



LIEBHERR-HOLDING GMBH

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V. 4-1-3

Liebherr-Holding GmbH · Postfach 1658 · D-88386 Biberach an der Riß

U.S. Department of Labor
Occupational Safety & Health Administration
OSHA Docket Office, Docket No. S-030
Room N-2625
200 Constitution Ave, N.W
Washington, D.C. 20210

USA

Ihre Zeichen

Ihre Nachricht vom

Unsere Zeichen

Fernruf-Durchwahl

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Biberach an der Riß,

20. September 2002

Bearbeitet von:

Alfons Köhle

Application for membership at the Cranes and Derricks Negotiated Rulemaking Advisory Committee (C-DAC)

Applicant: Liebherr-International AG, Case postale 272, CH-1630 Bulle/FR, Switzerland.

Dear Sirs,

Liebherr International AG is the holding company of a progressive group of more than 60 international companies whose name is synonymous of innovative quality products incorporating the latest advancements in technology (see attached doc. 1).

Its history began in 1949 in Kirchdorf, Germany, with an idea conceived by company founder Hans Liebherr: a tower crane that would be quick to move from place to place and easy to assemble. The huge success of the first patented cranes became the basis on which the company grew. Past only 53 years, Liebherr now a days a group with over 20,000 employees and a total turnover of 4.1 billion Euro.

Liebherr stands for a technically advanced program of products and services designed with customer benefit in mind. On the one hand there is the construction machinery sector, with a product range of unsurpassed width and depth. On the other hand Liebherr is also highly successful in numerous other areas, such as aircraft equipment or the domestic appliances sector, where it specializes in freezers and refrigerators.

Fernruf/Telegramm-Kurzanschrift

Biberach/Riß (0 73 51) 41-0
Liebherr-Holding BC

Bankverbindungen

HypoVereinsbank AG, Fil. Memmingen 2 088 754 (BLZ 731 200 75) SWIFT-Code HYVE DE MM 428
Deutsche Bank AG, Fil. Biberach 2 222 008 (BLZ 630 700 88) SWIFT-Code DEUT DE SS 631
Dresdner Bank AG, Fil. Ulm 8 052 700 (BLZ 630 800 15) SWIFT-Code DRES DE FF 630

For the Construction Industry, Liebherr manufactures tower cranes, mobile cranes, crawler cranes, hydraulic excavators, crawler loaders, crawler tractors, wheel loaders, pipelayers, truck mixers and mixing plants for concrete and many other bulk materials. For the Freight and Cargo Handling Industry, container cranes, harbor and mobile cranes, ship cranes and offshore cranes.

Since the 1960s Liebherr has been doing business in the USA and in 1970, a production company located in Newport News, VA was established. This company, Liebherr-America, Inc., operates seven sub-divisions that are spread all over the country and is supported by a large network of associated dealers and sales-representatives.

OSHA announced a process of establishing a Cranes and Derricks Negotiated Rulemaking Advisory Committee (C-DAC) to negotiate and propose a revision of the existing construction safety standards for the cranes and derricks portion. This issue is of particular interest for the Liebherr Group of Companies, as its operations include five individual crane manufacturing companies in Biberach, Ehingen (both Germany), Nenzing (Austria), Pamplona (Spain) and Killarney (Republic of Ireland) (see attached documents 2 to 5). On this background, Liebherr International AG is prompted to seek active participation at the projected C-DAC.

We would like to specify following particular reasons to be nominated as a member of this committee:

- Over the years Europe and USA have had the same preoccupation for the safety of employees, establishing rules to minimize the risks and fixing standard accordingly for the manufacturers. Nevertheless, so far no effort to establish a common set of rules valid for both Europe and USA was launched. Succeeding in such a task would lead to substantial improvements in the market relationships. So it is our interest to resemble both rules.
- It is our general policy to be part of committees or organizations that discuss, negotiate or makes rules within the same nature of the "Safety Standards for Cranes and Derricks". Currently we are engaged in the following committees and organizations:
 - Membership at VDMA (German Mechanical engineering and Construction Companies Association);

Blatt 3 zum Brief vom 20. September 2002 an U.S. Department of Labor, OSHA, USA

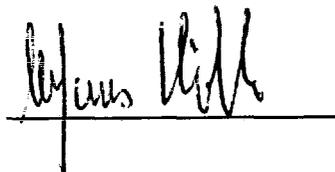
- Membership at FEM (European Manufacturers Association of Materials handling, lifting and storage equipment) at the section I "Crane"; German delegate at the committees CEN/TC 147/WG2, WG3, WG5, WGP2 and WGP7.
- Participation in several projects such as the " Sicherer Betrieb von gleislosen Fahrzeugkranen" (Safety Operation of Mobile Crane) established by the Germans BGF (Professional Association for maintenance of vehicles).
- USA is an important market for Liebherr, where we have a turnover of (LWE-\$86Mio "2001", LBC-\$6,7Mio "2001", LWN-\$31,6Mio "2001") and a estimating of 990 Liebherr Cranes (LWE-550, LBC-350, LWN-90) operating over the country.
- And finally, it is our interest to be always informed about the safety rules and their modifications, so that we better attend them.

In case of our application being accepted, Mr. Alfons Koehle, of Liebherr Werk-Biberach GmbH, will be representing Liebherr in C-DAC. Mr. Koehle can rely of vast experience in both technical knowledge on crane manufacturing as well as the specifics of the US-market and the respective customer relationships (see attached doc. 6). He will be at the committee' s disposal, whenever it is necessary and we are sure that he will adequately represent our viewpoints (see attached doc. 7).

The Liebherr Group, through its holding company, Liebherr-International AG, once more would like to express its interest in projects like the "Cranes and Derricks Negotiated Rulemaking Advisory Committee". We hope our application for participation can be accepted for the sake of establishing even better standards to manufacture enhanced products.

Sincerely,

Liebherr-International AG / Liebherr-Holding GmbH



A handwritten signature in black ink, appearing to read 'Alfons Koehle', is written over a horizontal line.

Enclosure



LIEBHERR-INTERNATIONAL AG

1. **COMPANY PROFILE
LIEBHERR-WERK BIBERACH GMBH**
2. **COMPANY PROFILE
LIEBHERR-WERK EHINGEN GMBH**
3. **COMPANY PROFILE
LIEBHERR-WERK IBERICA S.A.**
4. **COMPANY PROFILE
LIEBHERR-WERK NENZING GMBH**
5. **CRAWLER CRANE**
6. **HARBOUR MOBILE CRANE**
7. **DECK CRANE**
8. **OFFSHORE CRANE**
9. **THE LIEBHERR GROUP OF COMPANIES**