Regulation of the
Department of Labor

Concerning
Cranes and Derricks in Constructions:
Underground Construction and Demolition

Regulations adopted after July 1, 2013, become effective
upon posting to the website of the Secretary of the State,
or at a later date specified within the regulation.

Website posted on
December 13, 2013

Effective Date
December 13, 2013

Approved by the Attorney General on
August 21, 2013

Approved by the Legislative Regulation Review
Committee on
November 26, 2013

Received and filed in the Office of the
Secretary of the State on
December 9, 2013

Electronic copy with agency head certification statement
submitted to the Office of the
Secretary of the State on
December 9, 2013

Published in the Connecticut Law Journal on
Electronic Copy Certification Statement

I, Sharon M. Palmer, Commissioner, of the Connecticut Department of Labor, in accordance with the provisions of Section 4-172 of the *General Statutes of the State of Connecticut*, do hereby certify:

That the electronic copy of a regulation concerning *OSHA Revisions (Cranes and Derricks in Underground Construction and Demolition Work)*, which was approved by the Legislative Regulation Review Committee on November 26, 2013, and which shall be submitted electronically for filing to the Secretary of the State by Anne Rugens of this agency on December 9, 2013, is a true and accurate copy of the original regulation approved in accordance with Sections 4-169 and 4-170 of the *General Statutes of the State of Connecticut*.

In testimony whereof, I have hereunto set my hand on December 5, 2013.

[Signature of agency head]
State of Connecticut
REGULATION
of

NAME OF AGENCY
Connecticut Department of Labor

SUBJECT MATTER OF REGULATION
Cranes and Derricks in Constructions: Underground Construction and Demolition

Section 1. Section 31-372-107-1926 of the Regulations of Connecticut State Agencies is amended by adding the following:

Section 31-372-107-1926. Safety and Health Standards for Construction Industry

<table>
<thead>
<tr>
<th>Standard Affected</th>
<th>Subject</th>
<th>Fed. Reg. Date</th>
<th>Action</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subpart S</td>
<td>1926.800 Underground construction</td>
<td>4/23/13</td>
<td>Amended</td>
</tr>
<tr>
<td>Subpart T</td>
<td>1926.856 Removal of walls, floors and material with equipment</td>
<td>4/23/13</td>
<td>Amended</td>
</tr>
<tr>
<td></td>
<td>1926.858 Removal of steel construction</td>
<td>4/23/13</td>
<td>Amended</td>
</tr>
</tbody>
</table>
Statement of Purpose

Pursuant to CGS Section 4-170(b)(3), “Each proposed regulation shall have a statement of its purpose following the final section of the regulation.” Enter the statement here.

Statement of Purpose: The adoption by reference of these revisions to the Federal Occupational Safety and Health Standards will serve to update Connecticut Occupational Safety and Health Standards in accordance with Section 31-372 of the Connecticut General Statutes. On April 23, 2013, the federal Occupational Safety and Health Administration published its intent to update its construction standards pertaining to cranes and derricks used in construction.

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

These proposed adoptions by reference apply OSHA’s construction standard for derricks and cranes to underground construction work and demolition work, involving equipment covered by subpart CC of the standard. Further, the direct final rule and notice of proposed rulemaking corrected inadvertent errors made to the underground construction and demolition standards in the 2010 rulemaking.
CERTIFICATION

This certification statement must be completed in full, including Items 3 and 4, if they are applicable.

1) I hereby certify that the above (check one) ☒ Regulations ☐ Emergency Regulations

2) are (check all that apply) ☐ adopted ☒ amended ☐ repealed by this agency pursuant to the following authority(ies): (complete all that apply)

   a. Connecticut General Statutes section(s) 31-372.

   b. Public Act Number(s) ______.
      (Provide public act number(s) if the act has not yet been codified in the Connecticut General Statutes.)

3) And I further certify that notice of intent to adopt, amend or repeal said regulations was published in the Connecticut Law Journal on June 25, 2013; (insert date of notice publication if publication was required by CGS Section 4-168.)

4) And that a public hearing regarding the proposed regulations was held on July 25, 2013; (insert date(s) of public hearing(s) held pursuant to CGS Section 4-168(a)(7), if any, or pursuant to other applicable statute.)

5) And that said regulations are EFFECTIVE (check one, and complete as applicable)
   ☒ When filed with the Secretary of the State
   OR ☐ on (insert date) ______

DATE 8/17/13  SIGNED (Head of Board, Agency or Commission) Comm. of Labor

APPROVED by the Attorney General as to legal sufficiency in accordance with CGS Section 4-169, as amended

DATE 9/21/13  SIGNED (Attorney General or AG's designated representative) ASSOC. ATTY. GENERAL

Proposed regulations are DEEMED APPROVED by the Attorney General in accordance with CGS Section 4-169, as amended, if the attorney general fails to give notice to the agency of any legal insufficiency within thirty (30) days of the receipt of the proposed regulation.

(For Regulation Review Committee Use ONLY)

☐ Approved ☐ Rejected without prejudice

☒ Approved with technical corrections ☐ Disapproved in part, (Indicate Section Numbers disapproved only)

☐ Deemed approved pursuant to CGS Section 4-170(c)

DATE 11/26/13  SIGNED (Chairman, Legislative Regulation Review Committee)

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

DATE  (Secretary of the State) BY

(For Secretary of the State Use ONLY)