

# DOSH DIRECTIVE

Department of Labor and Industries  
Division of Occupational Safety and Health  
*Keeping Washington safe and working*

## 21.55

# Boatbuilding of Vessels 65 Feet or Less

**Updated: September 20, 2019**

### **I. Purpose**

This Directive provides guidance to enforcement and consultation staff regarding the applicability of chapter 296-304 WAC to construction of vessels of 65 feet or less.

### **II. Scope and Application**

This Directive applies to all DOSH operations statewide. DOSH has reviewed this Directive for applicability, and it remains effective with a new issue date of September 20, 2019.

### **III. References**

- Chapter 296-800 WAC, Safety and Health Core Rules
- Chapter 296-304 WAC, Safety Standards for Ship Repairing, Shipbuilding and Shipbreaking

### **IV. Background**

WAC 296-304-01001 defines “vessels” as: “*every kind of watercraft for use as a means of transportation on water, including special purpose floating structures not primarily designed for or used as a means of transportation on water.*” By its terms, chapter 296-304 WAC applies to the construction of any vessel without regard to size, intended use, or manner of construction. The literal language of the regulation requires builders of small boats to comply with WISHA’s shipyard standard, regardless of whether these regulations suit the manner of construction in the small boatbuilding industry.

Boatbuilding is classified in a different NAICS code, 336612, than shipbuilding, which is 336611. The Lost-Workday Injury and Illness (LWDII) rate for boatbuilding is historically about half that of shipbuilding.

Shipyards (NAICS code 336611) primarily engage in the construction of large commercial or naval vessels. The vessels are fabricated in place either afloat or in a drydock located on or adjacent to water and typically constructed with steel. The average shipyard constructs one ship per month.

In contrast, boatbuilding (NAICS code 336612) is a repeatable, assembly line process performed in a manufacturing plant designed for the types of boats being built. The average boat plant manufactures 30 to 35 boats per day. Boats are manufactured of fiberglass reinforced plastic (FRP), aluminum, or wood.

The building of ships in shipyards presents hazards that are distinct from those present in the production of small boats, including, but not limited to:

- Work at higher elevations.
- Fall hazards over water.
- Extensive use of movable rather than permanent scaffolding.
- Welding and confined space hazards that are unique to the construction of large vessels.

Vessels 65 feet or less in length will be classified as “small boats.” It is DOSH’s opinion that the general industry standards provide an equal level of protection and more accurately address the types of operations and hazards of small boatbuilding than the shipyard standards of chapter 296-304 WAC. Given the similarities in the construction processes and hazards present during the building of vessels greater than 65 feet in length, chapter 296-304 WAC will continue to apply to these facilities.

**V. Enforcement Policies**

- A. DOSH will enforce the requirements of chapter 296-304 WAC in relation to small boatbuilding *only* when a violation is also of one or more of the general requirements in chapter 296-800 WAC, or other applicable safety and health standards. If a small boatbuilding employer is in violation, chapter 296-304 WAC should be cited and the other applicable violation cited in the alternative.
- B. When a boatbuilder builds vessels greater than 65 feet, they will be subject to chapter 296-304 WAC, even during the building of vessels less than 65 feet.
- C. The requirements of chapter 296-304 WAC applies to repair yards. These facilities are not manufacturing plants that consistently follow the same procedure. Rather, the process used in repair yards is similar to those used in shipyards including, but not limited to, entering confined or enclosed spaces that once contained flammable or combustible liquids.

**VI. Point of Contact**

If specific situations require further guidance, staff should consult the Maritime Supervisor in Region 8.

**VII. Review and Cancelation**

DOSH will review this Directive for applicability within two years from the issue date, and it will remain effective until superseded or canceled.

Approved:



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