

Herrick

June 15, 2015

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JUN 18 2015

Division of Occupational Safety & Health
Headquarters Office

Eric Berg
Principal Safety Engineer
Cal/OSHA Research & Standards Occupational Safety Unit
1515 Clay Street, Suite 1901
Oakland, CA 94612

RE: CPE (1630)

Dear Mr. Berg:

I find it necessary to write you asking for what is Cal-OSHA's policy for enforcement of construction passenger elevator (CPE) requirements as related to primary construction entrance to the building?

Where does the primary construction entrance have to be located in relationship to the building?

What percentage of the work force on the site, have to use the primary construction entrance to meet the requirements for a primary construction entrance?

We are finding that General Contractors will move the primary entrance to the building so a CPE does not have to be installed or is delayed. I have attached some slides from a project for your review. The excavation is over 48 feet in depth on one end of the excavation and under 48 feet in depth at the other end because of the cut of the excavation. The General Contractor placed the stair tower at the shallow end under 48 feet and calls it the primary construction entrance so no CPE is required for the sub-grade floors. The steel structure inside the excavation is now above 3 floors and 36 feet. We are no longer are working at the grade level of the excavation and the building inside the excavation is now over 48 feet height. Your San Francisco office approved this early on. However, I would like to know for future reference how a primary construction is defined by Cal-OSHA.

Thank you for looking into this and we look forward to response.

Sincerely,
THE HERRICK CORPORATION



Tom Davies
Corporate Safety Manager

Steel Erection starts at this corner and we erect towards Van Ness. When we reach Van Ness side of the site, the structure will be under 36 feet above primary entrance. The site runs down hill.

53'

57'



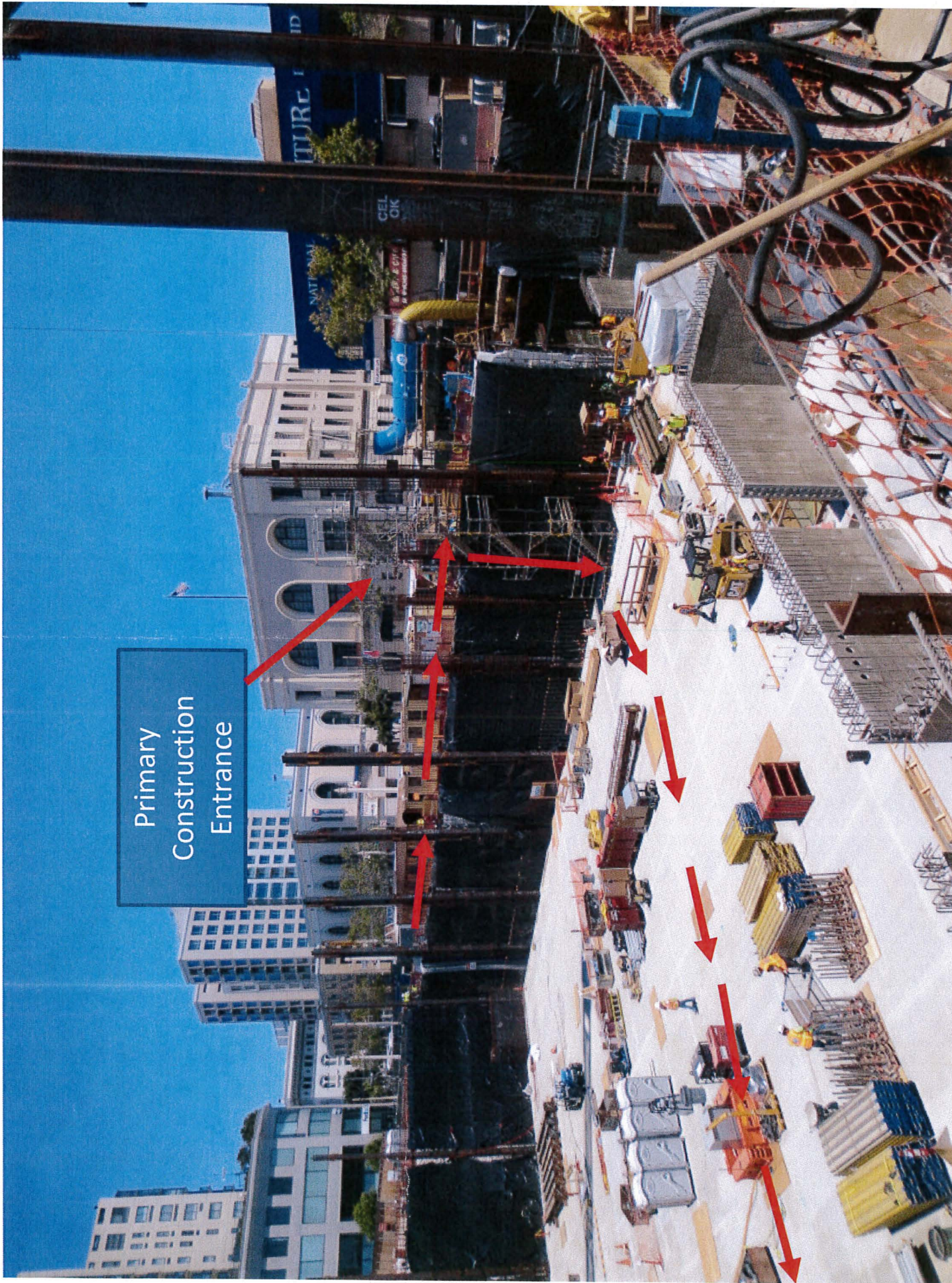


Stair tower #2 is at 34 feet above the ground level.

Primary construction entrance to the building is a stair tower #1 at 31 feet about ground level

NO STAGING ALLOWED

Primary
Construction
Entrance





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Subchapter 4. Construction Safety Orders

Article 18. Access and Egress

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§1630. Elevators for Hoisting Workers.

(a) In addition to the stairways required in Section 1629, a construction passenger elevator for hoisting workers shall be installed and in operation on or in any building, or structure, 60 feet or more in height above or 48 feet in depth below ground level. The building or structure height shall be determined by measuring from ground level to the highest structural level including the parapet walls, mechanical rooms, stair towers and elevator penthouse structures but excluding antennas, smokestacks, flag poles and other similar attachments.

The building or structure depth shall be determined by measuring from ground level to the lowest floor level excluding local depression such as sumps and elevator pits.

Ground level, for the purposes of this section, is defined as the level of the primary construction entrance to the building or structure.

When computing the height, the depth shall not be considered; and when computing the depth of the building or structure, the height shall not be considered. If the height is at 60 feet or more above or at 48 feet or more below ground level, a construction elevator(s) shall be installed to serve both locations.

Exceptions: (1) Scaffolds and falsework.(2) At work locations where unusual site conditions or unusual structure configurations exist, alternate means of access in conformance with Section 1630(c) shall be permitted.

Note: For the purposes of this Section, unusual site conditions and structure configurations are considered to exist at those work locations where the installation of a construction passenger elevator is not feasible.

EXAMPLES:

Unusual site conditions or structure configurations are bridges, steel tank erection, dams, water towers, antennas, cooling towers, refinery towers, stacks, prefabricated parking structures, tower cranes, etc.

(b) Construction passenger elevators shall be installed, operated and maintained in compliance with Article 14 of the Construction Safety Orders.

(c) At unusual site conditions or structure configurations, the Division shall permit alternate means of access, consisting of one or more, but not limited to, the following:

(1) Use of personnel platforms designed, constructed, and operated as specified by Section 5004 of the General Industry Safety Orders, and only under the conditions permitted by the general requirements of that section.

(2) Use of suspended power-driven scaffolds where employees are protected by safety belts secured to independent safety lines by means of a descent control device acceptable to the Division.

(3) Use of appropriate vehicle-mounted elevating and rotating work platforms.

(4) Use of other means, such as inclined elevators, etc. acceptable to the Division, presented in written form and acceptance granted prior to use.

(d) Landings shall be provided for the passenger elevator on or in buildings or structures at the uppermost floor and at intervals not to exceed 3 floors or 36 feet.

Note: Other landing locations acceptable to the Division may be substituted where the design of the building or structure make the above impractical.

NOTE: Authority cited: Section 142.3, Labor Code. Reference: Section 142.3, Labor Code.

HISTORY

1. Amendment filed 2-11-72; effective thirtieth day thereafter (Register 72, No. 7).
2. Amendment of subsections (a) and (b) filed 5-21-75; effective thirtieth day thereafter (Register 75, No. 21).
3. Amendment of section title and subsection (a) filed 3-19-79; effective thirtieth day thereafter (Register 79, No. 12).
4. Amendment of subsection (a) filed 3-27-79; effective thirtieth day thereafter (Register 79, No. 12).
5. Amendment of subsection (a) filed 4-27-79; effective thirtieth day thereafter (Register 79, No. 17).
6. Amendment of subsection (a) filed 5-25-79; effective thirtieth day thereafter (Register 79, No. 21).
7. Amendment of subsection (c) filed 9-5-79 as procedural and organizational; effective upon filing (Register 79, No. 36).
8. Repealer and new section filed 4-16-80; effective thirtieth day thereafter (Register 80, No. 16).
9. Amendment filed 1-14-86; effective thirtieth day thereafter (Register 86, No. 3).
10. Amendment of subsection (c)(1) filed 12-22-97; operative 1-21-98 (Register 97, No. 52).

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