

From: Daniel J. Gallet

To: Occupational Safety and Health Standards Board

Subj: PETITION TO AMEND TITLE 8 DIR §1541.1. Requirements for Protective Systems.

Encl: (1) Vestil Manufacturing Pallet Puller's user guide (information can be found at: <http://www.vestilmfg.com/products/mhequip/palletpullers.htm>)

(2) Photos of damaged, unrated ropes on excavation sites (4 total)

(3) Photo of damaged plywood, after Pallet Puller was used

1. The following information is supplied in regards to amending the following found in Subchapter 4. Construction Safety Orders, Article 6. Excavations. Additions have been underlined and deletions/changes are annotated with strikethrough format.

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(1) General.

(A) Members of support systems shall be securely connected together to prevent sliding, falling, kick outs, or other predictable failure.

(B) Support systems shall be installed and removed in a manner that protects employees from cave-ins, structural collapses, or from being struck by members of the support system.

(C) All shoring installation/removal lifting devices shall be in compliance with the ASME B30.20, and the tabulated data shall reflect a maximum rated lifting capacity and shall not be exceeded.

(D) The use of damaged or unrated ropes for lifting are prohibited.

(E) The use of chains alone to lift malleable shoring material is prohibited due to the increasing possibility of kick outs, falling loads and damage to the material.

(F) The use of Pallet Pullers for lifting are prohibited, as they are designed specifically for horizontal pulling on a smooth, flat surface and may present an unnecessary hazard to employees.

~~(G)~~ (G) Individual members of support systems shall not be subjected to loads exceeding those which those members were designed to withstand.

~~(D)~~ (H) Before temporary removal of individual members begins, additional precautions shall be taken to ensure the safety of employees, such as installing other structural members to carry the loads imposed on the support system.

~~(E)~~ (I) Removal shall begin at, and progress from, the bottom of the excavation. Members shall be released slowly so as to note any indication of possible failure of the remaining members of the structure or possible cave-in of the sides of the excavation.

~~(F)~~ (J) Backfilling shall progress together with the removal of support systems from excavations.

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(d) Materials and equipment.

(1) Materials and equipment used for protective systems shall be free from damage or defects that might impair their proper function. The addition of holes in plywood or similar material may weaken it from manufactures specifications and are prohibited unless a registered professional engineer has verified the material meets the minimum bending strength listed in appendix D.

(2) Manufactured materials and equipment used for protective systems shall be used and maintained in a manner that is consistent with the recommendations of the manufacturer, and in a manner that will prevent employee exposure to hazards.

(3) When material or equipment that is used for protective systems is damaged, a competent person shall examine the material or equipment and evaluate its suitability for continued use. If the competent person cannot assure the material or equipment is able to support the intended loads or is otherwise suitable for safe use, then such material or equipment shall be removed from service, and shall be evaluated and approved by a registered professional engineer before being returned to service.

2. Point of contact is Gallet, Daniel who can be reached at (619) 884-0618 or Danny [gallet@icloud.com](mailto:gallet@icloud.com)

//s// D. J. Gallet

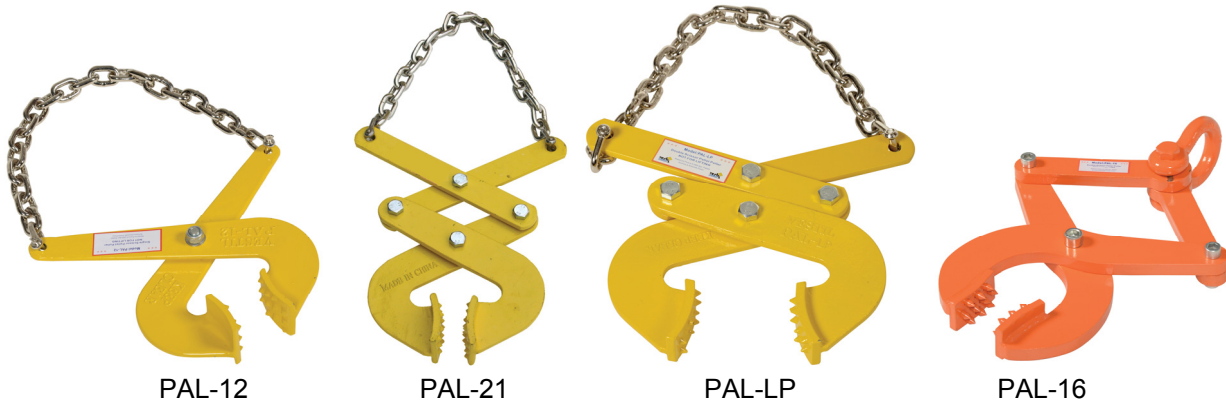


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## PAL SERIES PALLET PULLERS

### Instruction Manual

**NOTE:** PAL-series pallet pullers are NOT below-the-hook lifting devices! DO NOT use these products for any other purpose than to pull pallets and skids across smooth surfaces.



#### RECEIVING INSTRUCTIONS:

After delivery, IMMEDIATELY remove the packaging from the product in a manner that preserves the packaging and maintains the orientation of the product in the packaging; then inspect the product closely to determine whether it sustained damage during transport. If damage is discovered during the inspection, immediately record a complete description of the damage on the bill of lading. If the product is undamaged, discard the packaging.

#### NOTES:

- 1) Compliance with laws, regulations, codes, and non-voluntary standards enforced in the location where the product is *used* is exclusively the responsibility of the owner/end-user.
- 2) VESTIL is not liable for any injury or property damage that occurs as a consequence of failing to apply either:
  - a) Instructions provided in this manual; or
  - b) Information appearing on labels affixed to the product.

Neither is Vestil responsible for *any* consequential damages sustained as a result of failing to exercise sound judgment while assembling, installing, using or maintaining this product.

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## Product specifications

The standard GR-series system is NOT designed for installation on public streets or highways. [Guard rail systems that comply with Department of Transportation requirements are available as special orders.] Rail-mounting hardware is included with each post. Concrete anchor kits are sold separately.

Dimensions and other product specifications appear in the following table:

Model	Description	Pulling capacity	Jaw height	Jaw opening	Net weight
PAL-12	Single scissor	5,000	2 <sup>3</sup> / <sub>4</sub> in. (~7cm)	7in. (~17.8cm)	14lb. (6.4kg)
PAL-16	Single Scissor (heavy duty)	6,000	2in. (~5cm)	5in. (~12.7cm)	16lb. (7.3kg)
PAL-21	Double scissor	5,000	2 <sup>3</sup> / <sub>4</sub> in. (~7cm)	3in. (~7.5cm)	25lb. (11.4kg)
PAL-LP	Double Scissor (low profile)	5,000	2in. (~5cm)	3 <sup>1</sup> / <sub>4</sub> in. (~8.3cm)	24lb. (10.9cm)

## Safety Principles

This manual will acquaint persons authorized to install and/or maintain this guard rail with proper installation and maintenance procedures. Therefore, each person involved in installing or maintaining the guard rail system should read and understand every instruction BEFOREHAND. Users should have access to the manual at all times and should routinely review the directions.

This manual uses SIGNAL WORDS to classify personal injury risks and situations that might lead to property damage, as well as to draw attention to safety message(s). The reader must understand that each signal word indicates the seriousness of the identified hazard.



Identifies a hazardous situation which, if not avoided, WILL result in DEATH or SERIOUS INJURY. Use of this signal word is limited to the most extreme situations.



Identifies a hazardous situation which, if not avoided, COULD result in DEATH or SERIOUS INJURY.



Indicates a hazardous situation which, if not avoided, COULD result in MINOR or MODERATE injury.



Identifies practices likely to result in product/property damage, such as assembly, installation, etc. that might unnecessarily damage the guard rail.

Employers are responsible for training employees to use the product properly. If you do not understand an instruction, ask your supervisor or employer for assistance, because failure to follow the directions in this manual might result in serious personal injury or even death. Vestil is not liable for any injury or property damage that occurs as a consequence of failing to apply either: 1) the instructions in this manual; or 2) the information provided on labels affixed to the product (if applicable).

## Safety Considerations

**WARNING** Material handling is inherently dangerous. Improper use might result in death or serious personal injury.

- ONLY use to PULL pallets. DO NOT use as a below-the-hook lifting device.
- DO NOT exceed maximum rated load.
- DO NOT use to pull top-heavy or unstable loads.
- DO NOT use to pull broken or damaged pallets.
- Pull ONLY 1 pallet at a time.

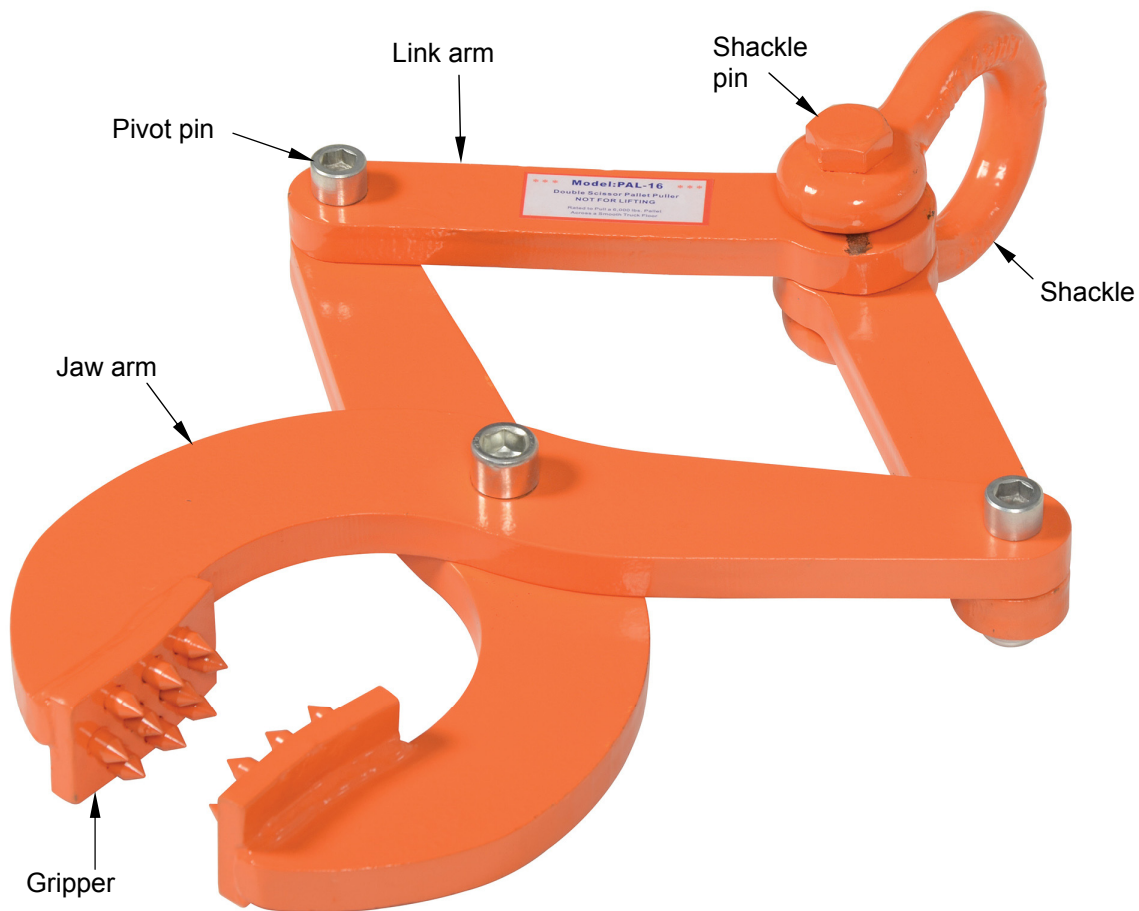
## Use Instructions:

The operating instructions in this manual *supplement* the operation rules applied at your workplace. Safe use of this device is the operator's responsibility.

1. Engage the stringer (not the deck boards) of a pallet or skid with the jaws of the puller.
2. Attach the chain or shackle to a fork truck and slowly drive the truck in reverse. As force is applied, the jaws tightly grip the stringer.
3. When the pallet is in position to be directly engaged by the forks of your lift truck, reverse direction momentarily; then uncouple the puller from the fork truck. Open the jaws of the puller to release the pallet.

## Diagram of Components:

The diagram below pairs names with parts. However, models PAL-12, PAL-21, and PAL-LP have a chain in place of the shackle. Model PAL-12 does not have link arms.



## Inspections and Maintenance:

Regular inspections and maintenance are necessary to keep the puller in satisfactory operating condition.

### Inspections:

**⚠ WARNING** DO NOT use the puller if it fails any part of the inspection described below.

Inspect the puller before it is used for the first time. Thereafter, inspect the unit regularly, i.e. at least once per week. Inspect the following:

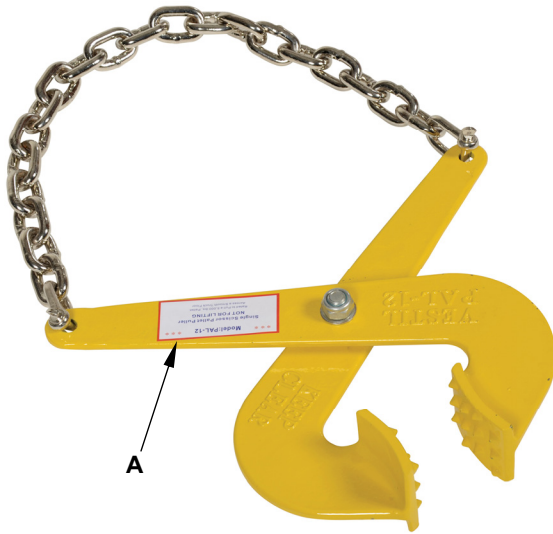
1. Jaw arms and link arms: examine the arms for twisting, bending and warping regions. Pay particular attention to pivot points.
2. Pins: check all pivot pins and the shackle pins for straightness. Each pin should be able to rotate freely.
3. Shackle or chain: inspect for cracks, elongations and deformations.
4. Grippers: confirm soundness of welds to the jaw arms.
5. All components: check for excessive wear.

### Maintenance:

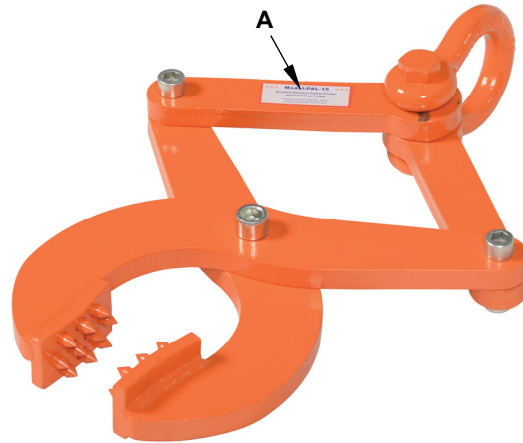
1. Clean the puller periodically to preserve the paint.
2. Lubricate all of the pivot points.

## Label placement diagrams

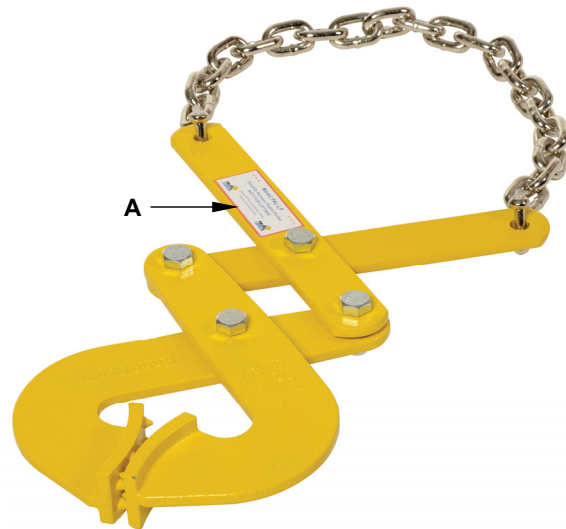
PAL-12



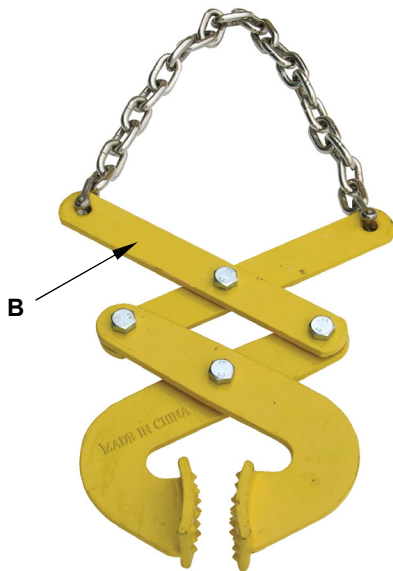
PAL-16



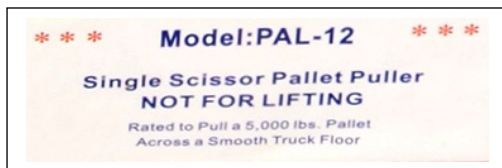
PAL-LP



PAL-21



Label A:



Label B:

<b>⚠ WARNING</b>
Material handling is inherently dangerous. To reduce the likelihood that users or bystanders will sustain serious personal injuries:
<ul style="list-style-type: none"> <li>• Inspect before each use.</li> <li>• <b>DO NOT</b> use if damaged.</li> <li>• <b>DO NOT</b> use as a Below-the-hook lifting device.</li> <li>• <b>ONLY</b> use to engage and pull 1 pallet at a time.</li> </ul>
MAX. RATED LOAD = 5,000 lbs. (~2,273kg)
<b>⚠ ADVERTENCIA</b>
El manejo de material es intrínsecamente peligroso. Para reducir la probabilidad que usuarios o espectadores sostendrán heridas personales graves:
<ul style="list-style-type: none"> <li>• Inspeccione antes de cada uso.</li> <li>• <b>NO UTILICE</b> si dañado.</li> <li>• <b>NO UTILICE</b> como un "gencho de abajo" que levanta dispositivo.</li> <li>• <b>SOLO</b> uso para encajar y tirar 1 paleta a la vez.</li> </ul>
MAX. lbs estimada=5,000 (~2,273kg)
<b>Model/Modelo PAL-21</b> <div style="text-align: right;">568 rev 0710</div>



## LIMITED WARRANTY

Vestil Manufacturing Corporation ("Vestil") warrants this product to be free of defects in material and workmanship during the warranty period. Our warranty obligation is to provide a replacement for a defective original part if the part is covered by the warranty, after we receive a proper request from the warrantee (you) for warranty service.

Who may request service?

Only a warrantee may request service. *You are a warrantee if you purchased the product from Vestil or from an authorized distributor AND Vestil has been fully paid.*

What is an "original part"?

An original part is a part used to make the product as shipped to the warrantee.

What is a "proper request"?

A request for warranty service is proper if Vestil receives: 1) a photocopy of the Customer Invoice that displays the shipping date; AND 2) a written request for warranty service including your name and phone number. Send requests by any of the following methods:

Mail  
Vestil Manufacturing Corporation  
2999 North Wayne Street, PO Box 507  
Angola, IN 46703

Fax  
(260) 665-1339  
Phone  
(260) 665-7586

Email  
sales@vestil.com

In the written request, list the parts believed to be defective and include the address where replacements should be delivered.

What is covered under the warranty?

After Vestil receives your request for warranty service, an authorized representative will contact you to determine whether your claim is covered by the warranty. Before providing warranty service, Vestil may require you to send the entire product, or just the defective part or parts, to its facility in Angola, IN. The warranty covers defects in the following original dynamic components: motors, hydraulic pumps, electronic controllers, switches and cylinders. It also covers defects in original parts that wear under normal usage conditions ("wearing parts"), such as bearings, hoses, wheels, seals, brushes, and batteries.

How long is the warranty period?

The warranty period for original components is 30 days. The warranty period begins on the date when Vestil ships the product to the warrantee. If the product was purchased from an authorized distributor, the period begins when the distributor ships the product. Vestil may extend the warranty period for products shipped from authorized distributors by up to 30 days to the duration necessary to account for shipping time.

If a defective part is covered by the warranty, what will Vestil do to correct the problem?

Vestil will provide an appropriate replacement for any covered part. An authorized representative of Vestil will contact you to discuss your claim.

What is not covered by the warranty?

1. Labor;
2. Freight;
3. Occurrence of any of the following, which automatically voids the warranty:
  - Product misuse;
  - Negligent operation or repair;
  - Corrosion or use in corrosive conditions;
  - Inadequate or improper maintenance;
  - Damage sustained during shipping;
  - Accidents involving the product;
  - Unauthorized modifications: DO NOT modify the product IN ANY WAY without first receiving written authorization from Vestil. Modification(s) might make the product unsafe to use or might cause excessive and/or abnormal wear.

Do any other warranties apply to the product?

Vestil Manufacturing Corp. makes no other express warranties. All implied warranties are disclaimed to the extent allowed by law. Any implied warranty not disclaimed is limited in scope to the terms of this Limited Warranty.

















