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September 28, 2017

OSHA Docket Office  
Technical Data Center, Room N-2625  
The Occupational Safety and Health Administration  
The United States Department of Labor  
200 Constitution Avenue, NW  
Washington, DC 20001

RE: OSHA – 2007 – 0066: Cranes and Derricks in Construction: Operator Certification Extension

Dear Docket Officer,

The Associated General Contractors of America (AGC), the leading national construction trade association in the United States, places safety in the construction industry as a top priority. AGC appreciates this opportunity to submit comments on the Occupational Safety and Health Administrations (OSHA) proposed rule Crane and Derricks in Construction: Operator Certification Extension.

In general, AGC supports OSHA’s proposal to extend the deadline for operator certification requirements by one year while maintaining the existing employer duties to ensure that operators of equipment covered by this standard are competent to do so safely. AGC agrees with OSHA that failing to do so could potentially result in significant disruptions in the construction industry with the number of crane operators in possession of certifications that would be deemed noncompliant if the November 10, 2017, effective date remains in place.

Ultimately, AGC’s primary concern is for contractors who have proactively certified their operators through two of the four certifying organizations whose certifications are currently deemed noncompliant, and will continue to do so ahead of any effective date only to find that their efforts will potentially be for naught. Per OSHA’s 2014 figures, there are currently 71,700 operators who possess certifications for type only. This represents more than 80% of certified crane operators and more than 60% of all crane operators with and without certification.

As previously stated, AGC generally supports the one year extension. However, we hope that the Agency has fully considered all of the procedural steps required to complete the subsequent rulemaking addressing the issues of certification by “type and capacity” and employer’s obligation to ensure crane operators are competent to operate covered equipment safely. Failing to account for the necessary time will result in a third delay of the effective date for the operator certification requirements leading to more uncertainty in the construction industry.

On behalf of our nearly 28,000 firms, including 7,500 of America's leading general contractors, 12,500 specialty-contracting firms, and more than 13,000 service providers and suppliers all associated with AGC through a nationwide network of 92 chapters across the nation, AGC appreciates this opportunity to assist OSHA in its efforts to improve the safe use and operation of cranes and derricks on construction jobsites. AGC remains strongly committed to the safety of workers in the construction industry and our valued relationship with the Occupational Safety and Health Administration.

Sincerely,

A handwritten signature in black ink that reads "Kevin Cannon". The signature is written in a cursive style with a large initial 'K' and a long, sweeping underline.

Kevin Cannon, CSP  
Senior Director, Safety and Health Services