

OSH INFORMATION MEMORANDUM 76-X-26

TO: All OSH Directors, Supervisors, and Filed Personnel

FROM: William M. Lybrand, Director of OSH

SUBJECT: Citations on Hand and Portable Pneumatic Powered Tools

DATE: October 29, 1976

When writing citations for hand and portable pneumatic powered tools, the following procedures will apply:

1. Under Section 1910.243(b)(1), tool retainers shall only be required where the tool and/or tool part can be ejected. Staples, nails, and similar fasteners are not considered tools or tool parts. Program Directive 76-1910.243-1 is still in effect and may be used for proper abatement.
2. In General Industry, tool retainers shall not be required on staplers, nailers or similar types of fastening tools, but eye protection will be required for both the operator and other employees in the area exposed to such hazard. Such citations will be written under Section 1910.133(a)(1). Safety Specialists will continue to document air pressure, size of fasteners used and employees exposed.
3. In General Industry, nailers, staplers and similar types of fastening tools equipped with pressure safety devices and such safety devices are inoperable (not working) shall be cited. Such citations shall be written under Section 1910.242(a). Such tools not designed and manufactured with pressure safety devices will not be cited.
4. In the Construction Industry, such hand and portable pneumatic powered tools as described above shall continue to be cited under Section 1926.302 as applicable.