Oregon
Kate Brown, Governor

Department of Consumer and Business Services
Oregon Occupational Safety & Health Division (Oregon OSHA)
350 Winter Street NE
PO Box 14480
Salem, OR 97309-0405
Phone: 503-378-3272
Toll Free: 1-800-922-2689
Fax: 503-947-7461
osha.oregon.gov

Oregon OSHA
OSHSPA State Plan Report
Renée Stapleton, Acting Administrator

OSHSPA members meeting 8/30/2022

I. Significant Legislative/Programmatic Changes

Legislatively Mandated Rulemaking: None

Legislative Activity: None

Other Rulemaking Activity: The temporary rules for COVID-19 in all workplaces and in employer provided housing were proposed in June and the public comment period ended August 13, 2022. Oregon OSHA is in the process of reviewing the comments to determine the next steps for adoption. The rules must be adopted by September 13, 2022; when the temporary rules expire, or they will revert back to the more restrictive requirements from December of 2021.

II. New Developments/Activities/Notable Cases Activities:

Oregon OSHA News Releases:

- Workplace safety, health conference in Bend will offer opportunities to improve safety skills, communication, leadership
- Oregon GOSH Conference invites award nominations of those who go above and beyond to help keep workplaces safe and healthy
- Oregon OSHA encourages creative ideas as it makes grants available for workplace safety, health training
- Oregon OSHA ofrece nuevos recursos gratuitos para ayudar a empleadores a comprender y cumplir con la regla de protección de trabajadores contra el humo causado por incendios forestales
- Oregon OSHA launches new, free resources to help employers understand and comply with rule protecting workers against wildfire smoke
- Oregon OSHA lanza nuevos recursos gratuitos para ayudar a los empleadores a comprender y cumplir con la regla que protege contra las altas temperaturas en el lugar de trabajo
- Oregon OSHA launches new, free resources to help employers understand and comply with rule protecting against high heat in the workplace
- City of Keizer earns workplace health, safety recognition following advancement in Oregon OSHA program
- Oregon OSHA fines West Coast Roofing and Painting $65,000 for repeatedly violating requirement to protect workers against fall hazards
- Oregon OSHA adopts rules protecting workers against high heat, wildfire smoke
- Six Oregon high schools win prizes in media contest to promote young worker safety

Newsletters:

Oregon OSHA published May and July issues of its Health and Safety Resource newsletter. The newsletters addressed a variety of topics, including new or pending rules, incident alerts, and employers leading on safety and health. The stories included:

May

- Combustible dust: An accident waiting to happen
- Oregon employers, workers invited to take a 'Safety Break'
- Ceremony honors fallen Oregon workers
- Oregon OSHA has launched a free Spanish online course on silica safety
- Incident Alert! The excavator operator did not turn off the excavator's engine when he got out of the cab
- Going the Distance: Adroit Construction Co. Inc.

July

- What you need to know about Oregon OSHA rules that have taken effect – or soon will
- Ask Oregon OSHA: Is the "apparent temperature" the same as the temperature indicated on a thermometer?
- Employers, workers across Oregon gather to celebrate Safety Break
- Incident Alert! Unsecured underground piping connection
- Going the Distance: City of Keizer

Notable Case:

What happened? The boom on a 165-ton mobile crane contacted two overhead power lines while the crane was moving into position to remove decommissioned equipment from a sawmill.

When did it happen? Oct. 13, 2021, at 5:15 p.m.

Where did it happen? John Day

The company: A lumber company hired Boise Crane to remove a decommissioned shaver (a machine used for sawing lumber into wood shavings) from its mill in John Day. Company employees had opened a section of the roof on the building where the decommissioned shaver was located so that the Boise Crane could remove it. Boise Crane described the job as a "service pick" that would take one day to complete.

How did it happen? On the morning of October 13, Boise Crane's owner and equipment operator (the "owner") met with the lumber company's general manager and the company's maintenance supervisor to determine where the crane's counterweights could be placed before they were loaded onto the crane and the route the crane would take to do the service pick. The owner noticed a set of power lines that crossed over the route. He also noticed two lumber company pickup trucks that were parked alongside the mill and partially blocking the route.

At 3:45 p.m. Boise Crane's owner and another Boise Crane employee (the "co-worker") returned to the lumber company's mill to do the service pick. The owner was driving a Demag AC 335 165-ton mobile crane, which was pulling an equipment trailer carrying the crane's counterweights. The co-worker followed in a half-ton Dodge pickup truck.

The owner parked the crane and the equipment trailer where they planned to load the counterweights – about 325 yards from the pick location. He suggested that they first walk the route the crane would travel and look at the pick location. As they walked the route, he told the co-worker the two pickup trucks would have to be moved to clear the route.

At 5:10 p.m., after locking the crane's boom in an upright position, the owner moved the equipment trailer then came back and started the crane. He told the co-worker to follow him in the pickup, although the two lumber company trucks were still parked next to the mill.

At first, the co-worker thought that the owner started the crane to warm it up and that they would ride together in the Dodge pickup and move the two lumber company trucks. But the owner began driving the crane toward the pick location. As he approached the two trucks he tried to maneuver the crane around them. But the back of the

crane swung wide and the boom, which was upright but fully retracted, contacted the two 19,900-volt overhead power lines.

The owner immediately realized that the boom struck the power lines and drove forward about 50 yards to ensure the crane was clear of the energized lines. He stopped the crane, then got out and looked for damage but the lines were intact and there was still power to the mill. Several lumber company employees joined him to assess the area for damage. The lumber company employees then went to shut down the power to the mill and the owner returned to the crane to turn off the engine.

However, the owner was unaware that the crane's brief contact with the power lines sent 34,500 volts down the boom and through the steel-belts in the crane's tires, which became extremely hot. The heat dramatically increased the air pressure in the tires and caused the chemical bonds in the tires' rubber compounds to break down (a condition called pyrolysis).

The co-worker was standing about 15 feet behind the crane when a rear tire suddenly exploded, knocking him to the ground. But the owner was standing only three feet from the tire and the explosion hurtled him 34 feet away.

Dust and smoke from the first explosion made it difficult for the co-worker to see. He called out to the owner then saw him lying face down near an old conveyor. The lumber company's general manager, was nearby and ran to check on him along with the co-worker. The owner was conscious but the blast from the exploding tire had shredded his clothing; he was covered with soot and he had burns from the red-hot rubber. Then the front tire on the passenger side of the crane exploded.

The general manager and the co-worker moved him to a safe spot behind a concrete wall about 20 feet away then the general manager instructed the maintenance supervisor to call 911. They placed a blanket over him and waited for the emergency responders who arrived 10 minutes later and took him in an ambulance to Legacy Emanuel Medical Center in Portland; he was treated for a dislocated elbow and shoulder, multiple struck-by contusions, lacerations, and burns on his face and arms

The Demag AC 335 165-ton mobile crane.


The route the crane traveled to the service pick location (powerlines, upper left).


The ruptured rear tire that injured the employee.

Findings:

- The owner said during an interview that he did not know why he failed to follow his original plan (to move the two pickups) before doing the service pick. He knew better, he said during the interview. He said he has been operating cranes for 25 years and had never made this type of error before.
- The owner said he should have marked the location of the power lines on the ground and used a spotter.
- The crane manufacturer required the crane's boom to be locked in an upright position when the crane was traveling with counterweights to prevent overloading the axles. The owner said that the crane's rear and middle axles steer, and when turning a corner, the rear of the crane will swing wide.
- The owner said that after he realized the boom had contacted the overhead lines, he continued traveling forward to make sure the boom had cleared the lines and to ensure there were no ground fires under the crane. His concern was that the crane's hydraulics could potentially catch fire if bark dust had ignited and caught fire.

Citations:

- *29 CFR 1926.1411(b)(1), Powerline safety*: The employer did not ensure that the mobile crane's boom was lowered enough to ensure that at least six feet of clearance was maintained between any part of the crane's boom and the 19,900-volt powerlines.
- *29 CFR 1926.1411(b)(4), Powerline safety*: The employer did not ensure that a dedicated spotter was in position and used before the crane moved closer than 20 feet to the 19,900-volt powerlines.

Consultation Update:

The consultation program continues to be a critical element of the community outreach work that the division has embarked upon. Through this work, Oregon OSHA is expanding its engagement efforts into communities that have not had a lot of direct involvement with. This effort is bringing forth new and exciting opportunities to partner with new community members.

Additionally, Consultation is taking on the Museum Pilot Project in coordination with federal OSHA to provide safety, health, and ergonomic services to employers in engaged in museum or preservation work. Over 500 employers were identified in the State of Oregon which are primarily engaged in this work, and already shown have interested participants in understanding the hazards associated with their unique industry.

Oregon OSHA Conferences Update:

Oregon OSHA's second annual Spanish-language conference addressing workers and their needs will be held on Tuesday November 8th in Salem, OR. Topics for the conference will include: industry specific safety and health classes such as agriculture, construction, food processing and manufacturing;
asserting one's right to a safe workplace; protecting one's health at work and at home, and identifying and addressing common workplace hazards.

Other programs including the Bureau of Labor and Industries and the Workers Compensation Division will be participating to give attendees a better understanding of topics like: protecting yourself from wage theft, the whistle blower protection program, and what to do when you are hurt on the job.

The conference is conducted completely in Spanish. Most presenters are fluent in Spanish with a few whom will have a translator facilitating the discussion. In addition to Spanish we are working on supporting translation to certain indigenous languages it that is the attendee's preferred language.

Oregon OSHA Online Training Resources:

Wildfire Smoke Training Requirements *version 2*
This online course was updated June 2022 and is designed to satisfy 5 of the 10 training requirements found in Oregon OSHA's rules to address exposure to wildfire smoke (OAR 437-002-1081 and 437-004-9791). The course discusses several topics including: air quality measurements, potential health effects and symptoms, proper usage of filtering facepiece respirators, and details about the rules. It concludes with a quiz, certificate of completion, and additional resources to further their knowledge about wildfire smoke protection. The course is available in both English and Spanish

Heat Illness Prevention
This online course launched 6/1/2022 and is designed to satisfy 5 of the 7 training requirements found in Oregon OSHA's rules to address heat illness prevention (OAR 437-002-0156 and OAR 437-004-1151). The course discusses several topics including some heat-related illnesses with their common signs, symptoms, and recommended first aid responses. Multiple types of risk factors are covered, as well as how the heat index is measured. The course also goes into detail about what control measures the rules require employers to provide at certain heat index temperatures, such as access to shade, drinking water, and more. Finally, the course concludes with a quiz, certificate of completion, and additional resources to further their understanding of the requirements to prevent heat illness.

Heat Safety App Tutorial (revised video originally from July 2021)
This video tutorial was updated to match current app features and accompanies Oregon OSHA's permanent rules for heat illness prevention. It features a step-by-step instruction demonstrating how to access and use the mobile tool. It also provides an explanation of how the app calculates the heat index, how to set reminders, and provides an overview of the icons that are available in the app.

Heat Illness Prevention *(revised video from 2021)*
This video was updated June 2022 to coincide with Oregon OSHA's permanent rules for heat illness prevention. It highlights the employer's responsibility when the heat index reaches 80 degrees or higher and the additional practices required when the heat index reaches 90 degrees or higher. The video also includes signs and symptoms, where to find resources, and focuses on the importance of water, rest, shade and training in order for workers to return home safe at the end of every work day.

Oregon OSHA Public Education Activity:

Social Media numbers & YouTube channel (English and Spanish combined)
Since its inception the Oregon OSHA YouTube Channel has amassed 2.6M views on YouTube and there are a total of 328 videos available. In addition, videos posted on Facebook have a total of 300K+ video views and Vimeo currently has 242K video views.

PowerPoints for online courses
A PowerPoint presentation download is a newer feature for instructors that Public Education includes with all online courses. Since May 2022, we have added this tool in English for Heat Illness Prevention and Wildfire Smoke Training Requirements. In the Spanish language, we have added this tool for Heat Illness Prevention and Wildfire Smoke Training Requirements.

III. Areas of Concern: None

IV. Information Sought from Other State Programs: None

V. Administrative Changes: None

VI. Contact Information: Internet: www.osha.oregon.gov, Phone: 503-378-3272, Fax: 503-947-7461, Federal Liaison: Jenny Dowen, Jennifer.A.Dowen@dcbs.oregon.gov