

**North Carolina Department of Labor
Division of Occupational Safety and Health**

Raleigh, North Carolina

Field Information System

Operational Procedure Notice 122A

Subject: Special Emphasis Program for Communication Towers.

A. Purpose.

This OPN establishes a Special Emphasis Program (SEP) to provide enforcement guidance and address the hazards associated with communication tower work during construction, alteration, repair, operation, inspection and maintenance activities.

B. Scope.

This OPN applies to all programmed and unprogrammed Occupational Safety and Health of North Carolina (OSHNC) activity associated with the construction, alteration, repair, operation, inspection and maintenance of Communication Towers. This OPN includes compliance, consultation and education and training activities.

C. Action.

This Operational Procedure Notice provides for special emphasis inspections in accordance with NCGS 95-136.1(b) (3) due to a high risk for serious or fatal work related injuries or illnesses. This OPN will be used in conjunction with CPL 2-1.36 – *Interim Inspection Procedures during Communication Towers Construction Activities*.

D. Discussion.

As a result of an explosive growth in the cellular phone industry and the resulting need for more communication towers to be constructed across the country, an increasing number of companies have entered the industry with little or no training in the unique safety aspects involved in climbing a tower. The end result has been an increase in the number of accidents in the industry, which due to the nature of the work, are often fatal. In order to address this concern, the North Carolina Department of Labor (“NCDOL”) began working in 2000 with some representatives from the industry to formulate a set of rules to protect workers during the construction, erection, installation, operation, maintenance, and disassembly of communication towers. A study by the National Institute for Occupational Safety and Health (“NIOSH”) indicates that there were 118 known communication tower worker deaths in the United States from 1992-1998 (93 falls), and the report indicated that the actual number was likely higher but fatality reporting did not always specify tower worker (e.g. other fatalities could have been listed as: painter, steel erector, electrician, etc.). A review of NC work place fatalities revealed that 10 were related to communication tower work from May 1997 to February 2005. OSHNC recognized that there were several existing consensus standards that addressed hazards related to the Communication Tower industry. However, OSHNC did not feel that existing consensus standards were adequate nor were they readily available to employers/employees engaged in communication tower work

activities. During the rulemaking process, OSHNC worked closely with communication tower stakeholders including tower owners, operators, erectors, and various other affected parties. As a result of this collaborative effort, the nation's first comprehensive occupational safety and health communication tower rules were enacted at the end of the 2005 NC Legislative session.

E. Inspection Procedures and Guidelines.

1. During activities associated with the construction, alteration, repair, operation, inspection and maintenance of Communication Towers, OSHNC will enforce 13 NCAC 7F.0600 - Communication Towers Standard. The sections adopted by the North Carolina General Assembly as of August 2005 are as follows:
 - 13 NCAC 07F.0601 – *Scope and Application.*
 - 13 NCAC 07F.0602 – *Definitions.*
 - 13 NCAC 07F.0603 – *Employer Responsibilities.*
 - 13 NCAC 07F.0604 – *Hazard Identification and Assessment.*
 - 13 NCAC 07F.0605 – *Fall Protection.*
 - 13 NCAC 7F.0607 – *Hoists and Gin Poles.*
 - 13 NCAC 07F.0608 – *Recordkeeping.*
 - 13 NCAC 07F.0609 – *Training.*
2. OSHNC has also proposed 13 NCAC 7F.0606 - *Non-ionizing Radiation*. This section is expected to go through rulemaking in the spring of 2006. In the interim period, OSHNC staff should use 29 CFR 1910.97 for any non-ionizing radiation issues associated with the operation, inspection and maintenance activities in Communication Towers. Non-ionization radiation hazards observed during construction activities will be reviewed with the appropriate district supervisor and addressed via the North Carolina General Duty Clause, where appropriate.

F. Compliance Assignments.

1. OSHNC will develop a list of establishments (work sites) likely to be covered by this special emphasis program. Potential inspection site locations will be distributed to each District where communication tower activity is known.
2. In recognition of the mobile and time sensitive nature of communication tower work, any serious hazards observed should normally be investigated immediately by the compliance officer (CSHO) who observes the activity, after consulting with the District Supervisor. Serious safety hazards observed by individuals other than a CSHO will be referred to the applicable District Supervisor. Because many tower operations are located in remote locations where the observation of hazards from a public way would not be possible, whenever a CSHO observes or receives information regarding a site where communication tower work may be taking place but no violation is observed, the CSHO and the District Supervisor should determine if the site should be immediately inspected, or added to the list of establishments to be selected for future inspection activity. Such determination will be based on, but not limited to, the following criteria: the resources available for inspecting the site, the size of the operation, the prior history of the operator if known, and/or the stage of construction/maintenance activity. Each district office will conduct inspections in support of this SEP.

OPN 122A, cont'd.

G. IMIS Coding.

The OSHA-1 form for all inspections conducted as a result of this special emphasis programs will be coded as local emphasis program inspections in block 25C and marked "Towers".

H. Effective Date.

OPN 122 and OPN 134A are canceled. This OPN is effective on the date of signature. It will remain in effect until revised or canceled by the Director.

Signed on Original

Ivette Mercado-Bijkersma
Safety Standards Officer

Signed on Original

Allen McNeely
Director

9/23/05

Date of Signature