



OUTDOOR ADVERTISING  
ASSOCIATION OF AMERICA, INC.

March 28, 2003

VIA FACSIMILE AND CERTIFIED MAIL

Occupational Safety and Health  
Administration Docket Office  
Docket No. S-030  
U. S. Department of Labor  
200 Constitution Ave., N.W.  
Room N-2625  
Washington, D.C. 20210  
(202) 693-1648 (facsimile)

OSHA  
DOCKET OFFICER  
DATE MAR 28 2003

Docket S030  
Ex. 6-4

**Re: Request for Comments, Docket No. S-030  
68 Fed. Reg. 9036 (Feb. 27, 2003)(Notice of Proposed Negotiated  
Rule Making Committee membership; request for comments)**

Dear Sir or Madam:

The following comments are submitted by the Outdoor Advertising Association of America (OAAA) concerning the appointment of members to the OSHA Crane and Derrick Negotiated Rulemaking Committee (C-DAC). The OAAA represents over 1,000 members involved in the design, construction, maintenance, servicing and leasing of outdoor advertising media throughout the United States. The trade association represents 95% of the billboard industry revenues throughout the 46 states in which billboards are installed.

The location, purpose and dimensions of the work environments involved in outdoor advertising, as well as the very nature of the construction, maintenance and servicing operations that take place in that environment create unique challenges in the area of workplace safety. Some of these unique situations have previously been addressed by OSHA through modifications to various rules collectively known as the "Gannett Variance." See 56 Fed. Reg. 8801-8804 (March 1, 1991)(Gannett Outdoor Companies Grant of Variance).

Cranes are, of course, an indispensable part of many outdoor advertising operations. OSHA has identified work zone control and crane operations near electric power lines as key issues for negotiation. See 67 Fed. Reg. 46612, 46614. These are two issues that the outdoor advertising industry has extensive and unique experience with. To ensure that this experience is shared and reflected in a final rule, at least one member of the rulemaking committee should be thoroughly familiar with the outdoor advertising industry. Indeed, given the size and nature of the industry, as well as the unique issues associated with it, it is hard to understand how a "consensus standard" could be

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promulgated on this important issue without such a representative. Yet, as presently constituted, the committee lacks such a representative.

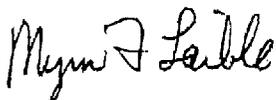
This unfortunate result is not for lack of effort. In order to ensure that the unique nature of the outdoor advertising was taken into account in the promulgation of the new crane standard, one of OAAA's largest members responded directly to OSHA's initial call for participants, nominating a representative who is thoroughly familiar with the outdoor advertising industry. This nomination was in line with your request that interested parties "identify and form coalitions that adequately represent significantly affected interests." *Safety Standards for Cranes and Derricks*, 67 Fed. Reg. 46612, 46615 (July 16, 2002) (Notice of intent to establish Negotiated Rulemaking Committee; request for nominees and comments). This OAAA member recognized that membership on the committee is finite and nominated one individual to represent the unique and substantial interests of the industry. To date, OSHA has not responded to this nomination, and the nominee is not included in the list published for comment.

OAAA endorses the nomination of two veteran industry representatives for inclusion on the rulemaking committee. Enclosed for your consideration are resumes from Norman E. Gearhart of Clear Channel Outdoor in Philadelphia, PA and Stephen P. Charman of Viacom Outdoor in Maspeth, New York. Both of these OAAA members are eminently qualified to serve on the committee by bringing senior and operations management experience along with an extra dimension of safety training experience.

The OAAA is very confident that the addition of Stephen P. Charman and/or Norman E. Gearhart will enhance the committee's goal to revise and improve the safe use of cranes and derricks as well as to assist in the pursuit of our mutual goal, the improvement of safety and health for workers, not only in the outdoor advertising industry, but in all industries throughout the United States.

Thank you, in advance, for your considerate attention to this matter.

Sincerely,



Myron F. Laible, Vice President  
Regulatory Affairs & Operations

CC:  
Bruce Swanson  
Gary Visscher