

**Oregon OSHA
Forest Activities Advisory Committee
September 14, 2017
Meeting Minutes**

Attendees:

Steve Aulerich
Tom Bozicevic
Heather Case
Mike Coiner
Mark Dvorscak
Jim Gahlsdounf
John Garland

Jim Geisinger
Scott Haviland
Rod Huffman
Tyson Losli
Teresa Lundy
Brett Morrissette
Wayne Oja

Rocky Shampang
Andrew Siegmond
Bruce Skurdahl
Trena VanDeHey
Teri Watson

Meeting called to order at 9:03 a.m.

The group introduced themselves.

The group approved the June 8, 2017 meeting minutes.

Continuing Business

Securing loads with machines when removing wrappers

John Garland presented some draft changes to rule language around securing log loads. The committee discussed his recommendations and suggested some further modifications. The committee also discussed the need for uniformity among log yards for communicating their rules for driver, including the importance of a communication channel specified by each log yard.

Discussion turned to different load stabilization techniques among log yards, and the committee discussed different wrapper throwing techniques, as well as discrepancies in wrapper usage (despite what the rules currently say regarding wrapper use).

The committee also discussed the need for specific rule language regarding wrappers/stakes or if similar ends could be accomplished with guidance or more open ended rules to allow employers to work out their own best practices. Committee members also brought up the challenges of addressing these ideas through Oregon OSHA, as many log truck drivers are, or may be, independent contractors and not under Oregon OSHA jurisdiction.

The committee also suggested potentially just defining the word 'secure' within both the loading and unloading rules and allow industries to figure out how to do that. This lead to a discussion about the specificity of rules, and how that may effect liability. Currently there is no known Oregon case law on this issue, as reported by members in attendance. Industry changes may also have changed what rules/language this division needs.

The committee thanked John for his efforts on moving forward on this and they will keep considering these concepts.

The committee made a recommendation to Oregon OSHA to issue a fact sheet or a letter of interpretation regarding what 'securing' means at a log yard. The Association of Loggers volunteered to disseminate these to its members, although the committee came to the conclusion that distribution through Oregon OSHA may be more impactful. The committee also discussed adding an emphasis program or including this concept in a hazard alert. They thought it may also be a good idea to provide internal guidance to Oregon OSHA compliance officers.

OSU Steep Slope research update

The group was updated as to Oregon State University's steep slope logging research efforts. There are currently 12 people in the operating group that the study is looking at. John Garland introduced Brett Morrisette from Oregon State University, who is now also working on this study. Tom passed out a handout that was a press release spotlighting Siegmund Excavation & Construction, who used their steep slope harvesting system to help cut a fire line this summer to help fight fires.

A representative from Siegmund Excavation was present at the meeting and provided more information to the committee. Their group cut the fire line in about three and a half days. They were told it would have taken hand crews three weeks to do the same size line. There was an active fire near the group at the time. The timber felled by the machine did not create as much of a soil disturbance as was expected. They used hand crews to help cause more soil disturbance which was needed. The average size of logs they were taking out for the fire line were between 18 and 24 inches. The committee agreed that it is good to think broadly about the potentials for tethered machine operations.

The research team has some information, however no findings just yet. Slope seemed to not be as useful of a criteria to determine success. The size of the cable, soil condition and moisture seems to play more of a part. The research group commented that planning and checking processes should be thought of for tethered machines rather than a 'go' or 'no-go' condition.

Currently there are a wide number of different connectors used. No differences have been seen yet between the types of connectors. The committee discussed different splicing techniques and the importance of wire rope guidance. The committee also discussed practices in Washington and the use of wire rope there.

The research team also commented about harnesses. Currently four or five point harnesses are the preference, however, they do not prevent neck/head/shoulder movement during machine operation. The research group may need to test a full restraint system. Vibration and movement of the operator remains an issue.

Tethered logging variance update

Tom provided an update regarding tethered logging variances. Oregon OSHA has approved two new tethered logging variances, bringing the total number of research variances allowing tethered logging to 15 employers. Tom noted, however, that this does not represent the full number of employers in Oregon doing tethered logging. If the employer is using a machine that, per the manufacturer specifications, can be used at or above 50 percent slope, then they do not need the variance.

Tom provided a handout to the committee which contained a summary of the reporting done by employers with a research variance. There were no reports of an injury through this reporting period (January 2017 through June 2017), and no injuries have been reported since variance reporting began, which was June 2016. This reporting period contained 3,652 hours of operation (approximately, as one employer reported their July operating hours). No tipovers were reported on variance reports. Committee members recall that there have been tipovers that they have heard about anecdotally, however it was unknown if those tipovers were by employers who had a variance or employers who were using machines for over fifty percent slope per the manufacturer.

The committee discussed the differences between the reporting requirements the research variance and regular injury/accident reporting. The handout also outlined that cable/connection points have needed the most repair and maintenance. Reports from employers indicate that variance participants are inspecting and replacing these cables/connections when issues are identified.

The committee discussed the use of the tether line itself, and that, once stabilized, some operators are not maintaining a continuous tension on the tether line. Lack of appropriate line tension can result in a tip over/roll over event.

The committee looked at the voluntary information provided regarding number of trees or volume of timber harvested, which one variance holder reported to be approximately 8 million mbf. A committee member asked the group what kind of injuries we would see if that 8 million mbf had been felled by hand fellers. John Garland, who is conducting this research, answered that this is just the type of question his team is looking to answer, and that at the end of the study they hope to have some answer to that question. Currently, it is still too soon in the research to provide an answer. Some committee members also pointed out that when logs are cut by machines, the tree butts are pointed uniformly and in the correct way, which can lead to increased safety when yarding as well.

Tethered machines and the two tree lengths apart requirement

The committee continued their discussion of whether or not tethered machines should be allowed to operate within than two tree lengths of each other. There are some concerns among the committee as some manufacturers specify a minimum distance of 300 feet from the machine, and the committee does not want to contradict manufacturers' recommendations. Some committee members stated that the 300-foot clearance requirement was for thrown object hazards.

This issue was presented to the Oregon OSHA policy group. They stated they would not be making a decision yet, as Oregon OSHA wants to see more information regarding the research variance, and is hesitant to change the process within the research variance while that is going on.

Some committee members who are working with tethered logging, stated they are finding that tethering is like a team, similar to cable logging, and that their felling comes to a point. They would want the ability to shovel longer and to work with a steep slope longer. This could be a situation where allowances were made in specific conditions, rather than just a blanket rule allowing tethered logging within two tree lengths. Tom asked these members to send these situations to him in an email with how those team situations look. Committee members also pointed out that this is being used very successfully in Washington State; however, Washington

OSHA may not be aware of employers using this decreased distance, *and according to Washington OSHA representatives, working within two tree lengths is prohibited (added from comment from December 13, 2017 for clarification)*. Tom is going to be meeting with a new technical specialist in Washington OSHA and will discuss their two tree lengths rules.

The committee asked Tom to get an answer to the question of whether or not Oregon OSHA would consider fallers to be personnel for purposes of this rule. The committee also asked if they could tie this two tree lengths rule into a variance. Tom explained to the committee that variances are typically very selectively granted and so that may not be the best way to address this issue.

Wrapper breaking strength requirements

Tom stated that he is still working on potential requirements here. He is working with the highway traffic safety administration as well, who has an interest in these requirements. The committee pointed out the fact that the highway safety administration may be more concerned with keeping the load attached to the vehicle, not necessarily securing the load itself.

It has been difficult to navigation potential requirements here, as federal OSHA requires Oregon OSHA to be at least as effective as the federal rule. However, in this case, the federal rule is referring to highway safety, which is like comparing apples to oranges in terms of regulation. Tom will continue working on this issue and will look at pole trailers as well. He will email the committee with updates.

Two-way radio communication for workers who are single jacking

The committee returned to discussion regarding radio communication for workers who are single jacking. Tom brought this discussion to the Oregon OSHA policy group, who thought it would be a good idea to work on. Tom drafted some rule language modifying OAR 437-007-0800(4) to allow for radio communication to be considered complying with the rule when certain provisions are complied with. Tom handed out a paper with this draft language on it. The group discussed the draft language and offered suggestions. One was that the words “close enough to render assistance” may be an industry standard, but may also be too variable for a rule. Another suggestion was to increase the minutes walking distance in section 5, or to eliminate the time requirement altogether. The committee also suggested adding a requirement of backup batteries to be carried by workers. There was some concern that this rule implies working alone, however, others on the committee felt that this potential allowance better allowed for working in teams within appropriate distance, but improving communication among workers.

Tom thanked the committee for their suggestions and stated he would continue working on this draft language.

New Business

OSHA Proposal for training materials on anchoring, stumps, machines, etc.

Professor Francisca Belart was going to speak to the committee but was unable to attend this meeting. John Garland spoke on her behalf to state that she would like to address some training for machine anchoring and is anticipating applying for an Oregon OSHA training grant. She will

be looking to update and synthesize current training materials and make some guidance documents. At this time there is no specific timeline except for grant application.

Public Records Request

Tom presented a hard copy of an email to the committee. This email was a request for information from the Oregon Department of Forestry regarding tethered logging. Oregon OSHA complied with the public records request and this served as notification to the committee as to what the agency provided.

Quarterly Overnight Hospitalizations & Fatalities Report (Q4/FY2017)

The committee reviewed the accidents reported to Oregon OSHA since the previous meeting. Some committee members provided clarification regarding the events which lead to the July 12 fatality- remarking that the line had become tangled, and there was not a good method for removing the tangle.

Tom and committee members discussed reporting requirements, and Tom stated he will bring in some of the rules surrounding reporting requirements in order to provide further clarification next meeting.

Roundtable:

Tom notified the committee that Oregon OSHA has hired Bryon Snapp as its new statewide safety enforcement manager.

Teri reminded the committee members that the grant application period ends on October 6, 2017. If there are any questions about the application process, please contact Teri.

Meeting adjourned 12:31 p.m.

Next Meeting:

When: Thursday, December 14, 2017 at 9:00 a.m.

Where: Associated Oregon Loggers Office, 2015 Madrona Ave SE, Salem, OR 97302