



Exempt Action Final Regulation Agency Background Document

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| Agency name | Virginia Department of Labor and Industry/Safety and Health Codes Board |
| Virginia Administrative Code (VAC) citation | 16VAC25-90-1910.217(e)(1) |
| Regulation title | Record Requirements in the Mechanical Power Presses Standard |
| Action title | Amendment to Record Requirements in the Mechanical Power Presses Standard |
| Final agency action date | June 5, 2014 |
| Document preparation date | June 9, 2014 |

When a regulatory action is exempt from executive branch review pursuant to § 2.2-4002 or § 2.2-4006 of the Virginia Administrative Process Act (APA), the agency is encouraged to provide information to the public on the Regulatory Town Hall using this form.

Note: While posting this form on the Town Hall is optional, the agency must comply with requirements of the Virginia Register Act, Executive Orders 14 (2010) and 58 (1999), and the *Virginia Register Form, Style, and Procedure Manual*.

Summary

Please provide a brief summary of all regulatory changes, including the rationale behind such changes. Alert the reader to all substantive matters or changes. If applicable, generally describe the existing regulation.

Mechanical power presses are machines that punch, form, or assemble metal or other materials by cutting or shaping using dies. If a power press is damaged or operating incorrectly, workers can be exposed to hand, arm, and finger injuries, including possible amputations.

On November 20, 2013, federal OSHA issued a Direct Final Rule (DFR) to make two main revisions to its Mechanical Power Presses Standard, §1910.217. Former subparagraph §1910.217(e)(1)(i) required employers develop and maintain certification records of periodic inspections performed on the power presses. In this amendment, federal OSHA added a requirement that employers must develop and maintain certification records of any maintenance or repairs they perform on the presses during these periodic inspections. As a result of the revision to subparagraph (e)(1)(i), federal OSHA removed the requirement from subparagraph (e)(1)(ii) of the same standard, §1910.217, that employers develop and maintain certification records of weekly inspections and tests performed on the presses. These

requirements in former subparagraph (e)(1)(ii) will no longer be necessary as any repairs to the mechanical power press will be recorded as they occur. Subparagraph (e)(1)(ii) now specifies that employers perform the inspections and tests “on a regular basis at least once a week” to emphasize the importance of establishing a consistent, systematic schedule for completing the tasks.

Revisions to subparagraph §1910.217(e)(1)(i), expressly requiring employers to complete necessary maintenance and repair on presses before operating the presses and certify maintenance and repair for the entire machine, rather than for certain parts of a power press, bring §1910.217 in line with the American National Standards Institute consensus standard for power presses (ANSI B11.1-2009).

Federal OSHA believes that these revisions, combined with the available means that employers, employees and federal OSHA can use to ensure that employers perform these tasks at the specified frequency, will fulfill the functions for certification records required by existing paragraph (e)(1)(ii).

Statement of final agency action

Please provide a statement of the final action taken by the agency including (1) the date the action was taken, (2) the name of the agency taking the action, and (3) the title of the regulation.

On June 5, 2014, the Safety and Health Codes Board adopted federal OSHA’s Direct Final Rule on Record Requirements in the Mechanical Power Presses Standard, §1910.217(e)(1), as published in 78 FR 69543 on November 20, 2013, as an Amendment to the Record Requirements in the Mechanical Power Presses Standard, §1910.217(e)(1). The effective date is September 1, 2014.

Family impact

Assess the impact of this regulatory action on the institution of the family and family stability.

This regulatory action will have no impact on the institution of the family and family stability.

**Record Requirements in the Mechanical Power Presses Standard, §1910.217 (e)(1);
Amendment**

As Adopted by the
Safety and Health Codes Board

Date: June 5, 2014



VIRGINIA OCCUPATIONAL SAFETY AND HEALTH PROGRAM

VIRGINIA DEPARTMENT OF LABOR AND INDUSTRY

Effective Date: September 1, 2014

16VAC25-90-1910.217, Mechanical Power Presses

When the regulations, as set forth in the Amendment to the Record Requirements in the Mechanical Power Presses, §1910.217 (e)(1) , are applied to the Commissioner of the Department of Labor and Industry and/or to Virginia employers, the following federal terms shall be considered to read as below:

Federal Terms

VOSH Equivalent

29 CFR

VOSH Standard

Assistant Secretary

Commissioner of Labor and
Industry

Agency

Department

February 18, 2014

September 1, 2014

69550 Federal Register / Vol. 78, No. 224 / Wednesday, November 20, 2013 / Rules and Regulations

■ 2. Amend § 1910.217 by revising paragraph (e)(1) to read as follows:

§ 1910.217 Mechanical power presses.

* * * * *

(e) * * *

(1) *Inspection and maintenance records.* The employer shall establish and follow an inspection program having a general component and a directed component.

(i) Under the general component of the inspection program, the employer shall:

(A) Conduct periodic and regular inspections of each power press to ensure that all of its parts, auxiliary equipment, and safeguards, including the clutch/brake mechanism, antirepeat feature, and single-stroke mechanism, are in a safe operating condition and adjustment;

(B) Perform and complete necessary maintenance or repair, or both, before operating the press; and

(C) Maintain a certification record of each inspection, and each maintenance and repair task performed, under the general component of the inspection program that includes the date of the inspection, maintenance, or repair work, the signature of the person who performed the inspection, maintenance, or repair work, and the serial number, or other identifier, of the power press inspected, maintained, and repaired.

(ii) Under the directed component of the inspection program, the employer shall:

(A) Inspect and test each press on a regular basis at least once a week to determine the condition of the clutch/brake mechanism, antirepeat feature, and single-stroke mechanism;

(B) Perform and complete necessary maintenance or repair, or both, on the clutch/brake mechanism, antirepeat feature, and single-stroke mechanism before operating the press; and

(C) Maintain a certification record of each maintenance task performed under the directed component of the inspection program that includes the date of the maintenance task, the signature of the person who performed the maintenance task, and the serial number, or other identifier, of the power press maintained.

Note to paragraph (e)(1)(ii): Inspections of the clutch/brake mechanism, antirepeat feature, and single-stroke mechanism conducted under the directed component of the inspection program are exempt from the requirement to maintain certification records specified by paragraph (e)(1)(i)(C) of this section, but inspections of the clutch/brake mechanism, antirepeat feature, and single-stroke mechanism conducted under the general component of the inspection program are not exempt from this requirement.

(iii) Paragraph (e)(1)(ii) of this section does not apply to presses that comply with paragraphs (b)(13) and (14) of this section.

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