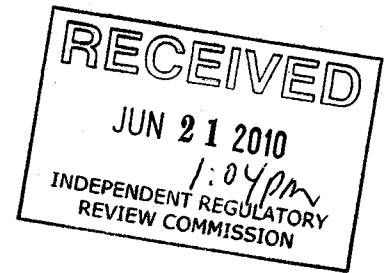


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**McNally, Christopher**

**From:** Victor Stutzman [vstutzman@gmail.com]  
**Sent:** Thursday, June 17, 2010 2:28 PM  
**To:** McNally, Christopher  
**Subject:** Comment concerning 16A-7101 for IRRC



Dear Mr. McNally,

I would like to submit a public comment for the IRRC concerning the wording of regulation 16A-7101. In part 6.52 this regulation chooses wording that not only eliminates every crane operator certification provider from offering their services in Pennsylvania except for NCCCO, but also accuses other providers of corruption! This regulation accuses other certification providers such as CIC, NCCER, and Operating Engineers, of "circumventing the barriers" and "forming a shell organization". It completely ignores the accreditations they have received from nationally recognized accrediting agencies. They have been through rigorous accreditation processes and are accountable for the integrity of all their testing procedures. Some of these certification providers have even been formally recognized by Federal OSHA for what they offer to the industry.

The fact is that every public school, college, and university in the state of Pennsylvania (and the nation for that matter) conducts it's own training and testing. Regulation 16A-7101 ignores the research that accreditation agencies have done to look into the link between training and testing. In fact, it is easy to argue that there is nobody more vested in the integrity of their tests and the preparation of the test takers than those who did the training.

Aside from that issue, regulation 16A-7101 also manages to exclude every competitor to NCCCO while completely ignoring the extensive links between NCCCO and training organizations. NCCCO is dependent on training organization that A) sell NCCCO tests B) provide candidates for testing C) provide NCCCO written and practical exams on their sites D) pay fees to NCCCO and E) provide training for NCCCO testing. In addition, NCCCO solicits contributions from organizations that have a vested interest in the certification of their crane operators.

Pennsylvania should eliminate this bias toward NCCCO from their regulation and follow the example of new Federal OSHA regulations by referring to NCCA or ANSI accredited certification programs. CIC, NCCCO, NCCER, and Operating Engineers all fit into that category. Thank you for considering this information as you move forward with this regulation.

Sincerely,  
Victor Stutzman

P.S. Is there a more direct way to have comments posted on the IRRC website? We have several advocates of CIC interested in doing this.