

WILDLAND FIRE SUPPRESSION AND PRESCRIBED FIRE

N

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437-007-1300 Scope of Rules.

(1) The purpose of the rules in Subdivision N is to provide minimum safety and health requirements for all public and private employers who engage in wildland fire prevention, wildland fire suppression or prescribed fire that includes activities such as, but not limited to:

- Fire line construction
- Engine (fire truck) operation
- Dozer, skidgine and pumper-cat operation
- Snag felling
- Fire detection
- Forest patrols
- Helicopter operation
- Slash burning
- Mop-up
- Laying hose lines
- Tending dip-tanks
- Handling, mixing and applying fire suppression chemicals

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

Stats. Implemented: ORS 654.001 through 654.295.

Hist: OR-OSHA Admin. Order 2-2005, f. 5/27/05, ef. 6/1/05.

437-007-1303 Application of Rules.

(1) Except as otherwise specified, the rules in Subdivision N apply to all personnel engaged in wildland fire prevention, wildland fire suppression or prescribed fire activities when there is potential for exposure to wildland fire hazards such as, but not limited to:

- Burn injuries
- Burning embers
- Extreme fire behavior
- Entrapment
- Falling snags
- Heat exhaustion
- Heat stroke
- Rolling materials
- Smoke inhalation
- Vehicle and machine operation

(2) The rules in Subdivision N do not limit the use of other applicable safety and health rules.

(3) The rules in Subdivision N do not apply to personnel assigned to wildland fire suppression support activities, such as fire camp support positions which will not expose them to wildland fire hazards.

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

Stats. Implemented: ORS 654.001 through 654.295.

Hist: OR-OSHA Admin. Order 2-2005, f. 5/27/05, ef. 6/1/05.

437-007-1305 General Requirements.

(1) Tactical and command fire suppression communications must provide a clear line of communication to all affected personnel.

NOTE: A competent person may make single employee assignments as long as the requirements of OAR 437-007-0200(3) Site Planning and Implementation, OAR 437-007-0210(2)(a) through (c) Checking System, and OAR 437-007-0215(1) Working Alone, are complied with. These rules are reprinted below.

OAR 437-007-0200(3) Workers must be placed and their activities arranged so they are in the clear and the actions of one worker will not create a hazard for any other worker(s).

OAR 437-007-0210(2) The employer must implement a system to check the well-being of those workers whose jobs may be single employee assignments, as provided for in OAR 437-007-0215(3). The system must include:

(a) The time interval between checks and the procedures to be followed if the employee cannot be contacted, including provisions for emergency medical care and treatment.

(b) A specific person must be assigned for:

(A) Contacting the lone employee.

(B) Verifying when contacts were made.

(c) The time intervals for checking the single employee's well-being must be understood and agreed to by all parties. Intervals should reflect the hazardous nature of the work and the methods available for checking.

OAR 437-007-0215(1) The employer must not assign workers to a task or location so isolated as to be without visual, audible, or radio contact with another person who can summon or provide aid in an emergency.

(2) When employees are required to handle, mix and/or apply hazardous chemicals, the employer must develop, implement and maintain a written hazard communication program meeting the requirements of Division 2, Subdivision 2/Z, Toxic and Hazardous Substances, 1910.1200, Hazard Communication.

(3) During the initial attack on a wildland fire, when the fire and/or the fire suppression activity creates a hazardous condition for traffic and warning signs and/or flaggers are not controlling traffic, a vehicle with emergency flashing lights must be used to warn traffic.

NOTE: See Division 7 Subdivision F, 437-007-0510 Roads, Vehicles, Flagging and Flammables.

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

Stats. Implemented: ORS 654.001 through 654.295.

Hist: OR-OSHA Admin. Order 2-2005, f. 5/27/05, ef. 6/1/05.

437-007-1310 Personnel Assignments.

(1) The employer and/or their authorized representative must take into account the physical capability of each employee to safely perform assigned tasks:

- (a) Prior to job assignment, and
- (b) While the employee performs those tasks.

(2) Personnel performing wildland fire suppression or prescribed fire activities except as provided for in OAR 437-007-1315(1) and (2), must:

- (a) Work in teams of two or more, and
- (b) Be positioned so they are close enough to render assistance to one another in case of an emergency.

NOTE: This rule does not prohibit the ignition and monitoring of burn piles and landings by one employee when a competent person has determined that conditions are such that the fire(s) will not spread beyond the fuels intended to be burned.

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

Stats. Implemented: ORS 654.001 through 654.295.

Hist: OR-OSHA Admin. Order 2-2005, f. 5/27/05, ef. 6/1/05.

437-007-1315 Single Personnel Assignments.

(1) Single employee assignments such as watchers, security and forest patrol personnel may take appropriate action to contain, control or extinguish a fire upon discovery only when:

- (a) They have first reported the fire, described their intended fire suppression activities, and agreed on a checking system as required by OAR 437-007-0210; and
- (b) Their fire suppression activities are consistent with firefighter training and safety; and
- (c) There is an escape route to a safety zone that will not be cut off if the fire increases in size or changes direction.

(2) A competent person must ensure that watchers, security and forest patrol personnel, and other single employee assignment personnel who are expected to perform fire suppression activities:

- (a) Have received Basic Wildland Fire Safety Training as required by OAR 437-007-1325; and
- (b) Are qualified in the operation of assigned fire suppression machines, equipment, and use of fire fighting tools; and

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(c) Are advised of the requirements of OAR 437-007-1315(1) and other job site conditions, known by the employer, which could affect the extent of their fire suppression activities; and

(d) Are physically capable of performing assigned fire suppression activities as required by OAR 437-007-1310(1).

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

Stats. Implemented: ORS 654.001 through 654.295.

Hist: OR-OSHA Admin. Order 2-2005, f. 5/27/05, ef. 6/1/05.

437-007-1320 Personal Protective Equipment.

(1) Personnel performing wildland fire suppression or prescribed fire activities must wear:

(a) Pants and a long-sleeved shirt made of cotton, wool, denim or other fire resistant materials.

NOTE: The employer is not required to provide the clothing listed in OAR 437-007-1320(1)(a).

(A) Clothing made from common permanent-press materials or synthetic fibers that melt when exposed to flame or heat must not be worn.

(B) When special protective clothing made of aramid or other fire resistant materials is required by the employer, the employer must provide it at no cost to the personnel.

(b) Footwear that:

(A) Covers and provides protection and support for the foot and ankle, such as heavy duty leather lace-up boots with an 8-inch high top.

(B) Provides for secure footing and traction for the assigned task.

NOTE: Caulked boots, in accordance with the requirement of OAR 437-007-0330, may be required for some fire suppression or prescribed fire duties.

(C) Is fire and melt resistant.

(D) Is made of or covered with chain saw cut resistant material when operating a chain saw.

NOTE: The employer is not required to provide the minimum basic footwear listed in OAR 437-007-1320(1)(b).

(c) Head protection in accordance with the requirement of OAR 437-007-0305(1) and (2).

(A) When wearing hard hats around helicopters, the hats must be secured by a chin strap.

NOTE: To reduce the possibility of blowing objects when working around helicopters, hard hats need not be worn when a competent person has determined there is no danger from falling or flying objects.

- (d) Upper body cover and/or hard hats of a high-visibility color in accordance with the requirement of OAR 437-007-0310.
- (e) Eye and face protection in accordance with the requirements of OAR 437-007-0315.
- (f) Hand protection in accordance with the requirements of OAR 437-007-0320(1) and (2).
- (g) Leg protection in accordance with the requirements of OAR 437-007-0325 when operating chain saws.
- (h) Hearing protection in accordance with the requirements of OAR 437-007-0335.

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

Stats. Implemented: ORS 654.001 through 654.295.

Hist: OR-OSHA Admin. Order 2-2005, f. 5/27/05, ef. 6/1/05.

437-007-1325 Training. The following requirements are in addition to the training requirements of OAR 437-007-0140.

(1) The employer and/or their authorized representative must ensure that all personnel who may be called upon to do wildland fire suppression and/or prescribed fire activities receive Basic Wildland Fire Safety Training as follows:

- (a) Once a year, between January 1 and the legal declaration of fire season, for personnel who are employed at the time training is presented.

NOTE 1: Personnel who have previously received Basic Wildland Fire Safety Training need only receive refresher training on those portions of the curriculum outlined in Appendix 7-C that are relevant to the fire suppression activities to which they may be assigned.

NOTE 2: Basic Wildland Fire Safety Training is not required for personnel who are assigned to fire support positions that will not expose them to wildland fire hazards.

Newly hired and/or reassigned personnel who have not received Basic Wildland Fire Safety Training must be trained within 17 days of being assigned or dispatched to wildland fire suppression or prescribed fire activities. In the interim, they may perform wildland fire suppression, or prescribed fire activities provided they work under the direct supervision of a competent person who must:

- (A) Brief personnel (prior to starting fire suppression or prescribed fire activities) about the escape route(s), safety zone(s), anticipated fire activity, and what to do if they get separated from the competent person; and

- (B) Provide continuous on-the-job supervision; and
- (C) Provide on-the-job fire safety training; and
- (D) Supervise no more than 5 untrained personnel.

NOTE: When an untrained runner is enroute, direct supervision may be achieved by radio contact provided there is a competent person providing direct supervision at both the pick-up and drop-off points.

(2) Basic Wildland Fire Safety Training must:

- (a) Be presented by a qualified person, and
- (b) Provide instruction and training on the curriculum outline in Appendix 7-C, and
- (c) Be presented in a language and manner that the employee(s) is able to understand.

(3) The employer must keep a current written record of Basic Wildland Fire Safety Training for each employee.

(4) Personnel who are issued fire shelters must receive instructions from a qualified person prior to issue, and at least once a year thereafter, on:

- (a) How to inspect and care for the shelter, and
- (b) How, when and where to deploy the shelter, and
- (c) What a person needs to do in the deployed shelter.

NOTE: When fire shelters are required, an orderly transition for employee training must be consistent with fire suppression needs and employee safety.

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

Stats. Implemented: ORS 654.001 through 654.295.

Hist: OR-OSHA Admin. Order 2-2005, f. 5/27/05, ef. 6/1/05.

EQUIPMENT, VEHICLES & MACHINES, GENERAL REQUIREMENTS / VEHICLE OPERATION

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437-007-1330 Equipment, Vehicles and Machines, General Requirements.

(1) Fire fighting equipment, vehicles and machines must be:

- (a) Inspected for defects prior to the start of each shift.
- (b) Maintained in accordance with the appropriate manufacturers' recommendations.

(2) Fire fighting equipment, vehicles, and machines that are defective or damaged so as to render them hazardous to operate, must be removed from service and not returned to service until repairs are completed.

(3) A safe and adequate means of access and egress such as steps, ladders, and handholds must be provided and maintained to all parts of vehicles and machines where employees must go.

(4) Machine and vehicle access must comply with the Society of Automotive Engineers' SAE J185-1988 or ISO 2867:1994, Access Systems for Off-Road Machines.

(5) An effective means of communication must be established when it is necessary for personnel to communicate with the operator of a vehicle, equipment or machine.

(6) When military vehicles are used to transport personnel, they must be equipped with standard military seating, backrests and endgates or equivalent.

Stat. Auth.: ORS 654.025(2) and 656.726(4).
Stats. Implemented: ORS 654.001 through 654.295.
Hist: OR-OSHA Admin. Order 2-2005, f. 5/27/05, ef. 6/1/05.

437-007-1335 Vehicle Operation.

(1) The operation of vehicles must comply with the requirements of OAR 437-007-0520 through OAR 437-007-0570.

(2) All equipment hauled on a vehicle must be adequately secured when the vehicle is in motion.

(3) Vehicles must be brought to a full stop before personnel disembark.

Stat. Auth.: ORS 654.025(2) and 656.726(4).
Stats. Implemented: ORS 654.001 through 654.295.
Hist: OR-OSHA Admin. Order 2-2005, f. 5/27/05, ef. 6/1/05.

437-007-1340 Machine Operation.

(1) When machines used for fire trail construction or fire fighting are operated on slopes in excess of the limitations for machine operation as defined in OAR 437-007-0935(1) and (2), a competent person must ensure that measures are taken to provide stability such as:

- (a) Using the blade; or
- (b) Tying to stumps, anchors, or other machines; or
- (c) Using materials to limit the slope under the machine; or
- (d) Limiting the operating range of movement and/or the machine loading to maintain stability.

(2) The machine operator and a competent person must agree how to safely operate on all steep slopes taking into consideration the:

- (a) Experience of the operator.
- (b) Limitations of the machine.
- (c) The soil conditions.
- (d) Direction of travel (traveling straight up and down the slope).
- (e) Hazards of turning the machine on the slope.
- (f) Weather.
- (g) Load size.
- (h) Any other adverse condition(s).

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

Stats. Implemented: ORS 654.001 through 654.295.

Hist: OR-OSHA Admin. Order 2-2005, f. 5/27/05, ef. 6/1/05.

437-007-1345 Helicopter Operations.

- (1)** Helicopter facilities must be kept clear of loose objects and unauthorized personnel.
- (2)** Personnel must not smoke within 50 feet of a helicopter, fuel storage, or fueling equipment.
- (3)** Unless authorized by the pilot or helicopter ground crew, personnel must stay at least:
 - (a)** 50 feet away from small helicopters (50 feet or less overall length), and
 - (b)** 100 feet away from large helicopters.

NOTE: Helicopter overall length, includes the tail boom and the rotors fully extended.
- (4)** A competent person must provide a detailed briefing on helicopter safety procedures to all passengers prior to loading.
- (5)** Personnel assigned to ride in helicopters must:
 - (a)** Be briefed in the correct approach, riding and off-loading procedures for the particular type of helicopter.
 - (b)** Follow instructions of helicopter personnel at all times when around helicopter.
 - (c)** Carry all tools at their side (not slung over their shoulder) when around helicopters.
- (6)** Unless told otherwise by a competent person, personnel must approach and leave the helicopter in full view of the pilot.
- (7)** Personnel must stay away from turning tail rotors at all times.
- (8)** Personnel must not stand directly beneath a hovering helicopter unless they have been trained or are being trained in performing sling load hookup or bucket filling operations.

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

Stats. Implemented: ORS 654.001 through 654.295.

Hist: OR-OSHA Admin. Order 2-2005, f. 5/27/05, ef. 6/1/05.