Interagency Agreement between the

Oregon Public Utility Commission and the

Oregon Department of Consumer and Business Services -

Occupational Safety and Health Division (Oregon OSHA)

I. Purpose

This agreement is entered into between the Oregon Public Utility Commission (OPUC) and the Oregon Department of Consumer and Business Services, Occupational Safety and Health Division (Oregon OSHA) for the purposes of outlining the responsibilities and activities to be performed by each agency pursuant to its authority to investigate complaints or incidents and hazardous material hazards. This agreement is intended to promote cooperative efforts between OPUC and Oregon OSHA, and effective regulation of the safety, security, and reliability of utilities.

II. Roles and Authorities

Under ORS 757 the OPUC utility program is responsible for developing and enforcing safety standards for electric, natural gas and petroleum products (hazardous materials). Under ORS 654, and as the Federal Occupational Safety and Health Administration's (OSHA's) designee, Oregon OSHA is responsible for protecting workers in the State of Oregon. Workplace regulations are implemented and enforced by Oregon OSHA.

III. Enforcement

A. Referrals

1. OPUC may refer to Oregon OSHA enforcement situations involving worker exposures to hazards and possible violations of laws or regulations enforced by Oregon OSHA.

2. Oregon OSHA may refer to OPUC enforcement and assistance situations involving safety standards and possible violations of laws and regulations enforced by OPUC.

3. Referrals will occur as soon as practicable, and may be accomplished in person, by telephone, by FAX, by email, or by mail. See Appendix A for Contact Information.

B. Common Investigations or Inspections

1. When inspecting or responding to a complaint relating to the same project or situation, OPUC and Oregon OSHA will assist each other, to the extent possible and allowed by law, by sharing information regarding probable violations of worker safety and safety standards.

2. Both OPUC and Oregon OSHA will maintain strict confidentiality concerning the other agency's inspection, compliance or enforcement plans or actions. As required by law, Oregon OSHA statute specifies confidential information must not be communicated to OPUC.

3. During inspections, investigations and compliance meetings, OPUC and Oregon OSHA representatives will each clearly communicate their regulatory responsibilities to the inspected party. For example, an OPUC inspector will only communicate probable violations of OPUC safety standards and refer all observed violations to Oregon OSHA personnel , and vice versa.

IV. Transfer of Information

A. Enforcement Information

1. OPUC and Oregon OSHA will, upon request, provide each other with copies of enforcement actions relating to safety standards and refer all observed worker protection violations. These actions include, but are not limited to: Citations, reports, and correction orders.

2. OPUC and Oregon OSHA will, upon request, provide each other as allowed by law with relevant historical enforcement information such as database reports and file copies.

3. In situations where there is concurrent jurisdiction, OPUC will take the lead on matters relating to public utility safety enforcement, and Oregon OSHA will take the lead on matters relating to worker safety and health.

V. Public Information

A. Communication with the News Media

1. When communicating with the news media regarding probable violations or hazards of electric and hazardous materials, representatives of both OPUC and Oregon OSHA will clearly state that OPUC exercises jurisdiction over developing and enforcing utility safety standards and that Oregon OSHA exercises jurisdiction over worker protection issues.

2. Neither the OPUC nor Oregon OSHA will issue statements to the media concerning the other agency's regulations, inspections or possible citations without prior notification to the other agency's Public Information Officer or designee. Statements that a situation has been referred to OPUC or Oregon OSHA are appropriate.

VI. Training

As issues or situations are identified that create a need for inter-agency training, OPUC and Oregon OSHA will conduct training. Information may also be shared at OPUC and Oregon OSHA conferences.

VII. Legislation & Rulemaking

Legislation

1. Both OPUC and Oregon OSHA will communicate to each other proposed legislation affecting safety standards and refer all observed violations as early in the legislative process as possible.

2. In developing legislation, both OPUC and Oregon OSHA will strive for interagency compatibility and avoid unnecessary duplication.

Rulemaking

1. Both OPUC and Oregon OSHA will provide each other with drafts of proposed Oregon Administrative Rules on safety standards where common industry concerns may exist as early as possible in the rulemaking process, and whenever possible prior to the beginning of the public notice and comment period .

2. In developing safety standards, both OPUC and Oregon OSHA will strive for interagency compatibility and avoid unnecessary duplication or conflict.

VIII. Effective Date

This agreement is effective upon signature by the Administrator or designee of the Safety, Reliability, and Security Division of the Oregon Public Utility Commission and the Administrator or designee of the Oregon Occupational Safety and Health Division of the Department of Consumer and Business Services.

IX. Provisions for Review and Updating

OPUC and Oregon OSHA will meet quarterly for information sharing purposes.

OPUC and Oregon OSHA will review items contained in this agreement, update where necessary, exchange relevant program information, and meet as necessary.

X. Agreement Termination

This agreement will remain in force until terminated by either party given thirty days' notice by the other.

AGREED:

5/5/2016

Name Michael Dougherty, Chief Operating Officer Date

for Lori Koho, Administrator

Oregon Public Utility Commission

AGREED:

5/12/2016

Michael Wood Date

Administrator

The Department of Consumer and Business Services, Oregon Occupational Safety and Health Division

Appendix A

Questions related to Oregon OSHA standards can be sent to Ken Langley, Technical Specialist at Oregon OSHA, ken.e.langley@oregon.gov (503) 947-7454.

Questions related to OPUC can be sent to Karla Hunter, Safety Policy Analyst, OPUC, karla.hunter@state.or.us 503-373-0044

Referrals or complaints can be called into Oregon OSHA's field offices or sent to Oregon OSHA's online reporting system at https://www4.cbs.state.or.us/exs/osha/hazrep/. Field office phone numbers are listed below.

Contact Information Oregon Public Utility Commission

Lori Koho, Administrator
lori.g.koho@state.or.us
503-378-8225

Paul Birkland, Sr. Utility Analyst
paul.birkeland@state.or.us
503-378-6190

Kevin Hennessy, Chief, Pipeline Safety Program Manager
kevin.hennessy@state.or.us
503-378-6115

Karla Hunter, Safety Policy Analyst and Public Information Officer
karla.hunter@state.or.us
503-373-0044

Contact Information for Oregon OSHA

Michael Wood, Administrator
Michael.wood@oregon.gov
503-947-7400

Gary Beck, Safety Field Operations Manager
Gary.l.beck@oregon.gov
503-974-7440

Peggy Munsell, Technical Manager
Peggy.a.munsell@oregon.gov
503-947-7446

Teri Watson, Sr. Policy Analyst
Teri.a.watson@oregon.gov
503-947-7406

Aaron Corvin, Public Information Officer
Aaron.corvin@oregon.gov
503-947-7428

Oregon OSHA Field Offices

Salem Field Office
1340 TANDEM AVE NE STE 160
SALEM OR 97301-8080
Phone: 503-378-3274

Portland Field Office
DURHAM PLAZA
16760 SW UPPER BOONES FERRY RD, STE 200
TIGARD, OR 97224
Phone: 503-229-5910

Pendleton Field Office
200 SE HAILEY AVE STE 306
PENDLETON OR 97801-3072
Phone: 541-276-9175

Medford Field Office
1840 E BARNETT RD STE D
MEDFORD OR 97504-8293
Phone: 541-776-6030

Eugene Field Office
1140 WILLAGILLESPIE RD STE 42
EUGENE OR 97401-6730
Phone: 541-686-7562

Bend Field Office
RED OAKS SQUARE
1230 NE 3RD ST STE A-115
BEND OR 97701-4374
Phone: 541-388-6066