MCAA

Supporting the Advancement of the Masonry Industry

August 22, 2003

RE: Material Storage on Scaffolding – 29 CFR 1926.250(b)(5) & 1926.451(f)(3)

Mr. Russell Swanson
U.S. Department of Labor - OSHA
200 Constitution Avenue, NW
Washington, DC 20210

Dear Mr. Swanson:

The purpose of this letter is to discuss the OSHA interpretation of ***06/10/2003 - Storage of materials that prevents inspection of scaffolds before workshifts; incidental storage amounts that do not inhibit scaffold inspection.*** As discussed in our meeting at the OSHA offices on August 12, 2003, this letter of interpretation could have a significant safety impact on the masonry industry, in particular, masons, laborers and their employers.

One of the requirements in 29 CFR part 1926 Subpart H - Materials Handling, Storage, Use, and Disposal, is §1926.250(b)(5), which states:

> Materials shall not be stored on scaffolds or runways in excess of supplies needed for immediate operations.

We understand that large amounts of material stored on scaffolding for long periods of time present safety hazards to all construction personnel. Hence, the OSHA requirements prohibit this activity. However, the MCAA believes there are numerous safety ramifications in the removal of incidental amounts of material that should be considered.

Masonry materials traditionally arrive on the jobsite in the form of a cube of individual, loose units that are bound and banded at the manufacturer. These materials are then taken from the delivery truck and stored on the construction site until the units are ready for use. These cubes of bound masonry materials are then placed on the work surface, traditionally scaffolding, using a forklift or crane (see Figure 1). Only the material that is to be used for that portion of the wall is stocked onto the scaffolding. Once work commences, the cubes are unbound and placed, brick by brick, into the masonry structure (see Figure 2).

According to the aforementioned interpretation, the mason is required to remove all unused material at the end of the work shift. Whenever masonry materials are moved, there exists a potential safety hazard. Multiple handling of masonry materials unnecessarily increases the risk of injury. This requirement presents some safety concerns that the MCAA thinks OSHA may have overlooked, such as:

1) Unloading a partial cube of loose masonry units increases the risk of one or more units falling from the cube (see Figure 2). Although there are such things as manual bands, they will not provide an acceptable level of safety to masons;

2) In many cases, unloading masonry materials after the work shift will require the laborers to partially disassemble guardrails and other portions of the scaffolding to provide forklift or crane access to the materials (see Figure 3);

3) The forklift operators will be required to unload the material "blind", thus increase the likelihood of handling errors and making this activity unsafe;

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4) In the case of hydraulic powered scaffolding, the scaffolding will need to be lowered so that the forklifts can reach the material to be unloaded. Increasing the frequency of this activity, in our view, is also potentially unsafe;

5) In most urban areas, space constraints are almost always a problem. In today's construction management practices of "on-time delivery", materials are delivered onto the site when they are intended for use. Thus, there will be no space to store materials outside of the scaffolding;

6) Masonry materials are often used to weigh down scaffold planks in the case of severe wind. Incidental amounts of materials can provide stability and help prevent uplift of the scaffold planks throughout the night that may be caused by severe wind or inclement weather.

We consider incidental amounts of material to be any tools or equipment needed to lay masonry units within the subsequent two work shifts. This includes: mortar boards and tubs, grouting equipment, unbound cubes of material (see Figure 4), and any other equipment that increases the risk of unsafe handling.

Another requirement in 29 CFR part 1926 Subpart L - Scaffolds, is §1926.451(f)(3) which states:

> Scaffolds and scaffold components shall be inspected for visible defects by a competent person before each work shift, and after any occurrence which could affect a scaffold's structural integrity.

We understand the need for the competent person to inspect the scaffolding before every shift; however, we feel that these incidental amounts of material left on the scaffolding do not prevent this inspection from occurring. In order to properly inspect scaffolding, the competent person should inspect from below the scaffold planks (see Figure 5). This gives a more accurate inspection of damaged wooden planks.

The Mason Contractors Association of America therefore requests that OSHA considers revising and reissuing a new interpretation taking these factors into consideration in an effort to ensure the utmost safety of masons and all construction workers on a job site. Our members are committed to providing the safest masonry workplace possible and will closely adhere to these regulations. The MCAA is willing to assist OSHA in developing any other interpretations that may impact our industry. We want to thank you for taking the time to meet with us last week and we look forward to continuing a mutually beneficial relationship with your office.

Thank you,

Rashod Johnson
Director of Engineering
Mason Contractors Association of America -MCAA

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cc: Marian Marshall
Michael Adelizzi