

## TABLE OF CONTENTS

<b>437-004-0100</b>	Universal Definitions .....	B-1
<b>437-004-0150</b>	Standards Organizations .....	B-7



## **437-004-0100 Universal Definitions.**

**(1)** These definitions apply throughout Division 4, Agriculture, except that the definitions in Subdivision 4/W, adopted from 40 CFR 170, Worker Protection Standard, apply to the rules within that Subdivision.

**Accepted** – Something is accepted if:

- (A)** A nationally recognized testing laboratory has inspected it and found it to conform to specified plans or to procedures of applicable codes; or
- (B)** It is verified by design, evaluation, or inspection by a registered professional engineer; or
- (C)** It is acknowledged by the authority having jurisdiction, the agency, office, or organization that is responsible for approving specific equipment, materials, installations, or procedures. (Examples of such authorities include the U.S. Department of Transportation, the U.S. Coast Guard, the Oregon Building Codes Division, and the Office of the State Fire Marshal.)

**Agricultural employer** – means any person, corporation, association, or other legal entity who meets the definition of an employer in ORS 654.005(5) and who:

- (A)** Owns or operates an agricultural establishment; or
- (B)** Recruits and supervises employees who work for an agricultural establishment; or
- (C)** Is responsible for the management or condition of, or exercises direction and control over the production on, an agricultural establishment.

**Agricultural establishment** – means a farm, ranch, nursery, greenhouse, or production facility that is a place of employment and is engaged in the activities described in Division 4/A, 437-004-0002 Scope.

**Approved** – means acceptable for the purposes of rule compliance, under the following criteria:

- (A)** It is accepted, or certified, or listed, or labeled or otherwise determined to be safe by a nationally recognized testing laboratory; or
- (B)** If an installation or equipment is of a kind which no nationally recognized testing laboratory accepts, certifies, lists, labels, or determines to be safe, it has been inspected or tested by another authority having jurisdiction and found to be in compliance with the provisions of the applicable code; or
- (C)** Custom-made equipment or related installations that are designed and fabricated for a certain intended use by its manufacturer. The employer must keep and make available the test data that is used as the basis of this approval, for inspection.

# B UNIVERSAL DEFINITIONS

**Boiling point** – The temperature at which the liquid form of a substance changes into a vapor, at a standard atmospheric pressure. The initial boiling point of a substance is determined according to test methods specified in Appendix B to Division 2/Z, 1910.1200, Hazard Communication Standard.

**CAS** – is the Chemical Abstracts Service Registry Number, a unique numerical identifier assigned by the Chemical Abstracts Service to every chemical described in the open scientific literature.

**Capacity** – is the maximum load or severity of service (determined by the manufacturer or a qualified engineer) that a tool, machine, equipment, structure, or material is expected to withstand without failure, deformation, separation or fracture.

**Certified** – is something that:

(A) Was tested and found by a nationally recognized testing laboratory to meet nationally recognized standards or to be safe for use in a specified manner, or

(B) Is of a kind whose production is periodically inspected by a nationally recognized testing laboratory, and

(C) Shows a label, tag, or other record of certification.

**Combustible** – A substance or material that is able or likely to catch fire and burn.

**Combustible liquid** – The “combustible liquid” classification is no longer used in Division 4 rules because it was eliminated by the globally harmonized classification and labeling system (GHS) adopted in OSHA’s Hazard Communication Standard. Any liquid with a flash point of 199.4°F (93 degrees C.) or less is considered to be one of the four categories of flammable liquids. (See “Flammable liquids,” below.)

**NOTE:** The term “combustible liquid” is still used by the National Fire Protection Association (NFPA) system of classification and by the Oregon State Fire Marshal to classify liquids that will burn but do not ignite as easily as flammable liquids. The NFPA system defines some chemicals as “combustible liquids” that would be included as a category of “flammable liquid” in the OSHA/GHS classification system. (See Appendix A to Subdivision 4/H, 437-004-0720 Flammable Liquids, for a comparison of the GHS and NFPA systems of classification of flammable/combustible liquids.)

**Competent person** – is a person who, because of training and experience, can identify existing and predictable hazards in equipment, material, conditions or practices; and, who has the knowledge and authority to take corrective steps.

**Explosive** – something capable of causing damage to the surroundings by chemical reaction. Explosives are defined in Appendix B to 1910.1200 – Physical Hazard Criteria at B.1 EXPLOSIVES.

**Farming** – Is the production of agricultural field crops, tree crops; horticultural specialties, greenhouse crops; and the production of livestock and animal specialties. Farming includes farm labor and management services; agricultural services and support activities (such as soil preparation; crop cultivation, protection, and harvesting;) and, the basic preparation of the crop or commodity for market. The farming production process is typically completed at the “farm gate” – that is, at the point of first sale or price determination.

**NOTE:** Throughout this division, the term “farming,” “agriculture,” “production agriculture,” and “agricultural operations” are synonymous.

**Flammable** – Capable of being easily ignited, burning intensely, or having a rapid rate of flame spread. Flammable substances are defined in Appendix B to 1910.1200 – Physical Hazard Criteria at B.2 FLAMMABLE GASES, B.3 FLAMMABLE AEROSOLS, B.6 FLAMMABLE LIQUIDS, and B.7 FLAMMABLE SOLIDS.

**Flammable liquids** – are liquids having a flash point at or below 199.4 degrees F. (93 degrees C.) As defined in the globally harmonized system of classification and labeling (GHS) adopted in OSHA’s Hazard Communication Standard, flammable liquids are divided into four categories as follows:

(A) Category 1 includes liquids that have a flashpoint below 73.4 degrees F. (23 degrees C.) and have a boiling point at or below 95 degrees F. (35 degrees C.)

(B) Category 2 includes liquids that have a flashpoint below 73.4 degrees F. (23 degrees C.) and have a boiling point above 95 degrees F. (35 degrees C.)

(C) Category 3 includes liquids that have a flashpoint in a temperature range from at or above 73.4 degrees F. (23 degrees C.) to at or below 140 degrees F. (60 degrees C.)

(D) Category 4 includes liquids that have a flashpoint in a temperature range from above 140 degrees F. (60 degrees C.) to at or below 199.4 degrees F. (93 degrees C.)

**NOTE:** Examples of some common flammable liquids are:

Category 1: Diethyl ether (solvent sometimes used in starting fluid).

Category 2: Gasoline (Benzene, Ethanol).

Category 3: Kerosene, Stoddard Solvent.

Category 4: Diesel fuel, Naphthalene.

**Flashpoint** – is the minimum temperature at which a liquid gives off vapor within a test vessel in sufficient concentration to form an ignitable mixture with air near the surface of the liquid, as determined by specific testing methods. These test methods are specified in Appendix B to Division 2/Z, 1910.1200, Hazard Communication Standard.

**Hazardous Chemical** – is any chemical which is classified, under the requirements of the Hazard Communication Standard, as a physical hazard or a health hazard, a simple asphyxiant, combustible dust, pyrophoric gas, or hazard not otherwise classified.

# B UNIVERSAL DEFINITIONS

**NOTE:** See Division 2/Z, 1910.1200 Hazard Communication Standard, for more information.

**Ignition source** – the origin of something that results in a fire or an explosion. Examples include open flames; smoking; cutting and welding; hot surfaces and radiant heat; frictional heat; static, electrical, and mechanical sparks; chemical and physical-chemical reactions; spontaneous ignition; and lightning.

**Labeled** – Something is labeled if:

(A) It has an attached label, symbol, or other identifying mark of a nationally recognized testing laboratory that makes periodic inspections of the production of such equipment; or

(B) The attached information indicates compliance with nationally recognized standards or tests to determine safe use in a specified manner.

**Listed** – is something mentioned in a list that:

(A) Is published by a nationally recognized laboratory that makes periodic inspection of the production of such equipment, and

(B) States such equipment meets nationally recognized standards or was tested and found safe for use in a specified manner.

**Nationally Recognized Testing Laboratory** – (NRTL) is defined in 1910.7 Definition and Requirements for a Nationally Recognized Testing Laboratory and OAR 437-002-0007 Oregon Rule on Testing and Certification Program. (Examples of organizations in this category are Factory Mutual Engineering Corporation, and Underwriters' Laboratories.)

**Place of employment** – is every place (fixed, movable or moving) where an employee works or is intended to work. It includes every place where (either temporarily or permanently) there is any activity related to an employer's business, including a labor camp.

**NOTE:** "Place of employment" does not include a place where the only employment involves nonsubject workers employed in or about a private home; or a farm where only the farm's family members are employed.

**Qualified person** – is a person who has a recognized degree, certification, professional standing, knowledge, training or experience; and has successfully demonstrated the ability to perform the work, or solve or resolve problems relating to the work, subject matter, or project.

**Reasonable means** – is what a prudent person, familiar with the circumstances of the industry would do to work in a safe and healthful manner.

**Safeguard** – is any form of safety device or equipment; personal protective equipment; guard or barricade; warning device, sign, or method; or a process prescribed or adopted for the protection of an employee.

# UNIVERSAL DEFINITIONS / STANDARDS ORGANIZATION

# B

**Substantial** – means constructed with sufficient strength or installed to provide ample support to withstand loads to which the structure or device may be subjected.

**Worker** – is identical in every respect to “employee” as defined in ORS 654.005(4) including:

(A) Any individual, including a minor, whether lawfully or unlawfully employed, who engages to furnish services for a remuneration, financial or otherwise, subject to the direction and control of an employer; and

(B) Any individual who is provided with workers’ compensation coverage as a subject worker pursuant to ORS chapter 656, whether by operation of law or by election.

**Workplace** – See “Place of Employment,” above.

**Stat. Auth.:** ORS 654.025(2) and 656.726(4).

**Stats. Implemented:** ORS 654.001 through 654.295.

**Hist:** OR-OSHA Admin. Order 4-1998, f. 8/28/98, ef. 10/1/98.

OR-OSHA Admin. Order 3-2014, f. 8/8/14, ef. 8/8/14.

## 437-004-0150 Standards Organizations.

Division 4 references various standards from the following organizations. More information is available from:

(ACGIH) American Conference of Governmental Industrial Hygienists

<http://www.acgih.org/>

1330 Kemper Meadow Drive

Cincinnati, Ohio 45240, USA

Customers/Members Phone: 513-742-2020

Fax: 513-742-3355

(ANSI) American National Standards Institute

<http://www.ansi.org/>

ANSI Standards Store

Customer Service Department

25 W 43rd St, 4th Floor

New York, NY 10036

Phone: (212) 642-4980

Fax: (212) 302-1286

(API) American Petroleum Institute

<http://www.api.org/>

1220 L Street, NW

Washington, DC 20005-4070

(202) 682-8000

(ASABE) American Society of Agricultural and Biological Engineers

<http://www.asabe.org/standards.aspx>

2950 Niles Rd

St. Joseph, MI 49085

Toll-Free: (800) 371-2723

Fax: (269) 429-3852

(ASHRAE) American Society of Heating, Refrigeration, and Air Conditioning Engineers

[www.ashrae.org](http://www.ashrae.org)

ASHRAE Bookstore

<http://www.techstreet.com/ashrae/index.html>

3916 Rancho Dr

Ann Arbor, MI 48108

Phone: (800) 699-9277

Fax: (734) 780-2046

(ASME) American Society of Mechanical Engineers

<http://www.asme.org/>

Two Park Avenue

New York, NY 10016-5990

Phone: (800) 843-2763

ASTM International

(Formerly American Society for Testing and Materials)

<http://www.astm.org>

Sales and Customer Support

PO Box C700

West Conshohocken, PA 19428-2959

Phone: (877) 909-2786

(AWS) American Welding Society

<http://www.aws.org>

AWS Bookstore/Customer Service

13301 NW 47<sup>th</sup> Ave

Miami, FL 33054

Toll-free: 888-WELDING

Fax: (305) 826-6195

(CGA) Compressed Gas Association

<http://www.cganet.com>

Customer Service

14501 George Carter Way

Suite 103

Chantilly VA 20151

Phone: (703) 788-2700

Fax: (703) 961-1831



(CMAA) Crane Manufacturers Association of America

<http://www.mhi.org/cmaa>

8720 Red Oak Blvd  
Suite 201  
Charlotte, NC 28217  
Phone: (704) 676-1190  
Fax: (704) 676-1199

FM Global

(Formerly Factory Mutual Engineering Corporation)

[www.fmglobal.com](http://www.fmglobal.com)

[Customer Service \(Resource Catalog\)](#)

[Phone: \(877\) 364-6726](#)

(IAPMO) International Association of Plumbing and Mechanical Officials

<http://www.iapmo.org>

4755 E Philadelphia St  
Ontario, CA 91761  
Phone: (909) 472-4100  
Fax: (909) 472-4150

(NFPA) National Fire Protection Association

<http://www.nfpa.org>

1 Batterymarch Park  
Quincy, MA 02169-7471  
Customer Sales/Member Services  
Phone: (800) 344-3555  
Fax: (800) 593-6372

(NIOSH) National Institute of Occupational Safety and Health

<http://www.cdc.gov/niosh/>

Centers for Disease Control and Prevention  
Clifton Rd. Atlanta  
Atlanta, GA 30333  
1-800-CDC-INFO (1-800-232-4636)

(RMA) Rubber Manufacturers Association

<http://www.rma.org/publications/>

1400 K Street, NW, Suite 900  
Washington, DC 20005  
(202) 682-4800

SAE International

(Formerly Society of Automotive Engineers)

<http://www.sae.org>

400 Commonwealth Dr.  
Warrendale, PA 15096  
Phone: (877) 606-7323  
Fax: (724) 776-0790

# B STANDARDS ORGANIZATIONS

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(UL) Underwriters Laboratories

[www.ul.com/](http://www.ul.com/)

333 Pfingsten Rd.

Northbrook, IL 60062

(847) 272-8800

**Stat. Auth.:** ORS 654.025(2) and 656.726(4).

**Stats. Implemented:** ORS 654.001 through 654.295.

**Hist:** OR-OSHA Admin. Order 4-1998, f/8/28/98, ef. 10/1/98.  
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