



NATIONAL MAINTENANCE AGREEMENTS POLICY COMMITTEE, INC.

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Impartial Secretary
Noel C. Barck

September 10, 2002

OSHA Docket Office
Docket No. S-030
U.S. Department of Labor
200 Constitution Avenue, NW
RM N2625
Washington, DC 20210

OSHA
DOCKET OFFICER

DATE SEP 11 2002

S-030
EX. 2-26

Subject: Docket No. S-030

VIA FAXIMILE

Dear Sir or Madam:

The National Maintenance Agreement Policy Committee (NMAPC) is requesting the appointment of **Mr. Wayne R. Rice, Director of Safety and Health** for the NMAPC, to the **Negotiated Rulemaking Committee for the OSHA Subpart N Crane Standard** as announced in the *Federal Register Vol. 67, No. 136 dated Tuesday, July 16, 2002*. Mr. Rice's resume is attached.

The NMAPC was formed in 1971 and is the first legally incorporated Labor-Management Committee in the construction industry. The NMAPC represents over 3,600 contractors, over 500 industrial customers, and 14 International Unions of the Building Trades who represent over 1 million skilled craft workers. The NMAPC Program performs industrial maintenance, repair, remodeling and rehabilitation work in hundreds of industrial sites daily around the country.

Since its founding the NMAPC Program has put in place over \$ 250 billion worth of work in our country's basic industries including, auto, steel, electrical power, petrochemical and more. Over 1.5 billion work hours have been logged by the skilled building trades craft workers who are employed on NMAPC sites.

The contractors and craft workers of the NMAPC are the end users of thousands of cranes and derricks in the steel erection, industrial maintenance, and construction industries in the United States. Our contractors and craft workers will be greatly affected by the negotiated rulemaking process for revising OSHA's Subpart N.

Mr. Rice has extensive experience in the use and application of cranes and derricks in his over 30 years of experience in the construction industry. He has participated on several of the **ANSI A10 and ANSI B.30 work groups** that are related to crane operations and safety. He is currently a member of the **OSHA Advisory Committee on Construction Safety & Health (ACCSH)** work group for the revision of the OSHA Subpart N

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Standard. He would provide valuable work experience to the Negotiated Rulemaking Committee to develop the new Subpart N Standard.

In his many years of employment as a Vice President for two major construction corporations that utilized cranes and derricks extensively on large construction projects world wide, Mr. Rice is familiar with how OSHA construction standards apply to the use of cranes and derricks. He has been involved in the investigation of numerous crane accidents and has developed an improvement process to eliminate crane and derrick accidents as part of an overall Environmental, Safety, and Health Program for many large construction projects.

In addition to representing the unique interests of the industrial maintenance industry, Mr. Rice is extremely well qualified to represent several of the other "Interests Involved" that were listed in the *Notice of Intent to Establish the Negotiated Rulemaking Committee* including:

Crane & Derrick Leasing Companies

Owners of Cranes & Derricks

Construction Companies That Use Leased Cranes and Derricks

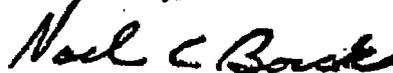
General Contractors

**Civil, Structural and Architectural Engineering Firms and Engineering Consultants
Involved With the Use of Cranes and Derricks in Construction**

The NMAPC requests Mr. Rice be appointed to the Negotiated Rulemaking Committee to represent the interests of the NMAPC and the industrial maintenance industry. If Mr. Rice is appointed to the Negotiated Rulemaking Committee, he will actively participate in good faith in the development of 29 CFR, Part 1926 Subpart N.

If there are any questions or additional information is needed, please don't hesitate to contact our office. Thank you in advance for your consideration.

Sincerely,



Noel C. Borck

NMAPC Impartial Secretary

c: NMAPC