



## SOUTHERN ILLINOIS BUILDERS ASSOCIATION

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AGC OF AMERICA CHAPTER

9/8/99

Ms. Diane Miller  
NIOSH Docket Officer  
Mailstop C-34  
4676 Columbia Parkway  
Cincinnati, Ohio 45226-1998

Dear Ms. Miller;

As a former corporate officer of perhaps the largest heavy highway contractor in the state of Missouri with responsibilities for both public and employee safety and health in relation to our construction projects, I have an especially keen interest in this NIOSH Document on Highway Work Zone Safety for which you seek comment.

Pg. iv

3rd para. states that "the MUTCD's focus is the interaction between motorists and the work zone." This is true, however, the very strong motivation for that document, as the actual name indicates, is uniformity throughout the nation in equipping the average motorist to more easily recognize and safely deal with street and highway work zones. That objective has wrought very significant improvement, as well as worthwhile progress in the safety of workers within such work zones.

Pg. v&vi

Acknowledgments regarding the NIOSH workshop illustrate that there was noteworthy expertise represented among the personages present, however, most appear to be lacking actual field experience in such work zones. I am of the opinion that until one has experienced, first-hand, trying to physically perform work tasks with eighteen wheelers whizzing within a few inches of your rear-end, it may be difficult to understand the need for assigning the highest priority to addressing the problem of public traffic interface with the work zones.

Pg. 1

No question that trucks and equipment within the work zone present very real hazards; hazards which will always challenge the contractors' abilities to safely accommodate the often encountered circumstance of many workers on foot and heavy equipment concentrated within a very limited

space, with the added pressures of timing, coordination, economic vulnerability! Contractors would welcome assistance in analyzing and addressing these challenges, but it should be understood that the contractors themselves are far better equipped to resolve such problems than OSHA! The contractors would be aided far more effectively if the government and others would turn their efforts to accomplishing incorporation of safety related requirements as bid line items by highway contracting agencies. If the contracting agencies specify requirements to incorporate work zone safety in contract performance in such ways as to assure payment to the contractors for such effort these problems will be much more effectively accomplished in this area where a "level playing field" frequently does not exist in this "low bidder only gets the job" industry.

Your own statistics clearly indicate that over half the CFOI fatalities in SIC 1611 involve being struck by a traffic vehicle. The statistics on page 2 very emphatically establish that the highest and greatest unmet safety need in this industry is to .."focus work zone safety efforts beyond issues of motorist safety! I enthusiastically agree!!

#### Pg.3

mid-page check mark #1; "Increase the size of the lateral buffer zone to reduce worker exposure to passing motorists." Nice thought, but space is invariably at a premium---a problem addressable almost exclusively by the contracting agency.

2nd check mark from bottom of page; public liability vulnerability already addresses this issue far more effectively than OSHA ever could.

#### Pg4

1st check mark; current work activity is not the sole concern determining the length of the work zone, ie, low shoulder exposures and similar relatively long term exposures which necessitates traffic separation regardless of current employee assignments.

2nd check mark; this was one of the major reasons for development & implementation of the MUTCD.

8th check mark; (TMAs) good if specified as bid items in the contract. (pay item)

9th check mark, 2nd bullet; again, good idea if contractors are paid for additional devices and for labor required in reconfiguring the channelizing setup.

last check mark; workers and contractors love them if space is available and if they are paid for installation and maintenance.

#### Pg 5

1st check mark; again, a primary motivation behind the MUTCD.

Entire section captioned Flaggery; all good.

#### Pg6

3rd check mark; getting the contracting agency to close the road completely and reroute traffic is more often than not viewed as too expensive and very unpopular with the driving public.

5th check mark, 2nd bullet; enthusiastically support this concept of automatic issuance of traffic

tickets.

6th check mark; this reference to avoidance of reduced speed zoning appears contradictory to other suggested control mechanisms contained in this document.

last check mark; many law enforcement agencies plead insufficient manpower and/or economic difficulties.

Pg 7

last sentence; I've been around a long time (perhaps so long that my memory is beginning to slip ) but I'm having a hard time visualizing "areas around specific pieces of equipment and operations where workers on foot are prohibited". Workers on foot or in on-site vehicles are, in varying degrees but virtually invariably, intermingled.

The concept described within this document as the Internal Traffic Control Plan definitely contains some elements of rather progressive thinking , at least some of which may become sufficiently practical to be incorporated into actual field practice. Much of that which seems to have such practicality, however, is already a vital element of planning, of establishing work procedures affecting both efficiency and safety and, therefore, essential ingredients of successfully competing in the business of highway construction.

Pg. 15

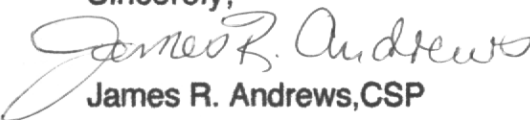
Much of that which is in the preceding and following pages of this document represents relatively fresh technology and thinking, the effective dissemination of which within the highway construction industry could be quite beneficial. Good examples of the kind of information of which I speak would be those points made under the headings captioned "Changes in the contracting process" and "Training and certification".

Pg 16

1st check mark; "promulgate an OSHA regulation mandating training of all construction workers..." incorporation of such requirements in the contract language of the contracting agency and the objectives will be far more likely to be achieved.

Certification of crane operators has long been recognized as desirable but is only quite recently been resulting in recognized uniform certification programs and spotty mandatory certification requirements. Such a process for other types of construction equipment is not a realistic goal for the near future.

Sincerely;

  
James R. Andrews, CSP

Staff Consultant