

**Oregon OSHA**  
**Construction Advisory Committee**  
Tuesday, September 7, 2010

**Meeting Minutes**

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<b>Attendees:</b>	Dave Holland	Marilyn Schuster
Andrew Haymart	Dave Kaiser	Peg Munsell
Brian Silbernagel	Dave Parsons	Ron Brooks
Bruce Roller	David Davidson	Ron Haverkost
Chris Ottoson	Dede Montgomery	Tony Howard
Cindy Regier	Jill McConnell	Sam Hallyburton

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Meeting was called to order at 9:00 am

Round table introductions

Approval of Minutes:

A motion was made to approve the minutes as submitted and seconded.

Posted Construction Advisory Committee minutes can be found at:

[http://www.cbs.state.or.us/external/osha/standards/const\\_advise.html](http://www.cbs.state.or.us/external/osha/standards/const_advise.html)

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***Lessons Learned:***

Brian Silbernagel, of Morrow Equipment Co. LLC, gave a PowerPoint presentation on tower crane inspections.

***Continuing Business:***

**Status of rule making –**

**Rulemaking under development:**

Division 4 – Various amendments in multiple subdivisions. Includes new crane and hoist requirement, and minor changes in ALH. Two external stakeholder meetings were held.

Division 2/J and 3/J - Confined Space in Construction – Draft language for confined space in construction was sent out to external stakeholders and to all Oregon OSHA in April 2009 for comment. The advisory group met five times in 2009. The last meeting was February 19, 2010. A semi-final draft will be sent to the advisory group before the next, and possibly final, meeting. The next advisory group meeting is scheduled for September 8, 2010.

Division 2/L – Oregon rules for Firefighters - Stakeholders have met twice and will possibly start meeting quarterly concerning a rewrite of OAR 437-002-0182 Oregon Rules for Fire Fighters (excluding paragraph (36) confined space rescue that was adopted in 2009). They have been meeting biannually and the last meeting was in April 2010. Quarterly meetings will be held with the first one following the Governor’s Fire Policy meeting on August 27, 2010.

Divisions 2/Q, 3/J, and 4 - Oxygen-fuel gas - Oregon OSHA will continue to work with the Compressed Gas Advisory Committee (convened for acetylene rulemaking) to update and improve Oregon’s oxygen-fuel gas rules for welding in general industry and construction. This advisory committee convened July 6, 2010, and meets every other Tuesday on this topic over the next few months.

Division 1 – Penalties Structure – Public forums were held at eight locations around Oregon during June and July 2010. To see the details of the forum locations and to read the Discussion Document, four supplemental sheets, and penalty structure scenarios, check the web site [www.orosha.org/admin/pf/](http://www.orosha.org/admin/pf/).

Division 3R – Steel Erection – Federal OSHA published a technical amendment in the [May 17, 2010 Federal Register](#). This is a non-mandatory note to 1926.754(a) that provides information regarding existing Federal Highway Administration regulations that may apply to employers engaged in activities covered by OSHA’s steel erection standards. Oregon OSHA will soon add the non-mandatory note to 1926.754(a) on the web. Formal rulemaking is not necessary to add the informational note.

Division 2/D, 3/X, and 4/D – Stairways, clarification on risers – An Oregon note with graphic is being added to clarify how to count the risers in stairways. This note is added to 1910.23(d)(1) in Division 2/D; [1926.1052\(c\)](#) in Division 3/X; and, 437-004-0320(5)(a) in Division 4/D. It has been posted to the web in Division 3/X, the other two locations will be posted soon.

Division 2/R – MUTCD note – An Oregon OSHA note placed in 437-002-0316(2)(a) stating: Employers who follow the most current edition of either the ANSI D6.1e-1989 Manual on Uniform Traffic Control Devices for Streets and Highways or the Oregon Temporary Traffic Control Handbook for Operations of 3 Days or Less comply with this requirement. This is similar to the notes currently in Division 2/N 437-002-2224(12) and Division 3/O 437-003-3224(12). This will be posted soon.

Division 3 – Cranes and Derricks in Construction -This final rule was published in the [Federal Register August 9, 2010](#) and will be effective November 8, 2010. Oregon OSHA will be reviewing the final rule to determine what action we will take. A sub-committee was formed and will be meeting for the second time on September 16th.

**Scaffold Guide** – Graphic artist is currently working on guide. When complete, will go to Communication section for review and should be to printers in a month.

**Cranes and Derricks in Construction** – Ron provided an update. The subcommittee met for the first time on September 2<sup>nd</sup>. The group will review each section and will meet bi-weekly as there is not a lot of time (less than six months). Comments from CAC were:

- In regards to ordering parts within seven days and installing the part(s) within seven days, this time restraint will cause a problem due to parts not being kept in stock, it could take months before receipt so is there a way to bypass? The State of Washington removed the dates.
- The new rule does not address direct current (DC) voltage just alternating current (AC).
  - Ron will look into these items listed above.

***Roundtable: -***

Peg Munsell – Asked the committee for feedback on the Oregon OSHA CD on whether they should continue or discontinue to produce. Majority of the group commented to discontinue as they are able to access information through the website. A suggestion was made to review and update Oregon OSAs mailing lists.

Chris Ottoson – Oregon OSHA adopted the National Emphasis Program on Hexavalent Chromium in mid-August, [http://www.orosha.org/pdf/pds/pd\\_278.pdf](http://www.orosha.org/pdf/pds/pd_278.pdf). Enforcement policy for hexavalent chrome in construction is included in Program Directive A-270, Chromium (VI) Inspection Procedures, <http://www.orosha.org/pdf/pds/pd-270.pdf>.

***Planning for Agenda and for Next Meeting:***

When: Tuesday, October 5, 2010 at 9:00 a.m.

Where: L&I Room E