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SCA Shipbuilders Council of America

August 14, 2003

OSHA Docket Office
Docket No. C-06
Room N-2625
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, DC 20210

RE: **Voluntary Protection Programs**

To Whom It May Concern:

The Shipbuilders Council of America (SCA) submits these comments in response to the notice of proposed changes issued by the Department of Labor, Occupational Safety and Health Administration (OSHA) on July 25, 2003. Through the notice, OSHA solicited comments on its proposed revision to its Voluntary Protection Programs (VPP).

SCA is the national trade association representing commercial shipyard companies engaged in shipbuilding, ship repair and cleaning. SCA represents 50 shipyard companies, which own and operate over 120 shipyards in 23 states. SCA members employ over 35,000 shipyard workers, which constitute over 70 percent of the total U.S. shipyard workers primarily engaged in commercial shipyard activity.

Since SCA's formation in 1920, our association has placed a strong commitment on promoting safety and health in the workplace. SCA shares OSHA's goal of protecting employees and commends OSHA for its continued effort to work with industry groups to ensure balance and stewardship in the rulemaking process. On January 31, 2003, SCA and OSHA signed a National Alliance to promote safe and healthful working conditions for shipyard employees. The Alliance allows SCA to share up-to-date shipyard information, such as injury, hazard and workforce trends, with OSHA to help identify the top priorities for the development of employee safety and health training and outreach programs for SCA members.

Additionally, SCA is the first shipyard trade association to have signed a Strategic Partnership with OSHA. In April 2001, SCA and the Houston Area OSHA office signed a Safety and Health Strategic Partnership. Currently, two members, Bollinger Shipyards, Inc. and First Wave Marine, Inc. have applied, been accepted and are now participating in the program.

SCA commends OSHA for recognizing the fact that substantial fluctuations occur from year to year in the Bureau of Labor Statistics (BLS) rates. We support the decision to adjust the benchmark rate requirements for participant qualification. SCA believes that the current benchmark rate does not accurately reflect industry nonfatal injury and illness rates. By requiring participants to be below the two BLS industry rates for at least 1 of the 3 most recent years published, instead of the current benchmark requirement obtained from the most recent year's industry average, the revisions will enable a number of SCA members to participate in the program for which they will now qualify.

SCA would be pleased to further address any of the comments contained herein. If SCA may be of assistance, please contact me at (202) 347-5462.

Sincerely,

A handwritten signature in cursive script that reads "Allen Walker".

Allen Walker
President