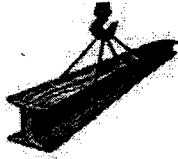
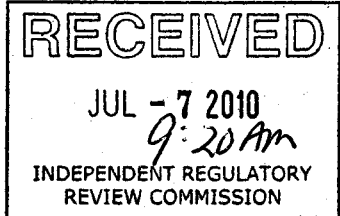


2850



Crane Industry Services, LLC



July 1, 2010

Dear State Board of Crane Operators and IRRC Commissioners,

I would like to amend my earlier comment to also include the following:

Additional research into the ramifications of the proposed regulation 16A-7101 reveal that there are other areas of the regulation that are craftily worded to insure NCCCO is sole sourced for operator certification thereby excluding all others. This sole source has far reaching implications. This regulation unfairly burdens businesses in PA and from other areas of the country who are, or who will be, doing business in PA. If this regulation were to pass as currently worded, these companies would have two options either:

- (A) obtain dual certification if their crane operators were already certified by another qualified accredited agency (this is needless, cumbersome, unfair, expensive and smacks of monopoly for NCCCO and their examiners and auditors.
- (B) decide that rather than opt for a certification by CIC or another accredited agency to go with NCCCO exclusively in all areas in which they do business. This too is an unfair business practice and a form of oppressive government regulation which limits fair trade.

I also have concerns that the board itself lacks balance. Voting members have demonstrated bias toward the exclusive use of NCCCO and stand to gain personal profit from this "NON-PROFIT organization.

Federal OSHA when writing laws and incorporating by reference ANSI documents, named specific versions of the ANSI standard. For example, the ANSI B30.5 1968 not just ASNI B30.5. That would give the ANSI B30 Committee the power of writing law. This legislation in PA as currently worded, does make that mistake. Following is an extreme example for the sake of making my point.. Assume the law passes as currently worded. Next month the NCCCO amends their requirements for application for a crane operator to limit the field of candidates to only union members. That would be the new PA law. Ridiculous?

The current language would require other certifying agencies, even if approved, to fit into the mold of the NCCCO model. CIC allows the use of provided calculators. The current law would not allow this progress and improvement. In addition, NCCCO requires multiple practical exams for fixed or swing cab when one practical exam will more than sufficiently test operator's skills. The proposed law eliminates competitive advantage and improvements to the certification process. This is not necessary.

I recommend striking all references to NCCCO, except in places where other NCCA or ANSI accredited certification providers, who also have been recognized by Federal OSHA, are mentioned simultaneously.

Finally, please do not rush this act through without proper consideration. July 5 seems too soon and the time allowed for review, about 30 days, too rushed for such important decisions.

Sincerely,

William Clifford (Cliff) Dickinson, Jr.