

U.S. Department of Labor

Occupational Safety and Health Administration
Washington, D.C. 20210



April 11, 2000

Ms. Robin J. Schoeps
Bergeson & Campbell, P.C.
1300 Eye Street, N.W.
Suite 1000 West
Washington, D.C. 20005

Dear Ms. Schoeps:

Thank you for your March 29, 2000 letter to the Occupational Safety and Health Administration's (OSHA's) Division of Maritime Compliance Assistance. Your letter has been referred to the Directorate of Compliance Programs for an answer to your specific question regarding which OSHA maritime regulations apply to employee cargo movement activities aboard vessels or barges that are docked at a marine terminal.

You are correct in your assumption that the longshoring regulations found in 29 CFR Part 1918 are the appropriate regulations for employee cargo handling activities occurring on vessels or barges docked at marine terminals. For further clarification, please refer to the enclosed Federal Register of July 25, 1997 which updates the Longshoring and Marine Terminal Regulations. Specifically, the preamble discussion of 29 CFR Part 1918.1 Scope and application found on page 40147 states "The Longshoring rules apply from the foot of the gangway up to the vessel and address all activities related to cargo handling aboard the vessel. This means that ship-to-shore/shore-to-ship cargo transfer operations using shore-based material handling devices and all lifting device-specific aspects of such transfers will be covered by the Marine Terminals Standard (29 CFR part 1917). When cargo handling is accomplished using ship's cargo gear, the Longshoring Standard (29 CFR part 1918) applies."

Thank you for your interest in occupational safety and health. We hope you find this information helpful. In the future, should you wish to verify that the guidance provided herein remains current, you may consult OSHA's website at <http://www.osha.gov>. If you have any further questions, please feel free to contact the [Office of Maritime Enforcement] at (202) 693-2399].

Sincerely,

Richard Fairfax, Director

[Directorate of Enforcement Programs]

[Corrected 6/2/2005]