

**WAC 296-56-60093 Certification of marine terminal material handling devices.** (1) You must not use any material handling device listed in WAC 296-56-60098(8) until you have ascertained that the device has been certified, as evidenced by current and valid documents attesting to compliance with the requirements of WAC 296-56-60097 and 296-56-60098.

(2) You must make sure certification surveys are completed for the conditions of use found at the time such surveys are performed. Equipment owners or users may change the configurations of the equipment according to the manufacturer's specifications without affecting the established certification status for the equipment.

(3) These rules apply to employment within a marine terminal including the loading, unloading, movement, or other handling of cargo, ship's stores, or gear within the terminal or into or out of any land carrier, holding or consolidation area, or any other activity within and associated with the overall operation and functions of the terminal, such as the use and routine maintenance of facilities and equipment.

(4) You must make sure inspection and test certificates are issued only for that equipment which meets or exceeds the requirements specified in these rules. All inspection and test certificates must be issued through the office of the assistant director of the division of consultation and compliance, department of labor and industries, and must be valid for a period not to exceed one year from the date of issuance.

(5) You must make sure equipment requiring certification is inspected by individuals who have received a "certificate of competency" from the assistant director of DOSH indicating that they are qualified and capable of performing such work.

(6) You must make sure that when deficiencies are found they are noted on forms provided for such purpose by the division of consultation and compliance. Copies must be delivered to the owner of the equipment and the division of consultation and compliance at the headquarter's office by the person conducting such tests or inspections.

(7) You must make sure a certificate of unit test or examination of equipment is not issued for any equipment found not to be in compliance with the provisions of this chapter.

(8) You must make sure persons desiring a "certificate of competency" demonstrate and document their capabilities and qualifications to the assistant director of the division of consultation and compliance, who will issue certificates to those persons who have demonstrated competency. The assistant director reserves the right to revoke such certificates at any time for cause. A "certificate of competency" must be issued for a period of not more than three years. Applications for renewal may be made not more than sixty days prior to the expiration date shown on the certificate.

(9) The assistant director of the division of consultation and compliance or their representative, reserves the right to inspect such equipment or to witness or attend any test or inspection in order to ascertain the adequacy of any certification activity performed.

(10) You must make sure, unless otherwise exempted, all cranes or derricks required to be certified by these regulations must have a current test certificate posted in the operator's cab or station. No person may operate such crane or derrick unless a current valid certificate is posted.

[Statutory Authority: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060. WSR 15-24-102, § 296-56-60093, filed 12/1/15, effective 1/5/16. Statutory Authority: RCW 49.17.040. WSR 99-02-024, § 296-56-60093, filed 12/30/98, effective 3/30/99. Statutory Authority: Chapter 49.17 RCW. WSR 95-04-007, § 296-56-60093, filed 1/18/95, effective 3/1/95. Statutory Authority: RCW 49.17.040 and 49.17.050. WSR 86-03-064 (Order 86-02), § 296-56-60093, filed 1/17/86; WSR 85-10-004 (Order 85-09), § 296-56-60093, filed 4/19/85; WSR 85-01-022 (Order 84-24), § 296-56-60093, filed 12/11/84.]