

South Carolina Department of Labor, Licensing and Regulation
Division of Labor
Office of Occupational Safety and Health
Columbia, South Carolina 29211

OSH Program Directive Number 76-1910.243-1

Subject: Tool Retainer Under Article VI, Section 1910.243 (b) (1),
Guarding of Pneumatic Powered Tools and Hose.

Standard: Article VI, Section 1910.243 (b) (1), Rules and Regulations,
Commissioner of Labor, State of South Carolina.

**Cross Reference to
Federal Standards:** 29 CFR 1910.243 (b) (1).

Background: The present federal standard in 29 CFR 1910.243 (b) (1) requires the installation of a tool retainer on each piece of utilization equipment which, without such a retainer, may eject the tool. A proposal is under development by the federal OSHA Division of Standards Development to modify this standard to read as follows:

“29 CFR 1910.243 Guarding of portable powered tools.

(b) Pneumatic powered tools and hoses.- (1) Tool Retainer. A tool retainer shall be installed on each piece of utilization equipment which, without such a retainer, may eject the tool with sufficient force to injure an employee(s).

(2) Exception. A tool retainer shall not be required under either of the following conditions provided that the work practices are posted and enforced which insure that employees are not exposed to the danger of an ejected tool:

The work piece provides the necessary protection for both the tool operator and other employees.

Partitions or shields which protect employees (including the operator) not protected by the workpiece are used.”

Interpretation: Pending final approval of the proposed change in the federal standard, an alleged violation of the requirement for the use of tool retainers on pneumatic powered tools shall be considered de minimis, provided that one or more of the exception conditions outlined above are in force.. This action is based on a determination that under these conditions, employees would be provided with protection equivalent to that provided by the existing standards.

Effective Date: This instruction is effective upon receipt and will remain in effect until cancelled or superseded by amendment to the Regulation or Program Directive.

William M. Lybrand, Director
May 27, 1976