

NORTH CAROLINA DEPARTMENT OF LABOR  
OCCUPATIONAL SAFETY AND HEALTH DIVISION  
RALEIGH, NORTH CAROLINA

Standards Notice - 33

TO: All OSHA Consultants, Supervisors, Safety Officers, Industrial Hygienists and Staff

SUBJECT: Guardrails at Petroleum Loading Racks 29 CFR 1910.23 (c) (1)

a. Standard

29 CFR 1910.23 (c) (1) states: "Every open-sided floor or platform four feet or more above adjacent floor or ground level shall be guarded by a standard railing..."

b. Discussion

Strict interpretation of 29 CFR 1910.23 (c) (1) would result in having all petroleum loading racks (and similar installations) protected with guardrails on the outside edge of the loading platform above the top of the tank truck. Several citations have been issued for failure to have such guardrails and the Review Commission has ruled against OSHA in contested cases.

The standard does not provide that there may be a surface other than "adjacent floor or ground level" which might be within four feet of the platform floor. When loading petroleum product tank trucks, the top of the tank is adjacent to and within four feet from the floor of the platform.

The principal reason why guardrails are impractical is that truck tanks are of different configurations and the several loading hatches make it necessary for employees to be able to step from the platform (or use a runway from the platform onto the tank) at any place in order to go on to the tank. It is necessary to go onto the tank to open and close hatches and to place and remove filler spouts. Safety belts and lanyards should not be used when loading flammable liquids because the employees should be able to move freely in case of a fire.

c. Interpretation

Citations should not be issued for loading rack platforms which do not have guardrails on platform sides adjacent to the top of tank trucks.

Citations will be issued for such platforms occupied when there is not a truck adjacent to the platform unless effective protective measures are taken. (Such as using safety belts and life lines).

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