

Credentials relative to these proceedings:

Docket S-030
Ex. 66-8

Peterson Beckner Industries, Inc.

- When considered in combination with its two predecessor companies, Peterson Brothers Steel Erection Company and Regional Contracting Company, Inc., Peterson Beckner has been erecting steel since 1936.
- Partner – with OSHA and AGC through a Houston-area “SHAPE” Associate Contractor Agreement
- Member – Steel Erectors Association of America (SEAA)
- Member – Associated General Contractors of America (AGC)
- Member – Associated Builders and Contractors (ABC)
- Member – American Institute of Steel Construction (AISC)

Homer R. Peterson, II

- 8 years – Member – NEA Safety and Health Committee – 4 years as Co-chairman (NEA – National Erectors Association)
- 17 years – Member – ANSI A10.13 Steel Erection Safety Subcommittee (ANSI – American National Standards Institute)
- 12 years – Member – AGC Houston Chapter Safety Committee (AGC – Associated General Contractors)
- 5 years – Member – AISC Code of Standard Practice Committee American Institute of Steel Construction (AISC)
- Registered Professional Engineer – State of Texas
- Certified Safety Professional with a Specialty in Construction Safety
- 15 years – Member – Houston Area Joint Apprenticeship & Training Committee – 6 years as Chairman
- Member – American Society of Safety Engineers (ASSE)
- Member – American Welding Society (AWS)

Comments relative to the changes in 29 CFR 1926 Safety Standards for Cranes, Derricks, Hoists, Elevators, and Conveyors (Subpart N) being considered by the Cranes and Derricks Negotiated Rulemaking Advisory Committee. Comments given at the Hearing on June 2, 2004, at the Home Builders Association of Central Arizona facility located at 3200 East Camelback Road, Suite 180, Phoenix, AZ 85018

Good afternoon.

My name is Homer Peterson. I'm Vice President in charge of Safety at Peterson Beckner Industries, Inc. I'm also a Registered Professional Engineer in the State of Texas and a Certified Safety Professional with a Specialty in Construction Safety. Peterson Beckner is headquartered in Houston, Texas, but our ^{primary} market area includes the southern United States. Our ~~primary~~ business is erecting structural steel. We also install metal deck, shear connectors, precast concrete panels, miscellaneous steel, and equipment. Over the course of my career, we've used crawler cranes, rubber-tired truck and hydraulic cranes, guy derricks, stiffleg derricks, Chicago booms, tower cranes, poles, and other means to hoist steel and materials. Since 1936, the company and its predecessor companies, Peterson Brothers Steel Erection Company and Regional Contracting, Inc. have erected the steel for over a thousand projects for commercial, industrial, and institutional customers involving hundreds of thousands of tons of steel. Types of projects erected have included office buildings (including 17 multistory buildings from 40 to 75 stories tall), petrochemical plants, pharmaceutical plants, cement plants, paper mills, steel mills, hospitals, schools, airport terminals, hangars, prisons, shopping malls, bridges, and more. In a typical year, our employee mix will include up to 250 ironworkers and up to 12 operators at a time, depending on our volume of work. We own 14 crawler and truck cranes, 7 guy and stiffleg derricks, plus numerous poles, Chicago booms, and hoisting engines. In addition, we frequently lease cranes and hoisting equipment from others. My 31 years of construction experience includes 17 years as a union company and 14 years as a merit shop company. I am currently responsible for all aspects of safety on Peterson Beckner's projects, and have written Peterson Beckner's Safety Handbook and all of its safety policies.

In my appearance today, I want to focus on Operator Certification. I am in favor of certification of crane operators for crawler cranes, truck cranes, hydraulic cranes, and tower cranes.

Industry-wide certification of operators will cost a significant amount of money. Still, I believe it's time to require it. Over the long run, I believe that the costs will be offset by the benefits to the industry and to the Public. I would like to qualify that statement by saying that the statement will be true only if the certification process required by the standard allows the industry to train efficiently as well as effectively. ~~Related to cost, I believe that the ability to certify operators should be open to all entities.~~ The new standard should not preclude an employer from training ~~and testing~~ its own operators, ~~under the "umbrella" of a certifying agency,~~ provided that the employer's trainer or trainers meet the ~~"Train the Trainer"~~ requirements of the certifying agency, and the employer's training, ~~testing, and certification process~~ meets the minimum requirements of both the standard and the certifying agency. Certification should be made portable; if every operator must be re-certified every time he moves to a different employer, the costs will be prohibitive to the industry and the Public.

My personal opinion is that operator certification is needed in order to provide the protection that is expected by the Public in our country today. With that said, I will support a consensus decision of this committee regarding operator certification, based on the rules of the committee, even if the standard does not include mandatory certification. This support will be in recognition of the hundreds of years of experience with cranes and derricks represented by the committee members, plus my knowledge of the organizations they represent.

If possible, I would like to see OSHA re-submit any proposed final standard to this committee for consensus approval of any changes made by OSHA, either formally or informally. This final approval by the committee would insure that any changes made by OSHA would be minor enough in nature to keep from upsetting the delicate balance of the various interests that has been achieved through the negotiated rulemaking process. Such a re-submittal to the committee would have the added benefit of minimizing the threat of injunctions and/or lawsuits that could delay implementation and enforcement of the new standard.

Finally, it's my understanding that the committee is having some difficulty trying to reach a consensus on the issue of operator certification. OSHA needs your guidance on this important issue; I implore you to reach a reasonable consensus.

Thank you.