



**Newport News  
Shipbuilding**

December 12, 2011

Docket Office

Docket No. OSHA-2011-0190

U. S. Department of Labor, OSHA

200 Constitution Avenue, NW, Room N-2625

Washington, D.C. 20210

Dear Docket Officer:

Newport News Shipbuilding, a division of Huntington Ingalls Industries, appreciates the opportunity to respond to OSHA's request for comments regarding the proposed extension of OMB approval of the information collection requirements contained in the Shipyard Employment Standards (29 CFR 1915.112(a)(1), 29 CFR 1915.112(b)(1)(i), 29 CFR 1915.112(c)(1)(i), 29 CFR 1915.113(b)(1) and 29 CFR 1915.172(d)). Huntington Ingalls employs approximately 40,000 employees at multiple sites across the nation, including VPP member shipyards in Virginia, Louisiana and California. The Virginia site (Newport News Shipbuilding) is the nation's largest shipyard with 20,000 employees and largest OSHA VPP site. Established in 1886, the Virginia shipyard occupies approximately 500 acres and 2-1/2 miles of waterfront on the James River in Newport News, Virginia. Similarly, our Gulf Coast yards comprise about 900 total acres in Mississippi and Louisiana. In aggregate, we represent approximately 40% of employment in NAICS 336611.

While reviewing the proposed extension of OMB approval, we recognized that substantive information collection requirements were added to Shipyard Employment Standards (29 CFR 1915.112(a)(1), 29 CFR 1915.112(b)(1)(i), 29 CFR 1915.112(c)(1)(i), 29 CFR 1915.113(b)(1) and 29 CFR 1915.172(d)) as part of a Standards Improvement Project Phase III (SIP-III) action that became effective July 8, 2011 (Federal Register 76, No. 110, dated June 8, 2011). Specifically, OSHA added new requirements for permanently affixed and legible identification markings as prescribed by the manufacturer that indicate

**A DIVISION OF HUNTINGTON INGALLS INDUSTRIES**

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the recommended safe working load for various types of slings and other lifting equipment, the angle upon which it is based, and the number of legs. Prior to this change, employers referred to tables in the OSHA standard or similar information provided by the manufacturer.

Rigging and lifting are core functions of shipyards. At Newport News Shipbuilding, over 1,000,000 crane lifts occur annually and hundreds of thousands of additional lifts are made using other lifting equipment. As such, we have thousands of slings – many of which are manufactured on site by highly qualified craft workers. We provide extensive formal training to rigging specialists, which includes use of the (former) OSHA and manufacturer's tables to determine the rated capacity of a sling based on the hitch, angle, number of legs and other factors. It is impractical and redundant to refer to a permanently fixed label. In some cases, the slings are so large and heavy, such as slings used with our 1050 MT bridge crane, that it would be difficult for a rigger to find an attached label or uncover it if it happened to be obscured. Wire rope slings are widely used and are not conducive to labeling. We are concerned that such a significant, substantive change was made as part of SIP III.

In the October 12, 2011 Federal Register Notice, OSHA indicated a particular interest in comments on the following issues:

1. *Whether the proposed information collection requirements are necessary for the proper performance of the Agency's functions, including whether the information is useful.*

Comment: We do not believe that permanently affixed labels are necessary or useful as the sole method for meeting the intent of the standard. We believe that the long standing method of referring to the OSHA and/or manufacturer tables that explain lift capacities under different conditions is equally safe and far less burdensome.

2. *The accuracy of OSHA's estimate of the burden (time and costs) of the information collection requirements, including the validity of the methodology and assumptions used.*

Comment: We do not believe that OSHA's estimate of the burden of creating, affixing and maintaining labels on thousands of slings is accurate. We believe that labels on slings, especially wire rope slings, will become worn, illegible or dislodged in the course of normal use. As previously mentioned, due to the size and weight of some slings, it may be impossible for the rigger to readily locate and read the label. We believe referring to our *Rigger's Handbook*, which remains with the rigger, is a safer, more efficient and less burdensome method.

3. *The quality, utility, and clarity of the information collected.*

Comment: Permanently affixed labels are subject to weather and other industrial conditions. Maintaining the quality, utility and clarity of this information will be a constant concern. The existing method of referring to the (former) OSHA and/or manufacturer tables is not subject to these limitations.

4. *Ways to minimize the burden on employers who must comply; for example, by using automated or other technological information collection and transmission techniques.*

Comment: Permit employers to refer to manufacturer's tables for appropriate capacities based on the conditions of use.

We acknowledge that OSHA published the proposed changes and requested public comment as part of SIP III before finalizing these portions of the Shipyard Employment Standards. However, OSHA routinely communicates that SIP activities are not supposed to introduce new and substantive changes; therefore, less attention is devoted to this type of federal register notices.

We note the purpose of this Federal Register Notice is for the Department of Labor to continue its effort to reduce paperwork. We hope the Agency will carefully consider our comments and reverse the new and significant paperwork requirements that were introduced earlier this year. We request a

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public hearing and submit this letter as the basis of our request. For further information, please contact me at (757) 380-4651.

Sincerely,

A handwritten signature in black ink that reads "James R. Thornton". The signature is written in a cursive style with a large, stylized "J" and "T".

James R. Thornton

Director, Environmental, Health & Safety