

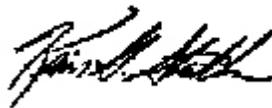
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PROCEDURE INSTRUCTION LETTER NO. I09-V-06

FROM:

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SUBJECT:

Re-Issue I07-V-2 - Fall Protection during Concrete Storage Silo
Construction

Scope

This Procedure Instruction Letter (PIL) is intended for Coal Mine Safety and Health (CMS&H) enforcement personnel.

Purpose

This PIL provides information concerning applicable fall protection standards during construction of concrete storage silos.

Procedure Instruction

Backguards required by 30 C.F.R. § 77.206(c) for use with steep or vertical ladders may provide adequate fall protection if the backguard does not interfere with safe work methods of construction. Where the use of backguards may hinder safe work methods (such as the need to continually adjust scaffolding surrounding the ladders), inspectors should determine whether safety harnesses and lines are in use to provide fall protection without the additional use of backguards.

Section 771710(g) requires employees to wear "safety belts and lines where there is danger of falling." Safety belts and lines shall be provided and required to be worn where there is a danger of falling during construction of concrete storage silos. If backguards on ladders hinder safe work methods in constructing the concrete storage silos, inspectors should determine if safety belts and lines provide adequate fall protection without the use of such backguards and apply 30 C.F.R. § 77.1710(g), rather than 30 C.F.R. § 77.206(c), at such construction sites. The use of full body safety harnesses and lines will allow for greater freedom of movement.

Although backguards on ladders may interfere with safe construction or work methods, ladders shall be properly designed, constructed and securely anchored in accordance with 30 C.F.R. § 77.206(a),(b),(c),(d),(e) and (f). Also, at construction sites for concrete storage silos, adequate protection from falling equipment or material shall be provided for those working or passing below overhead work areas in accordance with 30 C.F.R. § 77.203.

Mine Safety and Health Administration (MSHA) inspectors should routinely interview and observe workers constructing concrete storage silos to assure that safety harnesses and lines are properly installed and used, if appropriate backguards are not being used. Hazard training specifically addressing the use and maintenance of safety harnesses and lines should be provided to those engaged in the construction of concrete storage silos in accordance with 30 C.F.R. § 48.31(a)(3).

Background

Questions have arisen concerning the applicable fall protection standard during construction of concrete storage silos. This PIL clarifies that if backguards on ladders interfere with safe construction or work methods, 30 C.F.R. § 77.1710(g) rather than 30 C.F.R. § 77.206(c) should be enforced in determining whether there is adequate fall protection at the concrete storage silo construction site.

Authority

The Federal Mine Safety and Health Act of 1977, as amended, 30 U.S.C. § 801 et seq.;
30 C.F.R. § 48.31(a)(5)
30 C.F.R. § 77.203
30 C.F.R. § 77.206
30 C.F.R. § 77.210
30 C.F.R. § 77.1710(g)

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Internet Availability

This letter, as well as the Program Policy Manual, may be viewed on the Internet by accessing MSHA's web site (www.msha.gov), click on "Compliance Info" and then click "Program Instruction Letters."

Distribution

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