



# EXPEDITED RULE MAKING

**CR-105 (June 2004)**  
(Implements RCW 34.05.353)  
**EXPEDITED RULE MAKING ONLY**

**Agency:** Department of Labor and Industries

**Title of rule and other identifying information:**

Chapter 296-56 WAC, Safety Standards – Longshore, Stevedore and Related Waterfront Operations.

The Occupational Safety and Health Administration (OSHA) revised the Marine Terminals Standard and related sections of the Longshoring Standard to adopt new requirements related to the practice of lifting two intermodal containers together, one on top of the other, connected by semiautomatic twistlocks (SATLs). This practice is known as a vertical tandem lift (VTL). The final standard permits VTLs of no more than two empty containers provided certain safeguards are followed. Washington is a state plan state; therefore the department is required to adopt this language approximately within six months of the publication date.

### NOTICE

**THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO**

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Agency: Department of Labor and Industries

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**AND RECEIVED BY** June 1, 2009

**Purpose of the proposal and its anticipated effects, including any changes in existing rules:**

Equipment used to transport vertically connected containers must be either specifically designed for this application or evaluated by a qualified engineer and determined to be capable of operating safely in this mode of operation.

The employer must develop, implement and maintain a written plan for transporting vertically connected containers in a terminal. The written plan must establish safe operational parameters, such as optimal operating and turning speeds; as well as address any other conditions in the terminal that could affect the safety of the movement of vertically coupled containers.

This rulemaking will also correct housekeeping errors throughout Chapter 296-56 WAC, Safety Standards for Longshore, Stevedore and Related Waterfront Operations.

**Reasons supporting proposal:** See attachment 1

**Statutory authority for adoption:** RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060

**Statute being implemented:** RCW 49.17

**Is rule necessary because of a:**

Federal Law?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Federal Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
State Court Decision?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No

If yes, CITATION:  
12/10/2008 Federal Register 73:75245 - 75290

**DATE**  
March 31, 2009

**NAME**  
Judy Schurke

**SIGNATURE**

**TITLE**  
Director

**CODE REVISER USE ONLY**

**OFFICE OF THE CODE REVISER  
STATE OF WASHINGTON  
FILED**

**DATE: March 31, 2009  
TIME: 10:18 AM**

**WSR 09-08-108**

**Name of proponent:** Department of Labor and Industries

- Private
- Public
- Governmental

**Name of agency personnel responsible for:**

Name	Office Location	Phone
Drafting.....Tracy Spencer	Tumwater	360.902.5530
Implementation....Steve Cant	Tumwater	360.902.9166
Enforcement.....Steve Cant	Tumwater	360.902.9166

**Agency comments or recommendations, if any, as to statutory language, implementation, enforcement, and fiscal matters:**

N/A

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**Chapter 296-56 WAC, Safety Standards – Longshore, Stevedore and Related Waterfront Operations.**

- Change the title of this chapter to “Safety Standards – Longshore, Stevedore and Waterfront Related Operations”.

**WAC 296-56-60001 Scope and applicability.**

- Subsection (3)(e) – Update the reference.
- Subsection (3)(f) – Update the reference.
- Subsection (3)(g) – Update the reference.
- Subsection (3)(l) – Update the reference.
- Subsection (3)(m) – Update the reference.

**WAC 296-56-60017 Line handling.**

- Subsection (2) – Correct a typographical error. Change the word “on” to “or”.
- Subsection (4) – Correct a typographical error. Change the spelling of the word “hausers” to “hawsers”

**WAC 296-56-60077 Powered industrial trucks.**

- Subsection (1) – Update the reference.
- Subsection (7)(l)(vii) – Delete this language, it is redundant of the language in subsection (7)(l)(iii).
- Renumber subsection (7)(l)(viii) to (vii).

**WAC 296-56-60103 Terminals intermodal containers or roll-on roll-off operations.**

- Subsection (9) – Add this section relating to vertical tandem lifts.
- Subsection (10) – Add this section relating to transporting vertically coupled containers.
- Subsection (11) – Add this section relating to safe work zones.

**WAC 296-56-60115 Other protective measures.**

- Subsection (2)(b)(iii) – Delete the words “Ski belt or inflatable type personal flotation devices are specifically prohibited”. These are now allowed.

**WAC 296-56-60221 Illumination.**

- Subsection (1) – Add language more similar to what OSHA has for clarity.

**WAC 296-56-60235 Welding, cutting and heating (hot work) (see also definition of “hazardous cargo, material, substance or atmosphere”).**

- Subsection (2) – Update a reference.
- Subsection (6)(b) – Update a reference.
- Subsection (7)(c) – Update a reference.