
UNITED STATES OF AMERICA
OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

SECRETARY OF LABOR,
Complainant,

v.

KIEWIT POWER CONSTRUCTORS CO.,
Respondent.

OSHRC Docket No. 11-2395

APPENDIX TO
OPENING BRIEF ON REVIEW OF
KIEWIT POWER CONSTRUCTORS CO.

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Transcripts of ACCSH Meetings: Jan. 24, 1974, Tr. 105-09; Jan. 10, 1974, Tr. 15, 44, 81-89, 113; June 14, 1978, Tr. 165.

Labor Department Compilation of Sources of Part 1926 (April 17, 1971), excerpts, with authenticating letters; compilation in full

1974 BNA OSHR CURRENT REPORT 1201

36 Fed. Reg. 10466 (1971), adoption of 29 C.F.R. Part 1910, incl. § 1910.5 and 1910.151

36 Fed. Reg. 18080 (Sept. 9, 1971) (revoking § 1910.5(e))

"Identification of General Industry Standards Applicable to Construction Work," 44 Fed. Reg. 8577, 8589 col. 1 (1979)

55 Fed. Reg. 31984-86, 32007 (1990) (adopting Part 1910 electrical standards)

"Incorporation of General Industry Standards Applicable to Construction Work," 58 Fed. Reg. 35076, 35084 col.1 (1993); and "Appendix A to Part 1926, Designations for General Industry Standards Incorporated Into Body of Construction Standards," *id.* at 35305 col. 2

61 Fed. Reg. 41738 (1996) (revoking §§ 1926.416(a)(4), (f) and (g), and § 1926.417(d))

Letter from G. Reidy (OSHA) to G. Kennedy (Nat'l Utility Contractors Ass'n) (1990), *available at*

http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATIONS&p_id=20081

Letter from Sec'y of Labor L. Martin to R. Georgine, "Construction Activities and Operations and the Bloodborne Pathogens Standard" (1992), *available at*

http://www.osha.gov/pls/oshaweb/owadisp.show_document?p_table=INTERPRETATIONS&p_id=20968

Excerpt from transcript of ACCSH Meeting, at p.32 (Feb. 16, 1993) (OSHA-ACCSH1993-1-2006-0161-0009), with authenticating letters

Sec'y Br. at 43-44 (filed July 30, 2007), in *Solis v. Summit Contracts., Inc.*, 558 F.3d 815 (8th Cir. 2009), *available at* <http://www.dol.gov/sol/media/briefs/summit-07-30->

2007.htm

LABOR DEPARTMENT, EMPLOYMENT LAW GUIDE: FEDERAL CONTRACTS-WORKING CONDITIONS: WAGES IN SUPPLY & EQUIPMENT CONTRACTS; WALSH-HEALEY PUBLIC CONTRACTS ACT (PCA); WHO IS COVERED, *available at* www.dol.gov/compliance/guide/walshh.htm

OSHA, GUIDANCE FOR HAZARD DETERMINATION FOR COMPLIANCE WITH THE OSHA HAZARD COMMUNICATION STANDARD (29 CFR 1910.1200), *available at* www.osha.gov/dsg/hazcom/ghd053107.html

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5	19630809 28FedReg8208-50-204-Radiation.pdf	
6	19631001 28FedReg10524-50-204 proposed revisions- 1thru300.pdf	
7	19640000 Title 41Walsh-Healey short name sec 35 37 USC.pdf	
8	19640129 29FedReg1437-50-204-radiation.pdf	
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20	19710417 36FedReg[II]-final rules 1518.pdf	
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30	19740103 39FedReg771[1] see 861ACCSH-notice.pdf	
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43	06_14_78 Hearing Transcript.pdf	19780614 Hearing Transcript.pdf
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47	19920519 OSHA-ACCSH1992-1-2006-0158-0002[1] 1910 to 1926 presentation.pdf	
48	19930129 OSHA-ACCSH1993-1-2006-0161-0003.pdf	
49	19930216 OSHA-ACCSH1993-1-2006-0161-0009.pdf	
50	19930630 58 FR 35160 1910 applicable to-renumbered in 1926.pdf	

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of May 2013, in accordance with the Commission's briefing order and its instructions for implementing § 2200.8(g), I caused to be sent by Federal Express to the physical address below a CD-ROM containing the appendix to the brief (labeled "11-2395 Appendix to Respondent's Opening Brief"):

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/s/
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