covers to be designed for ease in lifting and is revoked because it relates to design criteria for convenience of the employee. Paragraph 1910.263(d)(1)(iii) requiring walkways and platforms around and over bins makes reference to 1910.22 and .23 which adequately cover this hazard. The provision is therefore revoked. Paragraph 1910.263(d)(1)(iii)(a) requires walkways to be maintained in a nonslip condition. This hazard is adequately covered in 1910.22 and .23. The provision is therefore revoked. Paragraph 1910.263(d)(1)(iii)(b) requires walkways to have railings and toeboards and is covered by paragraph 1910.23(c)(1). The provision is therefore revoked.

Also, paragraph 1910.263(d)(1)(iii)(c) requires ladders to comply with 1910.25, 1910.26, and 1910.27 of Subpart D. The provision is revoked because they would apply without this reference. Paragraph 1910.263(d)(1)(iii)(d) requires proper methods to warn occupant of the walkway of inadequate headroom and is covered in paragraphs 1910.145(c) and 1910.145(e). The provision is therefore revoked. Paragraph 1910.263(d)(1)(iv) requires oscillating and vibrating sifters to be protected with guardrails and is covered by paragraph 1910.212(a)(1). The provision is therefore revoked. Paragraph 1910.263(d)(1)(v) requires all mechanical transmission shafting, gearing, and sprocket drives to be completely guarded and is covered by Section 1910.219. Therefore the provision is revoked. Paragraph 1910.263(d)(1)(vi) requires all guards to be readily removable and is revoked because it is concerned with comfort or convenience. This requirement is concerned with ease of cleaning, not employee safety. Paragraph 1910.263(d)(1)(vii) requires all interior

or exterior protruding corners of flour-handling equipment to be of a rounded nature and is revoked because it is concerned with comfort or convenience. Paragraph 1910.263(d)(1)(viii) requires motors to be approved for locations rated Class II hazard, and makes reference to Part 1910, Subpart S. This provision is revoked, because coverage is provided in paragraph 1910.309(b) which references Article 502 of the National Electrical Code.

Also, paragraph 1910.263(d)(2)(iii) requiring conveyor chains to remain in guides if broken is covered by paragraph 1910.212(a)(1) which requires employee protection from all machinery parts and is revoked. Paragraph 1910.263(d)(3)(i) requires that a dumpbin or blender be constructed of metal or other nonsplintering material, and is revoked because it is directed toward public safety or property protection.

Also, paragraph 1910.212(a)(3). This provision therefore is revoked. Paragraph 1910.263(d)(3)(ii) requires guarding for openings of dumpbins and blenders, and is covered in paragraph 1910.263(d)(3)(iii) requires that covers be provided with locks or latches so that they will not accidentally fall down while the machine is in operation, and is revoked because it is concerned with design for convenience of the employee. Paragraph 1910.263(d)(3)(iv) requires dumpbins and blenders to be so constructed that no separate pits in floors be required at the point which connects the final discharge to the usual elevator. This is a design matter considered at the time of construction and installation to provide for efficient production, not employee safety. The provision therefore is revoked. Paragraph 1910.263(d)(3)(viii) requires a screen in the suction nozzle over the bin or blender, and is directed toward property protection. It is therefore revoked. Paragraph 1910.263(d)(4)(i) requires flour elevators to be constructed of metal or other nonsplintering material, and is directed toward public safety and is revoked.

Also, paragraph 1910.263(d)(4)(ii) requires removable sections of the elevator casing to be equipped with clamps for quick removal, etc., and is revoked because it is concerned with comfort or convenience of the employee. Paragraph 1910.263(d)(5)(i) requires bolting reels to be constructed of metal or other nonsplintering material. This provision is directed toward public safety and is revoked. Paragraph 1910.263(d)(5)(ii) requires refuse tailing spouts to be located at a safe distance from unguarded moving parts, and is revoked because it is covered by paragraph 1910.212(a)(1). Paragraph 1910.263(d)(6)(i) requires storage bins to be constructed of metal or other

nonsplintering material. This provision is directed toward public safety and is revoked.

Also, paragraph 1910.263(d)(6)(iv) relates to the location of conveyors in top of storage bins and is not concerned with hazards to employees. The rule is revoked as it is more concerned with property protection. Paragraph 1910.263(d)(6)(v) requires an electric limit switch be provided in the top of the bin to avoid delivering an excessive amount of flour to the bin. It is revoked because it is directed toward property protection. Paragraph 1910.263(d)(7)(i) requires that screw conveyors be constructed of metal or other nonsplintering material. This paragraph is revoked because it is directed toward property protection. Paragraph 1910.263(d)(7)(ii) requires screw conveyors to be provided with an overflow safety gate and is revoked because it is directed toward property protection. Paragraph 1910.263(d)(8)(ii) requires oscillating and vibrating sifters to be constructed so that all moving parts are well within the outer frame or the apparatus. This paragraph is covered in paragraph 1910.212(a)(1) and is revoked. Paragraph 1910.263(d)(8)(iii) requires tailing spouts be located at a safe distance from unguarded moving parts. This paragraph is covered in paragraph 1910.212(a)(1) (guarding by location) and is revoked. Paragraph 1910.263(d)(9)(i) requires flour scales to be constructed of metal or other nonsplintering material. This paragraph is directed toward public safety. It is therefore revoked. Paragraph 1910.263(d)(9)(ii) requires covering over dial scales be made of nonshatterable transparent material. This paragraph is directed toward property protection and is revoked. Paragraph 1910.263(d)(9)(iv) requires guarding all moving trolley wheels and is covered in paragraph 1910.212(a) and is therefore revoked.

Also, paragraph 1910.263(d)(9)(v) requires that a scale cutoff switch be enclosed and guarded to protect the operator from contact. This is required by and covered in paragraph 1910.309(b) which refers to Article 110-17 of the National Electrical Code. The provision is therefore revoked. Paragraph 1910.263(d)(9)(vi) requires interlocks on traveling flour scales so that the gate will not open unless the hopper is below. This paragraph is revoked because it is directed toward property protection. Paragraph 1910.263(d)(10) requires automatic flour-gate equipment to be constructed of metal or other nonsplintering material. This paragraph is revoked because it is directed toward property protection.

Upon reexamination of the evidence, OSHA has determined that, in the best interest of worker protection, the following provisions of paragraph 1910.263(d) should not be revoked:

1910.263(d)(1)(b)—Remote switches for electric motors.

1910.263(d)(1)(d)—Magnetic controllers for electric motors arranged in a unit.

1910.263(d)(2)(i)—Gravity bag chutes.

1910.263(d)(2)(ii)—Bag-arm elevators.

1910.263(d)(2)(iv)—Prohibition of man-lifts.

1910.263(d)(3)(v)—Dumpbin and blender hoods.

1910.263(d)(3)(vi)—Height of dumpbins from floor.

1910.263(d)(3)(vii)—Control device to stop dumpbin and blender.

1910.263(d)(6)(ii)—Storage bin covers.

1910.263(d)(6)(iii)—Storage bin safety ladders.

1910.263(d)(6)(vi)—Storage bin cover interlock.

1910.263(d)(9)(iii)—Bar handles on traveling or track-type flour scales.

Paragraph (e) of 1910.263 establishes standards for mixers used in bakeries. The comment and evidence examined by OSHA will permit the revocation of 14 provisions and the partial revocation of one provision. Ten provisions being revoked are adequately covered elsewhere, two provisions relate to equipment design criteria for manufacture or comfort and convenience of the employee. One provision is obsolete. One requirement is concerned with property protection not employee safety. One provision is amended to exclude references which have been revoked. Paragraph 1910.263(e)(1)(ii) requires all drive elements of mixers within power units to be enclosed. This paragraph is covered in paragraph 1910.212(a)(1) and is revoked. Paragraph 1910.263(e)(1)(v)(c) permits the operator to have a full view of the bowl opening while the mixing bowl is more than one-fifth open and the agitator is in motion. This is a design and installation specification for production purposes. The requirement is revoked. Paragraph 1910.263(e)(1)(vi) requires the operator of mixers with power dumping devices to keep at least one hand engaged during the entire closure of the mixing bowl. This paragraph is covered in paragraph 1910.(a)(1) and is therefore revoked. Paragraph 1910.263(e)(1)(vii) requires mixer's operating mechanisms be conveniently manipulated in order not to jeopardize the employee's safety. This paragraph is revoked because it is concerned with comfort or convenience. Paragraph 1910.263(e)(1)(ix) requires no loose access doors and covers on mixers weighing more than 2 pounds. This is revoked because it is concerned with comfort or convenience.

Also, paragraph 1910.263(e)(1)(xi) requires mixers to be bolted solidly to the floor to prevent dislocation or excessive vibration. This is covered in paragraph 1910.212(b) and is revoked. Paragraph 1910.263(e)(1)(xii) requires mixers to be installed on substantial foundations to withstand the live loads incurred in mixing operations. This is covered in paragraph 1910.212(b) and is revoked. Paragraph 1910.263(e)(1)(xiii) requires that access for lubrication be provided. This is covered in paragraph 1910.263(c)(5) of the bakery standard and is revoked. Paragraph 1910.263(e)(1)(xiv) requires an interlock for the mixer to prevent injury to the operator. This paragraph is covered in paragraphs 1910.212(a)(1) and (a)(4) and is revoked. Paragraph 1910.263(e)(1)(xv) prohibiting the use of control circuits with potential in excess of 240 volts, is obsolete in that present consensus standards require a maximum of 120 volts to ground, and is revoked. Paragraph 1910.263(e)(1)(xvi) provides for overcurrent protection for motors and undervoltage protection in all magnetic controllers. This paragraph is revoked because it is required by paragraph 1910.309(b) and it is covered in Articles 430-31 through 430-44 of the National Electrical Code. Paragraph 1910.263(e)(1)(xvii) requires positive means to prevent application of pressure above the stipulated maximum in all mixer cooling jackets. This paragraph is revoked because it is directed toward property protection. Paragraph 1910.263(e)(2)(i) should exclude reference to revoked paragraphs, and is therefore amended to read, "Vertical mixers shall comply with paragraphs (e)(1), (i), (iii), and (x) of this section."

Also, paragraph 1910.263(e)(2)(ii) requires positive means on vertical mixers to prevent injury to the operator during speed change manipulations. This paragraph is revoked because it is covered in paragraph 1910.212(a)(1). Paragraph 1910.263(e)(2)(v) requires protection against moving agitators of the mixer. This paragraph is revoked because it is covered in paragraphs 1910.212(a)(3) (i) and (ii).

Upon reexamination of the evidence, OSHA has determined that, in the best interest of worker protection, the following provisions of paragraph 1910.263(e) should not be revoked:

Paragraph 1910.263(e)(1)(i)—Enclosure of external power application component.

Paragraph 1910.263(e)(1)(iii)—Mixer control interlock.

Paragraph 1910.263(e)(1)(iv)—Location of mixer control station.

Paragraph 1910.263(e)(1)(v)(a)—Two-hand safety switches for mixers.

Paragraph 1910.263(e)(1)(v)(b)—Two-hand safety switches for mixers.

Paragraph 1910.263(e)(1)(x)—Counterbalancing of mixer overhead doors.

Paragraph 1910.263(e)(1)(xviii)—Safe location of valves and controls for mixer jackets.

Paragraph 1910.263(e)(2)(iii)—Positive bowl locking devices.

Paragraph 1910.263(e)(2)(iv)—Handling devices for mixing bowls weighing more than 80 pounds.

Paragraph (f) of 1910.263 provides requirements for dividers used in bakery operations. After a review of comments and evidence OSHA is revoking several provisions. Three provisions are revoked as they are covered by other regulations, one provision is revoked because it is concerned with comfort and convenience and not with employee safety. Paragraph 1910.263(f)(1) requires pinch and shear points guarding for dividers. This paragraph is covered in paragraph 1910.212(a)(1) and is revoked. Paragraph 1910.263(f)(2) requires that guards at front of dividers be arranged so that weight of dough can be adjusted without removing the guard. This paragraph is revoked because it is concerned with comfort or convenience. Paragraph 1910.263(f)(4) requires that oil holes in the knife at the back of the divider be of such size that an employee's finger cannot go through the hole. This paragraph is revoked because it is covered in paragraph 1910.212(a)(1). Paragraph 1910.263(f)(5) requires a guard on any elongated hole in the knife actuating arm at the back of the divider. This paragraph is revoked because it is covered in paragraph 1910.212(a)(1). Paragraph 1910.263(f)(6) requires that dividers be equipped with mechanical overload release devices. This paragraph is revoked because it is directed toward property protection.

Upon reexamination of the evidence, OSHA has determined that, in the best interest of worker protection, the following provision of paragraph 1910.263(f) should not be revoked:

Paragraph 1910.263(f)(3)—Guarding and interlock of cover for rear of dividers.

Paragraph (g) of 1910.263 provides requirements for moulders used in bakery operations. Two provisions are revoked because they are covered by other regulations. One provision is revoked because it is concerned with convenience and not with employee safety. Paragraph 1910.263(g)(4) requires design and proximity of clean out holes to be clear of shear points. It is revoked, since it is adequately covered by paragraph 1910.212(a)(3)(iii). Paragraph 1910.263(g)(5) requires the rear of moulder to be designed to prevent a shearing or pinching hazard. It

is revoked, since it is covered by paragraph 1910.212(a)(1). Paragraph 1910.263(g)(6) requires brackets for holding a removable adjustment crank when not in use. It is revoked, since it relates to employee convenience.

Upon reexamination of the evidence, OSHA has determined that, in the best interest of worker protection, the following provisions of paragraph 1910.263(g) should not be revoked:

Paragraph 1910.263(g)(1)—Guarding hoppers used on moulders.

Paragraph 1910.263(g)(2)—Guarding hand-fed moulders.

Paragraph 1910.263(g)(3)—Stopping devices for moulders.

Upon reexamination of the evidence, OSHA has determined that, in the best interest of worker protection, the following provisions of paragraph 1910.263(h) should not be revoked:

Paragraph 1910.263(h)(1)—Top roll protection on manually fed dough brakes.

Paragraph 1910.263(h)(2)—Emergency stop bar on dough brakes.

Paragraph (i) of 1910.263 prescribes regulations for miscellaneous equipment used in bakery operations. OSHA has reviewed the evidence and comments received, and determined that 23 provisions in that paragraph can be revoked. Twelve of the regulations are revoked because they are covered adequately elsewhere. Five provisions are revoked because they are concerned with property protection not with employee safety. Five provisions are revoked because they are concerned with comfort, convenience or design and are not concerned with employee safety. One provision is revoked because it is inconsequential. Paragraph 1910.263(i)(6)(i) requires the elimination of sharp splinters or rough corners or edges. It is revoked because it relates to the protection of property. Paragraph 1910.263(i)(6)(iv) requiring end guards for shelves is revoked, because it is directed toward property protection. Paragraph 1910.263(i)(8)(i) requires handles for operating devices that are suspended from the overhead and less than 6 feet 8 inches above the floor, to be made of pliable material. It is revoked, since it is covered by paragraph 1910.37(i). Paragraph 1910.263(i)(8)(ii) requires dials of floor scales to be covered by nonshatterable transparent material. It is revoked, as it is intended to protect property.

Paragraph 1910.263(i)(9) requires guarding of chute for the protection of employees from falling in. It is revoked, since appropriate protection is provided in paragraph 1910.23(a)(3). Paragraph 1910.263(i)(10)(i) requires elimination of sharp corners or edges on metal skids. It is revoked, as it is intended to protect property.

Also, paragraph 1910.263(i)(10)(ii) requires protecting exposed splinters on edges and corners of skids. It is revoked, as it is intended to protect merchandise. Paragraph 1910.263(i)(11)(ii) requires that attachment cords for portable electric agitators shall be so wired that the agitator will be grounded. It is revoked, because it is covered by paragraph 1910.309(b) and Article 250-45(d) of the National Electrical Code. Paragraph 1910.263(i)(14)(i) requires all sharp corners and edges on air-conditioning units to be eliminated. It is revoked, as it relates to the protection of the general public. Paragraph 1910.263(i)(15)(i) requires counter balanced hinged covers or sliding covers on pan washing tanks. It is revoked, because it is inconsequential and does not impose a substantial requirement. Paragraph 1910.263(i)(15)(iii) requires working platforms to be kept at least 32 inches below the top of the tank or guardrails. It is revoked because it duplicates the intent of paragraph 1910.22(c). Paragraph 1910.263(i)(15)(iv) requires electric sockets to be non-metallic and keyless and other electrical equipment shall be moisture proof. It is revoked because it duplicated requirements of paragraph 1910.309(b) and is covered by Article 110-11, 300-6 of the National Electrical Code. Paragraph 1910.263(i)(16) requires sharp corners and edges to be eliminated from pan washing machines. It is revoked because it is obsolete due to technological change. Paragraph 1910.263(i)(17) requires all pinch points on cake depositors to be eliminated, guarded, or shielded. It is revoked because it is adequately covered by paragraph 1910.212(a)(1). Paragraph 1910.263(i)(18) requires all pinch points on icing machines to be eliminated, guarded, or shielded. It is revoked because it is adequately covered by paragraph 1910.212(a)(1).

Also, paragraph 1910.263(i)(19)(i) requires all pinch points on conveyor type bread coolers to be eliminated or guarded. It is revoked because it is adequately covered by paragraph 1910.212(a)(1). Paragraph 1910.212(i)(19)(ii) requiring installation of stop bumpers at conveyor ends is revoked since appropriate protection is provided in paragraph 1910.212(i)(7)(ii). Paragraph 1910.212(i)(20)(i) requires guard rails to be installed to the center rack of rack type bread coolers. It is revoked because it is not related to employee safety. Paragraph 1910.263(i)(21)(i) requires sharp corners and edges to be eliminated from bread and cake boxes, etc. It is revoked because it relates to the design of the metal parts not controlled by the employer.

Paragraph 1910.263(i)(21)(iii) requires protecting all wooden corners

and edges to prevent splinters on bread, cake boxes, etc. It is revoked because it relates to the design of the utensils. Paragraph 1910.263(i)(23)(ii) requires fire extinguisher for a Class B fire to be provided. It is revoked because it duplicates the requirement of 1910.157. Paragraph 1910.263(i)(23)(iii) requires goggles and face shields to be provided to prevent injuries from hot fat splashes. It is revoked because it duplicates the requirements of 1910.133.

Upon reexamination of the evidence, OSHA has determined that, in the best interest of worker protection, the following provisions of paragraph 1910.263(i) should not be revoked:

Paragraph 1910.263(i)(1)—Door locks on proof boxes.

Paragraph 1910.263(i)(2)—Nonshattering material on fermentation room doors.

Paragraph 1910.263(i)(3)—Antifriction bearing casters on troughs.

Paragraph 1910.263(i)(4)(i)—Caster placement on hand trucks.

Paragraph 1910.263(i)(4)(ii)—Handle locks for hand trucks.

Paragraph 1910.263(i)(5)—Handle locks for lift trucks.

Paragraph 1910.263(i)(6)(ii)—Positioning handles on racks.

Paragraph 1910.263(i)(6)(iii)—Antifriction bearings on casters for racks.

Paragraph 1910.263(i)(7)(i)—Guarding conveyors passing over aisles.

Paragraph 1910.263(i)(7)(ii)—Stop bumpers required for conveyors.

Paragraph 1910.263(i)(7)(iii)—Stop buttons for conveyors.

Paragraph 1910.263(i)(8)(i)—Handles for overhead trolley switches.

Paragraph 1910.263(i)(11)(i)—Interlocks for covers of premixers and emulsifiers.

Paragraph 1910.263(i)(12)(i)—Marking chain tackle for maximum load capacity.

Paragraph 1910.263(i)(12)(ii)—Marking chain tackle for minimum support capacity.

Paragraph 1910.263(i)(12)(iii)—Required safety hooks.

Paragraph 1910.263(i)(13)(i)—Marking trough hoists for maximum load capacity.

Paragraph 1910.263(i)(13)(ii)—Marking hoists for minimum support requirements.

Paragraph 1910.263(i)(13)(iii)—Safety catches for chain to hold load.

Paragraph 1910.263(i)(13)(iv)—Required use of safety hooks.

Paragraph 1910.263(i)(14)(ii)—Double door locks for inside and outside operation required on air-conditioning units where they can be entered.

Paragraph 1910.263(i)(15)(ii)—Requires non-slip floor surface around pan washing tanks.

Paragraph 1910.263(i)(15)(v)—Exhaust hoods over pan washing tanks.

Paragraph 1910.263(i)(20)(ii)—Double door locks for inside and outside operation required on bread coolers.

Paragraph 1910.263(i)(22)(i) and (ii)—Separate flue for venting frying vapors and products of combustion for chamber used to heat fat.

Paragraph 1910.263(i)(23)(i)—Requires non-slip floors around fat kettles.

Paragraph 1910.263(i)(23)(iv)—Minimum height of fat kettles above floor.

Paragraph 1910.263(i)(24)(i)—Positive locking devices to hold steam kettles required.

Paragraph 1910.263(i)(24)(ii)—Safety valves required for steam kettles.

Paragraph (j) of 1910.263 prescribes regulations for slicers and wrappers used in bakery operations. OSHA has reviewed the evidence and comments received, and determined that many of the provisions in that paragraph can be revoked without exposing employees to recognized hazards, since most of the requirements in those paragraphs are covered elsewhere in Part 1910. Eleven provisions being revoked from paragraph (j) are covered by other regulations and one because it is a design criteria set by machine manufacturers.

Paragraph 1910.1263(j)(1)(i) requires the enclosure of sprockets, chains and V-belts drives, and is covered by paragraph 1910.219(f)(3) for sprockets and chains, and by paragraph 1910.219(e)(1) for belt drives. The provision is therefore revoked. Paragraph 1910.263(j)(1)(ii) protects against a point of operation hazard and is covered by paragraph 1910.212(a)(3)(ii). The provision is therefore revoked. Paragraph 1910.263(j)(1)(vi) requires guarding of a pinch point and is covered by paragraph 1910.212(a)(1). The provision is therefore revoked. Paragraph 1910.263(j)(1)(vii)(a) protects against the hazard of a shear point and is covered by paragraph 1910.212(a)(1). The provision is therefore revoked. Paragraph 1910.263(j)(1)(vii)(b) requires the guarding of chains, sprockets and belts and is adequately covered by paragraph 1910.219(e)(1) and 1910.219(f)(3). The provision is therefore revoked. Paragraph 1910.263(j)(1)(vii)(d) requires that transfer chain be completely enclosed and is covered by paragraph 1910.212(a)(1). The provision is therefore revoked. Paragraph 1910.263(j)(2)(i) requires a smooth solid disk wheel on a wrapping machine, which is a design criteria set by machine manufacturers and cannot be controlled by employers. The provision is therefore revoked. Paragraph

1910.263(j)(2)(ii) requires a two-piece guard in front of the crossfeed chain and is covered by paragraph 1910.212(a)(1). The provision is therefore revoked. Paragraph 1910.263(j)(2)(iv) requires that electrical wiring used to connect the movable heaters assembly be heat resistant and minimum in number. This is required by paragraph 1910.309(b) and is covered by Sections 300-17, 310-4 and 300-20 of the National Electrical Code. The provision is therefore revoked.

Also, paragraph 1910.263(j)(2)(v) protects against the hazard of inrunning nip point of rubber rollers and is covered by paragraph 1910.212(a)(1). The provisions is therefore revoked. Paragraph 1910.263(j)(2)(vi) requires guarding of the nip point between a chain and a sprocket and is covered by paragraph 1910.219(f)(3). The provision is therefore revoked. Paragraph 1910.263(j)(2)(vii) requires a complete enclosure of sprocket, chain and V-belt drives on wrappers, and is covered by paragraph 1910.219(f)(3) for sprockets and chains, and by paragraph 1910.219(e)(1) for belt drives. The provision is therefore revoked.

Upon reexamination of the evidence, OSHA has determined that, in the best interest of worker protection, the following paragraphs in 1910.263(j) should not be revoked:

Paragraph 1910.263(j)(1)(iii)—Interlocking cover over knife head of slicing machine.

Paragraph 1910.263(j)(1)(iv)—Guarding of slicers with endless band knives.

Paragraph 1910.263(j)(1)(v)—Protection when sharpening slicer blades.

Paragraph 1910.263(j)(1)(vii)(c)—Control levers for slicing machine conveyors and wrapping machines.

Paragraph 1910.263(j)(2)(iii)—Protection from contact with electrical heaters.

Paragraph (k) of 1910.263 prescribes regulations for biscuit and cracker equipment used in bakery operations. OSHA has examined the evidence and the comments received and determined that many of the provisions in that paragraph can be revoked without compromising employee safety. Fourteen provisions being revoked from paragraph (k) are covered by other regulations, and two are revoked because they pertain to the protection of property.

Paragraph 1910.263(k)(4) protects against the hazards of top openings on horizontal tub type machines and is covered by paragraph 1910.212(a)(3)(ii). The provision is therefore revoked. Paragraph 1910.263(k)(7)(i) protects against the hazard of a nip point on sheeting rolls and is covered by paragraph 1910.212(a)(3)(ii). The provision is therefore revoked. Paragraph 1910.263(k)(8)(i) protects against the

hazard of a nip point on roll stands and is covered by paragraph 1910.212(a)(3)(ii). The provision is therefore revoked. Paragraph 1910.263(k)(8)(ii) requires guarding of a cutter and is covered by paragraph 1910.212(a)(3)(ii). The provision is therefore revoked. Paragraph 1910.263(k)(8)(iii) requires guarding of reciprocating panner heads and is covered by paragraph 1910.212(a)(1). The provision is therefore revoked. Paragraph 1910.263(k)(8)(iv) provides for motor control buttons to be located within view of a cutting head, and is explicitly directed toward protection of the machine, rather than employee safety and health. The provision is therefore revoked. Paragraph 1910.263(k)(10) protects against the hazard of a nip point on band ovens and is covered by paragraph 1910.212(a)(1). The provision is therefore revoked.

Also, paragraph 1910.263(k)(11) requires guarding of wafer-cutting machines, and is covered by paragraph 1910.212(a)(3)(ii). The provision is therefore revoked. Paragraph 1910.263(k)(12)(ii) requires guarding of pan cooling tower conveyors, and is covered by paragraph 1910.212(a)(1). The provision is therefore revoked. Paragraph 1910.263(k)(12)(iii) requires guarding of a floor opening and is covered by paragraph 1910.23(a)(3) and 1910.23(a)(9). The provision is therefore revoked.

Paragraph 1910.263(k)(12)(iv) requires guarding of a pan conveyor over a work area and is covered by paragraph 1910.263(i)(7)(i). The provision is therefore revoked.

Paragraph 1910.263(k)(12)(v) requires the enclosure of sprocket wheels on pan conveyors and is covered by paragraph 1910.219(f)(3). The provision is therefore revoked.

Paragraph 1910.263(k)(12)(vi) requires a partition between conveyor chains which run in opposite directions, and is primarily directed toward protection of the conveyors, rather than employee safety and health. The provision is therefore revoked. Paragraph 1910.263(k)(14) requires guarding of a stitching head and is covered by paragraph 1910.212(a)(3)(ii). The provision is therefore revoked.

Paragraph 1910.263(k)(15) requires guarding of end seal drums and is covered by paragraph 1910.212(a)(4). The provision is therefore revoked. Paragraph 1910.263(k)(16) requires guarding of cutting knives on carton and lining feeding machines and is covered by paragraph 1910.212(a)(3)(ii). The provision is therefore revoked.

Upon reexamination of the evidence, OSHA has determined that, in the best interest of worker protection, the following provisions of paragraph 1910.263(k) should not be revoked:

Paragraph 1910.263(k)(1)(i)—Electrical interlock between hopper and grinders.

Paragraph 1910.263(k)(1)(ii)—Guards and interlocking covers on hoppers.

Paragraph 1910.263(k)(2)(i)—Grounding of belts on sugar and spice pulverizers.

Paragraph 1910.263(k)(2)(ii)—Requirement for magnetic separators to reduce fire and explosion hazard.

Paragraph 1910.263(k)(3)—Protection of operator for cheese, fruit and food cutters.

Paragraph 1910.263(k)(5)—Guarding of reversible dough brakes and tripping mechanism.

Paragraph 1910.263(k)(6)—Guarding of cross-roll brakes.

Paragraph 1910.263(k)(7)(ii)—Automatic stopping device on hoppers for sheeters.

Paragraph 1910.263(k)(9)—Dough hopper design to protect employees' hands from moving parts.

Paragraph 1910.263(k)(12)(i)—Lockouts for servicing pan cooling towers.

Paragraph 1910.263(k)(13)—Covers for chocolate kettles.

Paragraph 1910.263(k)(17)—Covers for peanut cooling trucks.

Paragraph (1) of 1910.263 sets standards for bakery ovens and associated fuel burning equipment. A review of the evidence and comments has enabled OSHA to select a significant number of provisions for revocation without adversely affecting employee safety. Fourteen provisions are revoked because the subject is covered by alternate provisions, 56 provisions are revoked on the basis that they are design requirements for manufacturers of ovens, five provisions are revoked because they relate to public safety or property protection, eight provisions being revoked are subject to the authority of local building code or fire department officials, and eight provisions are revoked because they are now obsolete or inconsequential.

The current codes applicable for ovens and fuel burning systems are: Standard for Ovens and Furnaces, Design, Location, and Equipment, NFPA No. 86A; National Electrical Code, NFPA No. 70; Standard for the Storage and Handling of Liquefied Petroleum Gases, NFPA No. 58; National Fuel Gas Code, NFPA No. 54; and Standard for the Installation of Oil Burning Equipment, NFPA No. 31. These codes provide detailed information for the design and installation of ovens. They reflect current technology and are referenced by local building code officials and insurance companies in approving ovens used in bakeries.

Paragraph 1910.263(l)(1)(i)—which requires ovens to be located with due regard for the safety of persons from casualties such as fire, explosion or

escape of fuel is revoked. This subject is covered adequately by 1910.263(1)(1)(vii) which directs that ovens be located to eliminate exposure of persons to injury from fire or explosion and prohibits ovens adjoining locker, lunch or sales rooms and passageways or exits.

Paragraph 1910.263(1)(1)(ii) requires that ovens either be built on noncombustible foundations or have an insulated sole and a ventilated space of at least 3 inches provided so the floor beneath will not exceed a temperature of 160° F. This rule is revoked because the type of foundation and construction relative to floors is subject to the authority of building code or fire department officials at the time of construction and installation.

Paragraph 1910.263(1)(1)(iii) which requires insulation on the crown of any oven and ventilation to keep the ceiling temperature from rising above 200° F is revoked. This is a design and construction feature subject to the authority of local building and fire code enforcing authorities at the time of construction.

Paragraph 1910.263(1)(1)(iv) which requires oven ducts and stacks to have clearance or insulation when passing through walls or ceilings to keep temperatures of combustible ceilings from rising above 200° F is revoked. This is a design and construction feature subject to the authority of local building and fire code enforcing authorities at the time of construction.

Paragraph 1910.263(1)(1)(v) which covers fireproofing of columns or structural members passing through ovens to keep their temperature below 160° F is revoked. This is a design and construction feature subject to the authority of local building and fire code enforcing authorities at the time of construction.

Paragraph 1910.263(1)(1)(vi) which requires ovens to be accessible with proper space provided for functioning of explosion vents is revoked. This is a design and construction feature subject to the authority of local building and fire code enforcing authorities at the time of construction.

Paragraph 1910.263(1)(2)(i) which requires ovens to be protected from corrosion or deterioration is revoked. This is a design and construction feature subject to the authority of local building and fire code enforcing authorities at the time of construction.

Paragraph 1910.263(1)(2)(ii) which requires the roof of an oven to be strong enough to withstand such loads as employees climbing on or in ovens is revoked. This is a design requirement subject to control of the manufacturer.

Paragraph 1910.263(1)(3)(ii)(a) which sets requirements for ovens and fuel system piping connections is re-

voked. This is a design and construction feature subject to the authority of local building and fire code enforcing authorities at the time of construction.

Paragraph 1910.263(1)(3)(ii)(b) is revoked because the requirement to use good material for pipe and fittings free of defects is a responsibility of the fire and building code officials and is a part of a specification followed by the builder and installer of the oven.

Paragraph 1910.263(1)(4)(i) is revoked as this internal reference identifies the 1910.110 standard for Storage and Handling of Liquefied Petroleum Gas the source of the applicable regulations.

Paragraph 1910.263(1)(4)(ii) is a design requirement for inspirators on gas burning systems which fuel system manufacturers are guided by to insure proper functioning of the system. This rule is revoked.

Paragraph 1910.263(1)(4)(iii) requires the interlocking of dampers and the gas supply to prevent admission of gas when damper is closed. This is a design feature subject to the control of fuel system manufacturers and installers and it is revoked.

Paragraph 1910.263(1)(4)(iii)(a) requires secondary air ducts below each burner extending full length with air inlets placed outside the baking chamber. This is a design requirement subject to the control of the oven manufacturer and is revoked.

Paragraph 1910.263(1)(4)(iii)(b) requires a specific size hole in oven stack dampers with atmospheric gas-burning systems which is a design requirement for oven manufacturers and installers. The provision is revoked.

Paragraph 1910.263(1)(4)(iv) requires burners to be equipped with gas pilots or electric ignition with an exception for certain burners equipped with quick acting combustion safeguards. Hand torch ignition for initial lightings only is also provided. These requirements relate to design of the system and manufacturers are guided by the provision and the latest standards for bakery ovens in NFPA 86A of 1977. The provision is revoked.

Paragraph 1910.263(1)(4)(v) relates to the maintenance of a stable flame by perforated pipe, ribbon, slot, tip or similar type burners under all draft conditions. This is a design requirement subject to the control of the manufacturer and is revoked.

Paragraph 1910.263(1)(4)(vi) requires that burner design preclude any backfire or blow off within the operating range. This is a design requirement subject to the control of the manufacturer and is revoked.

Paragraph 1910.263(1)(4)(vi)(a) requires burners used on premixed gas systems to be capable of instant ignition in normal or steam-laden oven at-

mosphere or under any other conditions which might extinguish the flame. This is a design requirement subject to the control of the manufacturer and is revoked.

Paragraph 1910.263(1)(4)(vi)(b) requires each burner to be equipped with electric or gas ignition. This is a design requirement subject to the control of the manufacturer and is revoked.

Paragraph 1910.263(1)(4)(vii) prescribes criteria for design, construction and machinery to insure perfect alignment of inspirator and burner which are design requirements. This is a design requirement subject to the control of the manufacturer and is revoked.

Paragraph 1910.263(1)(4)(vii)(a) prohibits a valve or other obstruction between the inspirator and the burner. This is a design requirement subject to the control of the manufacturer and is revoked.

Paragraph 1910.263(1)(4)(vii)(b) requires adjusting screws for inspirators. This is a design requirement subject to the control of the manufacturer and is revoked.

Paragraph 1910.263(1)(4)(vii)(c) requires positive licking means for air adjustment. This is a design requirement subject to the control of the manufacturer and is revoked.

Paragraph 1910.263(1)(4)(vii)(d) requires oven to inspirator air adjustment. This is a design requirement subject to the control of the manufacturer and is revoked.

Paragraph 1910.263(1)(4)(vii)(e) requires inspirator mounting to consider the possibility of a backfire. This is a design requirement subject to the control of the manufacturer and is revoked.

Paragraph 1910.263(1)(4)(vii)(f) requires that high pressure inspirators not be used under low air conditions. This is a design requirement subject to the control of the manufacturer and is revoked.

Paragraph 1910.263(1)(4)(vii)(g) requires a positive locking device on certain inspiring sets. This is a design requirement subject to the control of the manufacturer and is revoked.

Paragraph 1910.263(1)(4)(viii) requires the installation of low-pressure proportioning inspirators with zero governors with no valve or other obstruction before the burner. This is a design requirement subject to the control of the manufacturer and is revoked.

Paragraph 1910.263(1)(4)(ix) requires that certain features be incorporated in two-pipe systems. This is a design requirement subject to the control of the manufacturer and is revoked.

Paragraph 1910.263(1)(5)(i) requires installation of certain equipment associated with burners and is revoked be-

cause the equipment designer controls the installation of such equipment.

Paragraph 1910.263(1)(5)(i)(a) requires protection against certain fire and explosion hazards and is revoked. These design and installation requirements are set by equipment designers and manufacturers.

Paragraph 1910.263(1)(5)(i)(b) requires that all diaphragm and similar chamber be connected to the outside atmosphere and is revoked because it is a system design requirement not controlled by the employer.

Paragraph 1910.263(1)(5)(i)(c) requires an automatic safety shutoff valve in the mixing valve gas line and is revoked because it is an installation requirement provided by the equipment manufacturer and supplier or installer.

Paragraph 1910.263(1)(5)(i)(d) specifies the location of air inlets of gas mixing machines and is revoked because it is an installation design requirement not controlled by the employer.

Paragraph 1910.263(1)(5)(ii) deals with obstructions between mixing blowers and burners and is revoked because installation is prescribed by the builder/manufacturer of the equipment and installation.

Paragraph 1910.263(1)(5)(ii)(a) is concerned with mixing blowers construction which is not within the purview of the employer, therefore, it is revoked.

Paragraph 1910.263(1)(5)(ii)(b) is concerned with installation of a pressure regulator at the mixing valve inlet. The requirement is revoked because it is an installation function specified by the equipment manufacturer.

Paragraph 1910.263(1)(5)(ii)(c) concerns construction requirements of mixing blowers and is revoked since this is a product design feature not controlled by the employer.

Paragraph 1910.263(1)(5)(ii)(d) deals with provision of automatic safety shutoff valves and is revoked because it is an installation requirement set by the manufacturer.

Paragraph 1910.263(1)(6)(i) requires conformance with NFPA 31-1968 for the storage and distribution of fuel oil in bakeries and is revoked. Such a requirement is under the control of other authorities when the system is constructed such as local building code and fire safety officials.

Paragraph 1910.263(1)(6)(ii) requires oil burner approval by Underwriters' Laboratories, Inc., and is revoked since this is an installation requirement not controlled by the employer.

Paragraph 1910.263(1)(6)(ii)(a) sets pilot or ignition requirements and is an installation design feature not controlled by the employer and is, therefore, revoked.

Paragraph 1910.263(1)(6)(ii)(b) requires protection against flame failure hazards and is an installation and design feature not controlled by the employer. It is, therefore, revoked.

Paragraph 1910.263(1)(6)(ii)(c) sets certain system installation and design requirements which would be prescribed by the design and set by the manufacturer. It is therefore revoked.

Paragraph 1910.263(1)(6)(ii)(d) sets certain damper arrangement requirements and is revoked since this is an equipment design function not controlled by the employer.

Paragraph 1910.263(1)(6)(ii)(e) sets certain installation and design requirements for oil burners and is revoked since these are for the guidance of equipment manufacturers.

Paragraph 1910.263(1)(6)(ii)(f) sets system design requirements for the preheating of oil and is revoked. This is a system installation design requirement not under the control of the employer.

Paragraph 1910.263(1)(6)(ii)(g) sets certain installation design requirements for air pressure and oil supply and is revoked since this function is not controlled by the employer.

Paragraph 1910.263(1)(6)(iii) requires a pressure cutoff valve between the pump and nozzle and is revoked since this is a system design function not controlled by the employer.

Paragraph 1910.263(1)(6)(iv) sets certain requirements concerning air atomizing burners and is revoked since these are system design requirements for equipment manufacturers.

Paragraph 1910.263(1)(6)(v) sets certain design requirements concerning rotary-type mechanical atomizing burners and is revoked since these requirements are not controlled by the employer.

Paragraph 1910.263(1)(6)(vi) establishes requirements for evaporator-type burners on oil-fired ovens. This paragraph is revoked because it is a system design requirement of the oven manufacturer.

Paragraph 1910.263(1)(6)(vii) establishes pilot light requirements for ovens with "vaporizers." This is an oven design parameter and is revoked because it is subject to a manufacturer's overall system's design in making a safe oven.

Paragraph 1910.263(1)(7)(i) establishes requirements for solid-fuel firing systems, which requirements are now obsolete, as other fuels are now used in bakeries. The rule is revoked.

Paragraph 1910.263(1)(7)(ii)(a) requires mechanical stokers and is revoked because such equipment is obsolete.

Paragraph 1910.263(1)(7)(ii)(b) requires mechanical, stoker-fired system dampers and is revoked because these systems are no longer in use.

Paragraph 1910.263(1)(8)(i) refers to Subpart S of Part 1910 for electrical heating equipment regulations. This reference provision is revoked because Subpart S is applicable under the provisions of 1910.5.

Paragraph 1910.263(1)(8)(ii) requiring protection from electric shock by open heating elements is revoked because the hazard is covered by 1910.309(a) NEC, Article 422-2.

Paragraph 1910.263(1)(9)(iv)(b) requires electric circuits of ignition systems to comply with Subpart S, Electrical. This reference is revoked because Subpart S is applicable.

Paragraph 1910.263(1)(9)(v)(c) requiring valve packing glands to be designed so as to prevent binding by excessive tightening is a valve manufacturer design feature and the requirement is revoked.

Paragraph 1910.263(1)(9)(v)(d) requiring electrically operated safety shutoff valves by opened only be electric power is a design criterion applicable to firms who make such valves. It is revoked.

Paragraph 1910.263(1)(9)(ix)(a) requiring connection of ovens to flues or chimneys of ample size is for the efficient operation and is based on oven design specifications. It is revoked.

Paragraph 1910.263(1)(9)(ix)(b) requires chimneys to be inspected after installation or repair. The provision is revoked because it is concerned with property condition and not worker protection.

Paragraph 1910.263(1)(9)(ix)(c) requiring proper support of flue pipe or breeching is for the proper functioning of the oven or protection from damage. The rule is revoked because it is covered by applicable NFPA codes.

Paragraph 1910.263(1)(9)(ix)(d) setting a limit for flue pipe entry into chimneys is for the protection of the pipe and proper functioning of the oven and is revoked as it is not related to employee safety.

Paragraph 1910.263(1)(9)(ix)(e) requiring the flue pipe to be cemented and sealed to the chimney to prevent air infiltration is for oven efficiency and not employee safety and is revoked.

Paragraph 1910.263(1)(9)(ix)(f) requiring a means for regulating draft on natural draft ovens is a design feature prescribed for oven manufacturers and installers to assure efficient operation. The provision is revoked.

Paragraph 1910.263(1)(9)(ix)(g) requiring dampers with minimum and maximum stops and the providing of burner turnoff means when the damper is closed is a design requirement which is revoked.

Paragraph 1910.263(1)(9)(x) requiring check valves in fuel lines to prevent air backing up into the line is a design requirement which is revoked.

Paragraph 1910.263(l)(9)(xi)(a) which requires gas regulators to maintain manifold pressures within 10 percent of operating pressure is a design criterion. The requirement is revoked.

Paragraph 1910.263(l)(9)(xi)(b) prohibits weight and lever-type regulators and states that regulator springs shall be covered by a housing. This is a design requirement which is revoked.

Paragraph 1910.263(l)(9)(xi)(c) requiring gas pressure regulators to be vented when access to the atmosphere is necessary for operation is revoked because it deals with the design features of the equipment.

Paragraph 1910.263(l)(9)(xii) is concerned with the connection of lines to the atmosphere which are required to sense atmospheric pressure on one side of flexible membranes. This detailed requirement of oven design is revoked.

Paragraph 1910.263(l)(9)(xiii) is concerned with filtering air supplied to mixing flues and burners. It is concerned with property protection and is revoked.

Paragraph 1910.263(l)(11)(iii) provides for preventilating devices to be fitted on ovens. This design feature is revoked.

Paragraph 1910.263(l)(11)(iv) requires fans to be made of temperature resistant materials to prevent rupture of the wheel. This design feature protects the fan from deterioration and insures reliable efficient operation. The rule is revoked because it is not relevant to employee safety.

Paragraph 1910.263(l)(11)(v) requires protection of the fan wheel from the flame of burners, which is a design feature and is revoked.

Paragraph 1910.263(l)(11)(vi) requires protection from overheating of ovens and fans of direct, recirculating ovens. The provision is for property protection and is revoked.

Paragraph 1910.263(l)(11)(vii) requiring access to elevated burners by means of permanent steps is revoked because this is covered by 1910.24(b).

Paragraph 1910.263(l)(12)(i) requires flue-type ovens to be operated to insure less than atmospheric pressure in the flues. This design consideration is revoked.

Paragraph 1910.263(l)(12)(ii) requiring protection of gas burners against flame failure is revoked because 1910.263(l)(9)(v)(h) covers this requirement.

Paragraph 1910.263(l)(12)(iii) requiring UL listed combustion safeguards is a design requirement for oven manufacturers. The provision is revoked.

Paragraph 1910.263(l)(12)(iv) requiring solid-fuel stoker fired flue-type ovens to have interlocked stack damper and stoker is revoked because such equipment is obsolete.

Paragraph 1910.263(l)(13)(i) requiring safety shutoff valves is covered by 1910.263(l)(9)(v)(g) and (h) and is revoked.

Paragraph 1910.263(l)(13)(ii) requires annual testing by repeated explosions for parts of ovens and is revoked because the practice is obsolete as a method for detecting leaks.

Paragraph 1910.263(l)(14) requiring the use of devices to protect against overfiring and overheating is a design requirement and is revoked.

Paragraph 1910.263(l)(15)(i) requiring combustion safeguards is covered by 1910.263(l)(9)(v)(h) and is revoked.

Paragraph 1910.263(l)(15)(ii) establishes specific design requirements for explosion vents in duct systems. This is a detailed design requirement and subject to NFPA codes. It is therefore revoked.

Paragraph 1910.263(l)(15)(iv) requiring fans and other parts to comply with paragraph (11) is revoked as unnecessary detail.

Paragraph 1910.263(l)(16) requires compliance with Subpart S, of this Part. It is revoked because it contains unnecessary reference to another Subpart of 1910 which is applicable when appropriate.

Upon reexamination of the evidence, OSHA has determined that, in the best interest of worker protection, the following provisions in paragraph 1910.263(l) should not be revoked:

Paragraph 1910.263(l)(1)(vii)—Location of ovens.

Paragraph 1910.263(l)(3)(i)—Emergency stop buttons on ovens.

Paragraph 1910.263(l)(3)(iii)—Main shutoff valves for ovens.

Paragraph 1910.263(l)(3)(iii)(a)—Access to main shutoff valves.

Paragraph 1910.263(l)(3)(iii)(b)—Lock out of main shutoff valves for oven maintenance.

Paragraph 1910.263(l)(8)(iii)—Main disconnect switch for electrical ovens.

Paragraph 1910.263(l)(9)(i)—Maintenance of protecting devices.

Paragraph 1910.263(l)(9)(ii)—Inspection of safety devices on ovens.

Paragraph 1910.263(l)(9)(iii)(a)—Gas pilot light protection.

Paragraph 1910.263(l)(9)(iii)(b)—Pilot lights for multiple burners.

Paragraph 1910.263(l)(9)(iv)—Combustion safeguards.

Paragraph 1910.263(l)(9)(iv)(a)—Ignition-fuel interlocks on ovens.

Paragraph 1910.263(l)(9)(iv)(c)—Combustion safeguards.

Paragraph 1910.263(l)(9)(v)—Safety shutoff valves.

Paragraph 1910.263(l)(9)(v)(a)—Safety shutoff valves.

Paragraph 1910.263(l)(9)(v)(b)—Safety shutoff valves testing.

Paragraph 1910.263(l)(9)(v)(e)—Safety shutoff valves.

Paragraph 1910.263(l)(9)(v)(f)—Safety shutoff valves.

Paragraph 1910.263(l)(9)(v)(g)—Safety shutoff valves.

Paragraph 1910.263(l)(9)(v)(h)—Safety shutoff valves.

Paragraph 1910.263(l)(9)(vi)—Safety shutoff valves.

Paragraph 1910.263(l)(9)(vii)—Oven fuel control.

Paragraph 1910.263(l)(9)(viii)—Explosion vents on ovens.

Paragraph 1910.263(l)(9)(viii)(a)—Explosion door attachment.

Paragraph 1910.263(l)(9)(viii)(b)—Explosion vent shields.

Paragraph 1910.263(l)(9)(viii)(c)—Exemption for explosion vents.

Paragraph 1910.263(l)(9)(xi)—Requirement for gas pressure regulator.

Paragraph 1910.263(l)(9)(xi)(d)—Relief valves for gas pressure regulators.

Paragraph 1910.263(l)(10)(i)—Direct-fired oven safeguards.

Paragraph 1910.263(l)(10)(ii)—Pre-ventilation of ovens before firing.

Paragraph 1910.263(l)(11)(i)—Interconnect of circulating fans and fuel shutoff value.

Paragraph 1910.263(l)(11)(ii)—Protection of burner flame.

Paragraph 1910.263(l)(15)(iii)—Duct testing on ovens.

§ 1910.264 Laundry machinery and operations. Paragraph 1910.264(a) defines terms used in the standard for laundry machinery and operations. The paragraphs which reference several of these definitions are being revoked, as unnecessary. The revocation of definitions such as point of operation, prime mover and mechanical power transmission will eliminate any possible conflicts with the definition of these terms in 1910.212 and 1910.219. Also, the definitions for machines such as washing machine, laundry, ironer, sewing machine and extractor are revoked because they do not have to be defined in a manner different from the common usage of these terms. The entire list of definitions are revoked in 1910.264(a):

- 1910.264(a)(1)
- 1910.264(a)(2)
- 1910.264(a)(3)
- 1910.264(a)(4)
- 1910.264(a)(5)
- 1910.264(a)(6)
- 1910.264(a)(7)
- 1910.264(a)(8)
- 1910.264(a)(9)
- 1910.264(a)(10)
- 1910.264(a)(11)
- 1910.264(a)(12)
- 1910.264(a)(13)
- 1910.264(a)(14)
- 1910.264(a)(15)
- 1910.264(a)(16)
- 1910.264(a)(17)
- 1910.264(a)(18)
- 1910.264(a)(19)
- 1910.264(a)(20)
- 1910.264(a)(21)

Paragraph 1910.264(b) is not revoked because it is a statement covering the scope of the section on laundry machinery and operations.

Paragraph 1910.264(c) provides point of operation guarding for washroom machines such as washing machines, extractors, starching and drying machines, fans, shakers, and finishing machines like ironers and sewing machines. A review of the comments and the evidence disclosed that the hazards of these machines are covered by other machinery safeguarding regulations. Therefore, 21 of these provisions in 1910.264(c) are revoked. Two of the machines in this paragraph are obsolete and no longer used in laundry operations, and these provisions are revoked.

Paragraph 1910.264(c)(1)(i) provides for prevention of injury to fingers of operators by means of a spring-compression device or a two-hand control or a barrier guard. Paragraph 1910.212(a)(3)(ii) covers the safeguarding of this type of hazard, therefore, the provision is revoked.

Paragraph 1910.264(c)(1)(ii)(a) requires each washing machine cover to be interlocked with the driving mechanism to prevent movement of the cylinder when the outer door is open, or to prevent opening the door when the cylinder is in motion. This hazard is covered by 1910.212(a)(3)(ii) and 1910.212(a)(4); therefore, the provision is revoked.

Paragraph 1910.264(c)(1)(iii)(a) requiring extractors to be fitted with a cover is revoked because the hazard is covered by 1910.212(a)(1) and 1910.212(a)(3)(ii).

Paragraph 1910.264(c)(1)(iii)(b) which requires interlocking of the extractor covers to prevent the cover being opened when the extractor is in motion, or to prevent starting of the extractor with the cover open is revoked. The hazard of rotating containers is covered by 1910.212(a)(3)(ii) and 1910.212(a)(4) which requires the interlocking of enclosures.

Paragraph 1910.264(c)(1)(iii)(c) requires the extractor to be secured in position to eliminate vibration. It also requires the manufacturer's rating giving the maximum permissible speed to be stamped on the inside of the basket. The anchoring of machines is covered by 1910.212(b) and the practice of stamping extractor baskets has been discontinued; therefore, the requirements are revoked.

Paragraph 1910.264(c)(1)(iii)(d) provides for an engine stop approved by Underwriters' Laboratories, Inc., and a speed limiting governor. There is a suggestion for a "no field" release to be provided when a DC motor drives the extractor. Both of these regulations are obsolete because they refer to older machines formerly in use

which were driven by engines or DC motors rather than the modern equipment which uses AC motors. The provision is revoked.

Paragraph 1910.264(c)(1)(iv) requires a safety bar or other guard across the front of pressure rolls of power wringers to stop the machine when struck by the operator or another person. This point of operation hazard is covered by 1910.212(a)(3)(ii) and the provision is revoked.

Paragraph 1910.264(c)(2)(i) requiring an enclosure or guard for a cylinder or box-type starching machine is revoked because the hazard of the machine rotating or contact with moving parts is covered by 1910.212(a)(1).

Paragraph 1910.264(c)(2)(ii) provides for the guarding of fan blades with wire mesh or screening with openings, which will reject a ball 1/2-inch in diameter. The hazard of fan blades is covered by 1910.212(a)(5) and this provision is revoked.

Paragraph 1910.264(c)(2)(iii)(a) requires interlocking of the drying tumbler inside cylinder and the outer door to prevent the door from opening when the cylinder is in motion, or the cylinder from moving when the door is open. The hazard is covered by the requirement for interlocks in 1910.212(a) and this provision is revoked.

Paragraph 1910.264(c)(2)(iv)(a)(1) requires an interlock on each shaker or clothes tumbler. The requirement of 1910.212(a)(4) covers this requirement and the provision is revoked.

Paragraph 1910.264(c)(2)(iv)(a)(2) requires guarding of the tumbler when it is in motion and this is covered by 1910.212(a)(4). The provision is revoked.

Paragraph 1910.264(c)(2)(iv)(b)(1) requires interlocks for double-cylinder-type shakers or clothes tumblers which is covered by 1910.212(a)(4) and the provision is revoked.

Paragraph 1910.264(c)(3)(i) provides for roll-dampening machine safeguarding by enclosure and point of operation guarding which is covered by 1910.212(a)(1) and (a)(3)(ii). The provision is revoked.

Paragraph 1910.264(c)(3)(i)(a) is revoked because it is a type of safeguarding acceptable for point of operation protection, which is also acceptable under 1910.212(a)(1).

Paragraph 1910.264(c)(3)(i)(b) is revoked because it is a type of safeguarding acceptable for point of operation protection, which is also acceptable under 1910.212(a)(1).

Paragraph 1910.264(c)(3)(ii)(a) requires a safety bar or guard for flatwork ironer pressure rolls. The guarding of the rolls is also required. Both of these provisions are revoked, because 1910.212(a)(3)(ii) covers this type of hazard at the point of oper-

ation, and 1910.212(a)(1) covers protection from rotating parts.

Paragraph 1910.264(c)(3)(ii)(b) prescribes guarding of body-type ironers and other types to protect employees from the hazard of the point of operation or from the hazard of burns. The provision is revoked because these hazards are covered by 1910.212(a)(1) and (a)(3)(ii).

Paragraph 1910.264(c)(3)(ii)(c) covers protection of employees operating combined rotary-bosom and coat ironers from the hazards of the point of operation and the hot roll or shoe. The hazards are covered by 1910.212(a)(1) and (a)(3)(ii) and the requirement is revoked.

Paragraph 1910.264(c)(3)(ii)(d) requires ironing presses to be provided with a guard or other means for the protection of employees from the point of operation. This hazard is covered by 1910.212(a)(3)(ii) and the provision is revoked.

Paragraph 1910.264(c)(4)(i) requires the guarding of sewing machines which is covered by 1910.212(a)(3)(ii). The provision is revoked.

Paragraph 1910.264(c)(4)(ii) provides for guards on exhaust or ventilating fans which is adequately covered by 1910.212(a)(5). The provision is revoked.

Paragraph 1910.264(c)(4)(iv) requires a means for disconnecting the source of power for machines. The regulation is concerned with belt and pulley drives which are obsolete and no longer used. The provision is revoked.

Upon reexamination of the evidence, OSHA has determined that, in the best interest of worker protection, the other paragraphs in 1910.264(c) should not be revoked.

Paragraph 1910.264(d) prescribes the operating rules for laundries. Two provisions being revoked are covered by other regulations. Two are obsolete, three others are revoked because they address equipment protection, employee comfort and laundry protection. One provision is adequately covered by another regulation in 1910.264.

Paragraph 1910.264(d)(1)(i)(a) requires laundry room floors to be properly constructed, watertight and free of projections or dangerous gradients with good drainage and no water accumulation.

Paragraphs 1910.22(a)(2), 1910.23(a)(9) and 1910.141(a)(3)(i), (a)(3)(ii), and (a)(3)(iii) cover the construction, care and maintenance of floors, and sanitary as well as dry conditions. The provision is revoked.

Paragraph 1910.264(d)(1)(i)(b) requires floors to be free from nails, splinters, loose boards and be maintained in a safe condition, all of which are covered by 1910.22(a)(2) and 1910.141(a)(3)(iii). The provision is revoked.

Paragraph 1910.264(d)(1)(ii) requires table tops, shelves, and machine woodwork to be properly surfaced and free from splinters. This provides for protection from damage of materials being processed and is not important to employee safety; therefore, the provision is revoked.

Paragraph 1910.264(d)(1)(iv) requires artificial ventilation to be installed for comfortable working conditions. This comfort requirement is revoked.

Paragraph 1910.264(d)(2)(i)(b) prohibits operation of machines until they are repaired and properly adjusted. This equipment performance and protection rule is revoked.

Paragraph 1910.264(d)(2)(ii) requires steam pressure apparatus to be operated in accordance with the manufacturer's pressure rating, which in some cases requires the use of pressure reducing valves and safety valves. The requirement is covered by 1910.264(c)(4)(ii)(b) and the provision is revoked.

Paragraph 1910.264(d)(2)(iii) requires all machines to be stopped when being oiled, cleaned, adjusted, or repaired. This obsolete requirement is a carryover from the time when machines were operated from a common power shaft with belts and the maintenance of one machine required stopping all machines. All machines in use today have a separate power source, thus making it easy to stop the machine for maintenance. The paragraph is therefore revoked.

Paragraph 1910.264(d)(2)(iv) requiring the dismantling of each extractor every year is revoked because the practice is no longer recommended by manufacturers, and is directed to property protection.

Upon review of the evidence and the comments, OSHA has determined that in the best interests of worker protection the other paragraphs in 1910.264(d) should not be revoked.

Paragraph 1910.264(e) prescribes regulations for machine guarding other than points of operation. Two provisions being revoked are covered by other regulations.

Paragraph 1910.264(e)(1) requires guarding of moving parts such as gears, sprockets, belts, pulleys, and shafts in accordance with 1910.219, which is applicable without this reference. The regulation is revoked because 1910.219 (c)(1), (f)(1), (f)(3), (f)(4), and (c)(1) cover these hazards.

Paragraph 1910.264(e)(2) covers guarding of prime movers in accordance with 1910.219, which is applicable without this reference, therefore, the provision is revoked.

Paragraph 1910.264(f) prescribes the general industrial safety standards to be used in laundries and is revoked as it contains unnecessary reference;

such general standards continue to be applicable whenever otherwise appropriate.

Paragraph 1910.264(e)(2) covers guarding of prime movers in accordance with 1910.219, which is applicable without this reference, therefore, the provision is revoked.

Paragraph 1910.264(f) prescribes the General Industry Safety Standards to be used in laundries.

Paragraph 1910.264(f)(1) refers to reference standards listed in 1910.264(f)(2) and applies the general coverage standards of Part 1910 under the rules of construction in 1910.5. This regulation is revoked, because general standards are applicable as appropriate under 1910.5.

Paragraph 1910.264(f)(2) lists under (i) through (viii) the national consensus standards which have some application to laundry operations. These referenced standards as listed in 1910.264(f)(2)(i) through 1910.264(f)(2)(viii) are revoked because several appear in Part 1910 subparts, some have been amended and now conflict with the national consensus standard, and some are design standards for equipment manufacturers.

Upon reexamination of the evidence, OSHA has determined that, in the best interest of worker protection, the following provisions in section 1910.264 should not be revoked:

Paragraph 1910.264(c)(1)(ii)(b)—Holding door open on washing machines.

Paragraph 1910.264(c)(2)(iii)(b)—Holding door open on drying tumblers.

Paragraph 1910.264(c)(2)(iv)(b)(2)—Holding door open on shakers.

Paragraph 1910.264(c)(2)(v)—Exception of holding door open for automatic machines.

Paragraph 1910.264(c)(4)(iii)(a)—Insulating steam pipes to prevent burns.

Paragraph 1910.264(c)(4)(iii)(b)—Safety valves on steam lines.

Paragraph 1910.264(d)(1)(iii)—Precautions for handling soiled clothes.

Paragraph 1910.264(d)(1)(v)—Employee instruction.

Paragraph 1910.264(d)(2)(i)(a)—Prohibition against removing safety guards.

V. ECONOMIC IMPACT

In accordance with Executive Order 11821 (39 FR 41501, November 29, 1974), Executive Order 11949 (42 FR 1017, January 5, 1977) and OMB Circular No. A-107 (January 28, 1975), OSHA assessed the potential economic impact of the proposal which is resulting in this final rule. Based on the six economic thresholds, OSHA concluded that the subject matter of the proposal was not a "major" action which would necessitate further economic impact evaluation or the preparation of an Economic Impact Statement. No

new evidence has come before the Agency to alter its initial findings in the area of economic impact. Therefore upon consideration of the entire record using the same criteria, OSHA has concluded that this final rule is not a "major" action, and that no Economic Impact Statement is required, and so certifies.

VI. EFFECTIVE DATE

The revocations listed herein shall be effective as of November 24, 1978.

VII. AUTHORITY

This document was prepared under the direction of Eula Bingham, Assistant Secretary of Labor for Occupational Safety and Health, U.S. Department of Labor, 200 Constitution Avenue NW., Washington, D.C. 20210.

Accordingly, pursuant to section 4(b)(2), 6(b) and 8(c) of the Occupational Safety and Health Act of 1970 (84 Stat. 1592, 1593, 1596, 29 U.S.C. 653, 655, 657), the specific statutes referred to in section 4(b)(2), Secretary of Labor's Order No. 8-76 (41 FR 25059), and 29 CFR Part 1911, Part 1910 of Title 29, Code of Federal Regulations, is hereby amended by revoking those selected standards or portions thereof in 29 CFR Part 1910 which are listed below.

Signed at Washington, D.C., this 20th day of October, 1978.

These amendments are effective on November 24, 1978.

EULA BINGHAM,

Assistant Secretary of Labor.

Part 1910 of Title 29, Code of Federal Regulations, is amended as follows:

§ 1910.214 Cooperage machinery [Amended]

1. Paragraph (a)(1) of § 1910.214 is revoked.
2. Paragraph (a)(2) of § 1910.214 is revoked.
3. Paragraph (a)(3) of § 1910.214 is revoked.
4. Paragraph (a)(4) of § 1910.214 is revoked.
5. Paragraph (b)(1) of § 1910.214 is revoked.
6. Paragraph (b)(2) of § 1910.214 is revoked.
7. Paragraph (b)(3) of § 1910.214 is revoked.
8. Paragraph (c)(1) of § 1910.214 is revoked.
9. Paragraph (c)(2) of § 1910.214 is revoked.
10. Paragraph (d)(1) of § 1910.214 is revoked.
11. Paragraph (d)(2) of § 1910.214 is revoked.
12. Paragraph (e)(1) of § 1910.214 is revoked.
13. Paragraph (e)(2) of § 1910.214 is revoked.

14. Paragraph (f)(1) of § 1910.214 is revoked.
 15. Paragraph (f)(2) of § 1910.214 is revoked.
 16. Paragraph (f)(3) of § 1910.214 is revoked.
 17. Paragraph (g)(1) of § 1910.214 is revoked.
 18. Paragraph (g)(2) of § 1910.214 is revoked.
 19. Paragraph (g)(3) of § 1910.214 is revoked.
 20. Paragraph (h)(1) of § 1910.214 is revoked.
 21. Paragraph (h)(2) of § 1910.214 is revoked.
 22. Paragraph (i) of § 1910.214 is revoked.
 23. Paragraph (j) of § 1910.214 is revoked.
 24. Paragraph (k) of § 1910.214 is revoked.
 25. Paragraph (l) of § 1910.214 is revoked.
 26. Paragraph (m) of § 1910.214 is revoked.
 27. Paragraph (n)(1) of § 1910.214 is revoked.
 28. Paragraph (n)(2) of § 1910.214 is revoked.
 29. Paragraph (o) of § 1910.214 is revoked.
 30. Paragraph (p) of § 1910.214 is revoked.
 31. Paragraph (q)(1) of § 1910.214 is revoked.
 32. Paragraph (q)(2) of § 1910.214 is revoked.
 33. Paragraph (r) of § 1910.214 is revoked.
 34. Paragraph (s) of § 1910.214 is revoked.
 35. Paragraph (t) of § 1910.214 is revoked.
 36. Paragraph (u) of § 1910.214 is revoked.
 37. Paragraph (v) of § 1910.214 is revoked.
 38. Paragraph (w) of § 1910.214 is revoked.
 § 1910.263 Bakery equipment [Amended].
 39. Paragraph (a)(2) of § 1910.263 is revoked.
 40. Paragraph (b)(1) of § 1910.263 is revoked.
 41. Paragraph (b)(2) of § 1910.263 is revoked.
 42. Paragraph (b)(3) of § 1910.263 is revoked.
 43. Paragraph (b)(4) of § 1910.263 is revoked.
 44. Paragraph (b)(5) of § 1910.263 is revoked.
 45. Paragraph (b)(6) of § 1910.263 is revoked.
 46. Paragraph (b)(7) of § 1910.263 is revoked.
 47. Paragraph (b)(8) of § 1910.263 is revoked.
 48. Paragraph (b)(9) of § 1910.263 is revoked.

49. Paragraph (b)(10) of § 1910.263 is revoked.
 50. Paragraph (b)(11) of § 1910.263 is revoked.
 51. Paragraph (b)(12) of § 1910.263 is revoked.
 52. Paragraph (b)(13) of § 1910.263 is revoked.
 53. Paragraph (b)(14) of § 1910.263 is revoked.
 54. Paragraph (c)(1) of § 1910.263 is revoked.
 55. Paragraph (c)(4) of § 1910.263 is revoked.
 56. Paragraph (c)(6) of § 1910.263 is revoked.
 57. Paragraph (c)(7) of § 1910.263 is revoked.
 58. Paragraph (d)(1)(i)(a) of § 1910.263 is revoked.
 59. Paragraph (d)(1)(i)(c) of § 1910.263 is revoked.
 60. Paragraph (d)(1)(ii) of § 1910.263 is revoked.
 61. Paragraph (d)(1)(iii) of § 1910.263 is revoked.
 62. Paragraph (d)(1)(iii)(a) of § 1910.263 is revoked.
 63. Paragraph (d)(1)(iii)(b) of § 1910.263 is revoked.
 64. Paragraph (d)(1)(iii)(c) of § 1910.263 is revoked.
 65. Paragraph (d)(1)(iii)(d) of § 1910.263 is revoked.
 66. Paragraph (d)(1)(iv) of § 1910.263 is revoked.
 67. Paragraph (d)(1)(v) of § 1910.263 is revoked.
 68. Paragraph (d)(1)(vi) of § 1910.263 is revoked.
 69. Paragraph (d)(1)(vii) of § 1910.263 is revoked.
 70. Paragraph (d)(1)(viii) of § 1910.263 is revoked.
 71. Paragraph (d)(2)(iii) of § 1910.263 is revoked.
 72. Paragraph (d)(3)(i) of § 1910.263 is revoked.
 73. Paragraph (d)(3)(ii) of § 1910.263 is revoked.
 74. Paragraph (d)(3)(iii) of § 1910.263 is revoked.
 75. Paragraph (d)(3)(iv) of § 1910.263 is revoked.
 76. Paragraph (d)(3)(viii) of § 1910.263 is revoked.
 77. Paragraph (d)(4)(i) of § 1910.263 is revoked.
 78. Paragraph (d)(4)(ii) of § 1910.263 is revoked.
 79. Paragraph (d)(5)(i) of § 1910.263 is revoked.
 80. Paragraph (d)(5)(ii) of § 1910.263 is revoked.
 81. Paragraph (d)(6)(i) of § 1910.263 is revoked.
 82. Paragraph (d)(6)(iii) of § 1910.263 is revoked.
 83. Paragraph (d)(6)(v) of § 1910.263 is revoked.
 84. Paragraph (d)(7)(i) of § 1910.263 is revoked.

85. Paragraph (d)(7)(ii) of § 1910.263 is revoked.
 86. Paragraph (d)(8)(ii) of § 1910.263 is revoked.
 87. Paragraph (d)(8)(iii) of § 1910.263 is revoked.
 88. Paragraph (d)(9)(i) of § 1910.263 is revoked.
 89. Paragraph (d)(9)(ii) of § 1910.263 is revoked.
 90. Paragraph (d)(9)(iv) of § 1910.263 is revoked.
 91. Paragraph (d)(9)(v) of § 1910.263 is revoked.
 92. Paragraph (d)(9)(vi) of § 1910.263 is revoked.
 93. Paragraph (d)(10) of § 1910.263 is revoked.
 94. Paragraph (e)(1)(ii) of § 1910.263 is revoked.
 95. Paragraph (e)(1)(v)(c) of § 1910.263 is revoked.
 96. Paragraph (e)(1)(vi) of § 1910.263 is revoked.
 97. Paragraph (e)(1)(vii) of § 1910.263 is revoked.
 98. Paragraph (e)(1)(ix) of § 1910.263 is revoked.
 99. Paragraph (e)(1)(xi) of § 1910.263 is revoked.
 100. Paragraph (e)(1)(xii) of § 1910.263 is revoked.
 101. Paragraph (e)(1)(xiii) of § 1910.263 is revoked.
 102. Paragraph (e)(1)(xiv) of § 1910.263 is revoked.
 103. Paragraph (e)(1)(xv) of § 1910.263 is revoked.
 104. Paragraph (e)(1)(xvi) of § 1910.263 is revoked.
 105. Paragraph (e)(1)(xvii) of § 1910.263 is revoked.
 106. Paragraph (e)(2)(i) of § 1910.263 is amended to read: "(2) *Vertical Mixers.* (i) Vertical mixers shall comply with paragraphs (e)(1)(i), (iii), (ix), and (x), of this section."
 107. Paragraph (e)(2)(ii) of § 1910.263 is revoked.
 108. Paragraph (e)(2)(v) of § 1910.263 is revoked.
 109. Paragraph (f)(1) of § 1910.263 is revoked.
 110. Paragraph (f)(2) of § 1910.263 is revoked.
 111. Paragraph (f)(4) of § 1910.263 is revoked.
 112. Paragraph (f)(5) of § 1910.263 is revoked.
 113. Paragraph (f)(6) of § 1910.263 is revoked.
 114. Paragraph (g)(4) of § 1910.263 is revoked.
 115. Paragraph (g)(5) of § 1910.263 is revoked.
 116. Paragraph (g)(6) of § 1910.263 is revoked.
 117. Paragraph (i)(6)(i) of § 1910.263 is revoked.
 118. Paragraph (i)(6)(iv) of § 1910.263 is revoked.
 119. Paragraph (i)(8)(i) of § 1910.263 is revoked.

120. Paragraph (i)(8)(ii) of § 1910.263 is revoked.

121. Paragraph (i)(9) of § 1910.263 is revoked.

122. Paragraph (i)(10)(i) of § 1910.263 is revoked.

123. Paragraph (i)(10)(ii) of § 1910.263 is revoked.

124. Paragraph (i)(11)(ii) of § 1910.263 is revoked.

125. Paragraph (i)(14)(i) of § 1910.263 is revoked.

126. Paragraph (i)(15)(i) of § 1910.263 is revoked.

127. Paragraph (i)(15)(iii) of § 1910.263 is revoked.

128. Paragraph (i)(15)(iv) of § 1910.263 is revoked.

129. Paragraph (i)(16) of § 1910.263 is revoked.

130. Paragraph (i)(17) of § 1910.263 is revoked.

131. Paragraph (i)(18) of § 1910.263 is revoked.

132. Paragraph (i)(19)(i) of § 1910.263 is revoked.

133. Paragraph (i)(19)(ii) of § 1910.263 is revoked.

134. Paragraph (i)(20)(i) of § 1910.263 is revoked.

135. Paragraph (i)(21)(i) of § 1910.263 is revoked.

136. Paragraph (i)(21)(iii) of § 1910.263 is revoked.

137. Paragraph (i)(23)(ii) of § 1910.263 is revoked.

138. Paragraph (i)(23)(iii) of § 1910.263 is revoked.

139. Paragraph (j)(1)(i) of § 1910.263 is revoked.

140. Paragraph (j)(1)(ii) of § 1910.263 is revoked.

141. Paragraph (j)(1)(vi) of § 1910.263 is revoked.

142. Paragraph (j)(1)(vii)(a) of § 1910.263 is revoked.

143. Paragraph (j)(1)(vii)(b) of § 1910.263 is revoked.

144. Paragraph (j)(1)(vii)(d) of § 1910.263 is revoked.

145. Paragraph (j)(2)(i) of § 1910.263 is revoked.

146. Paragraph (j)(2)(ii) of § 1910.263 is revoked.

147. Paragraph (j)(2)(iv) of § 1910.263 is revoked.

148. Paragraph (j)(2)(v) of § 1910.263 is revoked.

149. Paragraph (j)(2)(vi) of § 1910.263 is revoked.

150. Paragraph (j)(2)(vii) of § 1910.263 is revoked.

151. Paragraph (k)(4) of § 1910.263 is revoked.

152. Paragraph (k)(7)(i) of § 1910.263 is revoked.

153. Paragraph (k)(8)(i) of § 1910.263 is revoked.

154. Paragraph (k)(8)(ii) of § 1910.263 is revoked.

155. Paragraph (k)(8)(iii) of § 1910.263 is revoked.

156. Paragraph (k)(8)(iv) of § 1910.263 is revoked.

157. Paragraph (k)(10) of § 1910.263 is revoked.

158. Paragraph (k)(11) of § 1910.263 is revoked.

159. Paragraph (k)(12)(ii) of § 1910.263 is revoked.

160. Paragraph (k)(12)(iii) of § 1910.263 is revoked.

161. Paragraph (k)(12)(iv) of § 1910.263 is revoked.

162. Paragraph (k)(12)(v) of § 1910.263 is revoked.

163. Paragraph (k)(12)(vi) of § 1910.263 is revoked.

164. Paragraph (k)(14) of § 1910.263 is revoked.

165. Paragraph (k)(15) of § 1910.263 is revoked.

166. Paragraph (k)(16) of § 1910.263 is revoked.

167. Paragraph (l)(1)(i) of § 1910.263 is revoked.

168. Paragraph (l)(1)(ii) of § 1910.263 is revoked.

169. Paragraph (l)(1)(iii) of § 1910.263 is revoked.

170. Paragraph (l)(1)(iv) of § 1910.263 is revoked.

171. Paragraph (l)(1)(v) of § 1910.263 is revoked.

172. Paragraph (l)(1)(vi) of § 1910.263 is revoked.

173. Paragraph (l)(2)(i) of § 1910.263 is revoked.

174. Paragraph (l)(2)(ii) of § 1910.263 is revoked.

175. Paragraph (l)(3)(ii)(a) of § 1910.263 is revoked.

176. Paragraph (l)(3)(ii)(b) of § 1910.263 is revoked.

177. Paragraph (l)(4)(i) of § 1910.263 is revoked.

178. Paragraph (l)(4)(ii) of § 1910.263 is revoked.

179. Paragraph (l)(4)(iii) of § 1910.263 is revoked.

180. Paragraph (l)(4)(iii)(a) of § 1910.263 is revoked.

181. Paragraph (l)(4)(iii)(b) of § 1910.263 is revoked.

182. Paragraph (l)(4)(iv) of § 1910.263 is revoked.

183. Paragraph (l)(4)(v) of § 1910.263 is revoked.

184. Paragraph (l)(4)(vi) of § 1910.263 is revoked.

185. Paragraph (l)(4)(vi)(a) of § 1910.263 is revoked.

186. Paragraph (l)(4)(vi)(b) of § 1910.263 is revoked.

187. Paragraph (l)(4)(vii) of § 1910.263 is revoked.

188. Paragraph (l)(4)(vii)(a) of § 1910.263 is revoked.

189. Paragraph (l)(4)(vii)(b) of § 1910.263 is revoked.

190. Paragraph (l)(4)(vii)(c) of § 1910.263 is revoked.

191. Paragraph (l)(4)(vii)(d) of § 1910.263 is revoked.

192. Paragraph (l)(4)(vii)(e) of § 1910.263 is revoked.

193. Paragraph (l)(4)(vii)(f) of § 1910.263 is revoked.

194. Paragraph (l)(4)(vii)(g) of § 1910.263 is revoked.

195. Paragraph (l)(4)(viii) of § 1910.263 is revoked.

196. Paragraph (l)(4)(ix) of § 1910.263 is revoked.

197. Paragraph (l)(5)(i) of § 1910.263 is revoked.

198. Paragraph (l)(5)(i)(a) of § 1910.263 is revoked.

199. Paragraph (l)(5)(i)(b) of § 1910.263 is revoked.

200. Paragraph (l)(5)(i)(c) of § 1910.263 is revoked.

201. Paragraph (l)(5)(i)(d) of § 1910.263 is revoked.

202. Paragraph (l)(5)(ii) of § 1910.263 is revoked.

203. Paragraph (l)(5)(ii)(a) of § 1910.263 is revoked.

204. Paragraph (l)(5)(ii)(b) of § 1910.263 is revoked.

205. Paragraph (l)(5)(ii)(c) of § 1910.263 is revoked.

206. Paragraph (l)(5)(ii)(d) of § 1910.263 is revoked.

207. Paragraph (l)(6)(i) of § 1910.263 is revoked.

208. Paragraph (l)(6)(ii) of § 1910.263 is revoked.

209. Paragraph (l)(6)(ii)(a) of § 1910.263 is revoked.

210. Paragraph (l)(6)(ii)(b) of § 1910.263 is revoked.

211. Paragraph (l)(6)(ii)(c) of § 1910.263 is revoked.

212. Paragraph (l)(6)(ii)(d) of § 1910.263 is revoked.

213. Paragraph (l)(6)(ii)(e) of § 1910.263 is revoked.

214. Paragraph (l)(6)(ii)(f) of § 1910.263 is revoked.

215. Paragraph (l)(6)(ii)(g) of § 1910.263 is revoked.

216. Paragraph (l)(6)(iii) of § 1910.263 is revoked.

217. Paragraph (l)(6)(iv) of § 1910.263 is revoked.

218. Paragraph (l)(6)(v) of § 1910.263 is revoked.

219. Paragraph (l)(6)(vi) of § 1910.263 is revoked.

220. Paragraph (l)(6)(vii) of § 1910.263 is revoked.

221. Paragraph (l)(7)(i) of § 1910.263 is revoked.

222. Paragraph (l)(7)(ii)(a) of § 1910.263 is revoked.

223. Paragraph (l)(7)(ii)(b) of § 1910.263 is revoked.

224. Paragraph (l)(8)(i) of § 1910.263 is revoked.

225. Paragraph (l)(8)(ii) of § 1910.263 is revoked.

226. Paragraph (l)(9)(iv)(b) of § 1910.263 is revoked.

227. Paragraph (l)(9)(v)(c) of § 1910.263 is revoked.

228. Paragraph (1)(9)(v)(d) of § 1910.263 is revoked.
229. Paragraph (1)(9)(ix)(a) of § 1910.263 is revoked.
230. Paragraph (1)(9)(ix)(b) of § 1910.263 is revoked.
231. Paragraph (1)(9)(ix)(c) of § 1910.263 is revoked.
232. Paragraph (1)(9)(ix)(d) of § 1910.263 is revoked.
233. Paragraph (1)(9)(ix)(e) of § 1910.263 is revoked.
234. Paragraph (1)(9)(ix)(f) of § 1910.263 is revoked.
235. Paragraph (1)(9)(ix)(g) of § 1910.263 is revoked.
236. Paragraph (1)(9)(x) of § 1910.263 is revoked.
237. Paragraph (1)(9)(ix)(a) of § 1910.263 is revoked.
238. Paragraph (1)(9)(xi)(b) of § 1910.263 is revoked.
239. Paragraph (1)(9)(xi)(c) of § 1910.263 is revoked.
240. Paragraph (1)(9)(xii) of § 1910.263 is revoked.
241. Paragraph (1)(9)(xiii) of § 1910.263 is revoked.
242. Paragraph (1)(11)(iii) of § 1910.263 is revoked.
243. Paragraph (1)(11)(iv) of § 1910.263 is revoked.
244. Paragraph (1)(11)(v) of § 1910.263 is revoked.
245. Paragraph (1)(11)(vi) of § 1910.263 is revoked.
246. Paragraph (1)(11)(vii) of § 1910.263 is revoked.
247. Paragraph (1)(12)(i) of § 1910.263 is revoked.
248. Paragraph (1)(12)(ii) of § 1910.263 is revoked.
249. Paragraph (1)(12)(iii) of § 1910.263 is revoked.
250. Paragraph (1)(12)(iv) of § 1910.263 is revoked.
251. Paragraph (1)(13)(i) of § 1910.263 is revoked.
252. Paragraph (1)(13)(ii) of § 1910.263 is revoked.
253. Paragraph (1)(14) of § 1910.263 is revoked.
254. Paragraph (1)(15)(i) of § 1910.263 is revoked.
255. Paragraph (1)(15)(ii) of § 1910.263 is revoked.
256. Paragraph (1)(15)(iv) of § 1910.263 is revoked.
257. Paragraph (1)(16) of § 1910.263 is revoked.
- § 1910.264 Laundry machinery and operations [Amended].
258. Paragraph (a)(1) of § 1910.264 is revoked.
259. Paragraph (a)(2) of § 1910.264 is revoked.
260. Paragraph (a)(4) of § 1910.264 is revoked.
262. Paragraph (a)(5) of § 1910.264 is revoked.
263. Paragraph (a)(6) of § 1910.264 is revoked.
264. Paragraph (a)(7) of § 1910.264 is revoked.
265. Paragraph (a)(8) of § 1910.264 is revoked.
266. Paragraph (a)(9) of § 1910.264 is revoked.
267. Paragraph (a)(10) of § 1910.264 is revoked.
268. Paragraph (a)(11) of § 1910.264 is revoked.
269. Paragraph (a)(12) of § 1910.264 is revoked.
270. Paragraph (a)(13) of § 1910.264 is revoked.
271. Paragraph (a)(14) of § 1910.264 is revoked.
272. Paragraph (a)(15) of § 1910.264 is revoked.
273. Paragraph (a)(16) of § 1910.264 is revoked.
274. Paragraph (a)(17) of § 1910.264 is revoked.
275. Paragraph (a)(18) of § 1910.264 is revoked.
276. Paragraph (a)(19) of § 1910.264 is revoked.
277. Paragraph (a)(20) of § 1910.264 is revoked.
278. Paragraph (a)(21) of § 1910.264 is revoked.
279. Paragraph (c)(1)(i) of § 1910.264 is revoked.
280. Paragraph (c)(1)(ii)(a) of § 1910.264 is revoked.
281. Paragraph (c)(1)(iii)(a) of § 1910.264 is revoked.
282. Paragraph (c)(1)(iii)(b) of § 1910.264 is revoked.
283. Paragraph (c)(1)(iii)(c) of § 1910.264 is revoked.
284. Paragraph (c)(1)(iii)(d) of § 1910.264 is revoked.
285. Paragraph (c)(1)(iv) of § 1910.264 is revoked.
286. Paragraph (c)(2)(i) of § 1910.264 is revoked.
287. Paragraph (c)(2)(ii) of § 1910.264 is revoked.
288. Paragraph (c)(2)(iii)(a) of § 1910.264 is revoked.
289. Paragraph (c)(2)(iv)(a)(1) of § 1910.264 is revoked.
290. Paragraph (c)(2)(iv)(a)(2) of § 1910.264 is revoked.
291. Paragraph (c)(2)(iv)(b)(1) of § 1910.264 is revoked.
292. Paragraph (c)(3)(i) of § 1910.264 is revoked.
293. Paragraph (c)(3)(i)(a) of § 1910.264 is revoked.
294. Paragraph (c)(3)(i)(b) of § 1910.264 is revoked.
295. Paragraph (c)(3)(ii)(a) of § 1910.264 is revoked.
296. Paragraph (c)(3)(ii)(b) of § 1910.264 is revoked.
297. Paragraph (c)(3)(ii)(c) of § 1910.264 is revoked.
298. Paragraph (c)(4)(i) of § 1910.264 is revoked.
299. Paragraph (c)(4)(i) of § 1910.264 is revoked.
300. Paragraph (c)(4)(ii) of § 1910.264 is revoked.
301. Paragraph (c)(4)(iv) of § 1910.264 is revoked.
302. Paragraph (d)(1)(i)(a) of § 1910.264 is revoked.
303. Paragraph (d)(1)(i)(b) of § 1910.264 is revoked.
304. Paragraph (d)(1)(ii) of § 1910.264 is revoked.
305. Paragraph (d)(1)(iv) of § 1910.264 is revoked.
306. Paragraph (d)(2)(i)(b) of § 1910.264 is revoked.
307. Paragraph (d)(2)(ii) of § 1910.264 is revoked.
308. Paragraph (d)(2)(iii) of § 1910.264 is revoked.
309. Paragraph (d)(2)(iv) of § 1910.264 is revoked.
310. Paragraph (e)(1) of § 1910.264 is revoked.
311. Paragraph (e)(2) of § 1910.264 is revoked.
312. Paragraph (f)(1) of § 1910.264 is revoked.
313. Paragraph (f)(2) of § 1910.264 is revoked.
314. Paragraph (f)(2)(i) of § 1910.264 is revoked.
315. Paragraph (f)(2)(ii) of § 1910.264 is revoked.
316. Paragraph (f)(2)(iii) of § 1910.264 is revoked.
317. Paragraph (f)(2)(iv) of § 1910.264 is revoked.
318. Paragraph (f)(2)(v) of § 1910.264 is revoked.
319. Paragraph (f)(2)(vi) of § 1910.264 is revoked.
320. Paragraph (f)(2)(vii) of § 1910.264 is revoked.
321. Paragraph (f)(2)(viii) of § 1910.264 is revoked.

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