

South Carolina Department of Labor, Licensing and Regulation
Division of Labor
Office of Occupational Safety and Health
Columbia, South Carolina 29211

OSH Program Directive Number 76-1910.213-4

Subject: Acceptability of Fixed or Manually Adjusted Guards Under Section 1910.213 (c) (1).

Standard: Article VI, Section 1910.213 (c) (1), Rules and Regulations, Commissioner of Labor, State of South Carolina.

Cross Reference to Federal Standards: 29 CFR 1910.213 (c) (1).

Background: To clarify the meaning of Section 1910.213 (c) (1) in accordance with Federal Field Information Memorandum #72-2A.

Interpretation: When a manually adjusted guard is needed in accordance with manufacturer's instructions and under sufficient supervision to insure consistent compliance with instructions so that any variance from the requirements of Article VI, Section 1910.213 (c) (1) would have no direct and immediate relationship to safety and health, such a manually adjusted guard provides equivalent protection to that provided by automatically adjusted guards.

Accordingly, the use of a manually adjusted guard instead of an automatic guard shall be cited de minimis, provided that the manually adjusted guard is used in accordance with manufacturer's instructions and under sufficient supervision to ensure consistent compliance with these instructions.

Effective Date: This instruction is effective upon receipt and will remain in effect until cancelled or superseded by amendment to the regulation or Program Directive.

William M. Lybrand, Director
May 27, 1976