

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 79-1910.178-6 (AMENDED)

Subject: Disparity Between Article VI, Section 1910.178 (c) (2) (vii) and Table N-1 of Section 1910.178 (c) (2).

Standard: Article VI, Section 1910.178 (c) (2) (vii) and Table N-1 of Section 1910.178 (c) (2).

Cross Reference to Federal Standards: 29 CFR 1910.178 (c) (2) (vii) and Table N-1 of 29 CFR 1910.178 (c) (2).

Background: The purpose of this directive is to resolve a disparity between the context of Article VI, Section 1910.178 (c) (2) (vii) and Table N-1, Summary Table On Use of Industrial Trucks In Various Locations of Section 1910.178 (c) (2).

In NFPA No. 505-1969, the source standard for Article VI, Section 1910.178 (b), (c) and (d), paragraphs 206b and 209a state that approved power-operated trucks designated as DS, ES, GS or LPS may be used in Class II, Division 2 hazardous locations, if permitted by the authority having jurisdiction. These acronyms were earmarked by asterisks in NFPA Table 1 to indicate "Permitted with approval of the authority having jurisdiction." Although OSHA, by Section 1910.178 (c) (2) (vii), chose not to permit these designated industrial trucks, for use in Class II, Division 2 locations, their acronyms, nevertheless, were inadvertently left in the Table when the NFPA Table 1 became OSHA Table N-1. Moreover, the first sentence of Section 1910.178 (c) (2) states: "For specific areas of use see Table N-1 which tabulates the information contained in this section." This statement is obviously inconsistent with the provisions of Section 1910.178 (c) (2) (vii).

Interpretation: For compliance purposes, the OSH Division permits the use of truck types referenced in Article VI, Section 1910.178 (c) (1), with certain limitations, as specified in the following paragraphs:

- a. Truck types indicated in Article VI, Section 1910.178 (c) (2) (vii) as DY, EE and EX are allowed in all Class II, Division 2, locations.

- b. Truck types designated as DS, ES, GS or LPS may be used in the following Class II, Division 2 locations, rooms and areas containing only closed spouting and conveyors, closed bins or hoppers, or machines and equipment from which appreciable quantities of dust would escape only under abnormal operating conditions; rooms or areas into which explosive or ignitable concentrations of suspended dust might be communicated only under abnormal operating conditions; rooms or areas where the formation of explosive or ignitable concentrations of suspended dust is prevented by the operation of effective dust control equipment; warehouses and shipping rooms where dust producing materials are stored or handled only in bags or containers and other similar locations.

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

William M. Lybrand, Director
April 13, 1979