

Oregon OSHA
Construction Advisory Committee
Tuesday, June 02, 2009

Meeting Minutes

Attendees:

Andrew Haymart
Barry Moreland
Barry Sandgren
Bill White
Brian Silbernagel
Chris Ottoson
Dave Holland

Dave Kaiser
David Davidson
Dede Montgomery
Dianna Gray
Eliot Lapidus
Jackie Berrios
Jill McConnell
Kim Rhodes

Marilyn Schuster
Michael Wood
Mike Martini
Peg Munsell
Ron Haverkost
Sam Drill
Tony Howard

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_advice.html

Continuing Business:

Status of rule making –

Proposed:

Division 2/L Confined space rescue issues in the fire fighters standard – A public hearing was held on June 3, 2009 and the comment period was open through June 8, 2009. This was initiated in part based on the need to standardize methods for all fire fighters and first responders in the state for the rescue of victims from confined spaces. The rule change focuses on fire departments that respond to calls prompted by the public for rescue from confined space.

Division 5 Longshoring (1917) and Marine Terminals (1918), Vertical Tandem lifts – This rulemaking is to keep Oregon OSHA in harmony with recent changes to Federal OSHA’s standards. Oregon OSHA will adopt the changes as published in the [December 10, 2008 Federal Register](#). Scheduled to be adopted and effective June 5, 2009.

Division 2/O and Division 4/O Bailing equipment – A public hearing was held on April 29. Oregon OSHA is extending the comment period for 4/O until June 18, 2009 based on

a request at the hearing. The general industry rule in Division 2/O is amended to include balers, stationary compactors, and self-contained compactors and has been adopted.

Division 2, 3 and 5 PPE - A public hearing was held on April 29, 2009. This rulemaking is for additional language clarifying that the personal protective equipment (PPE) and training requirements impose a compliance duty to each and every employee covered by the standards and that noncompliance may expose the employer to liability on a per-employee basis. Adopted and effective May 29, 2009.

Ready to Propose:

Division 4/W and Division 2 – Update on Oregon OSHA’s Worker Protection Standard in Division 4.W to reflect federal changes. This change also includes placing a rule in Division 2 for general industries using pesticides.

Division 1 – Scheduling and priority of inspections – Advisory groups met two times in May. Proposal will be submitted on June 15, 2009 and hearings have been scheduled for July and August in Salem, Bend and Medford.

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

Rulemaking under development:

Division 3 - Confined Space in Construction – Draft language was sent out to external stakeholders in April. Advisory group met May 29th. Next meeting set for July 10th.

Division 2/H – Compressed Gas – Mike Lulay is working on a draft which should be completed towards the end of the year.

Permanent anchor updates –

Tony Barsotti and Dave Kaiser attended the Building Codes meeting at the end of May in Salem. Attendee’s included the Board, architects, building officials and disability people. Dave mentioned that Tony did a great job presenting. There were questions brought up regarding wooden trusses. They were invited to come back with additional comments regarding wooden trusses. If anyone has any knowledge in wooden truss construction, please attend the meeting on Friday, June 5th at Tony Barsotti’s office.

Dave Kaiser thanked those that sent letters of endorsements and provided advice and comments. Subsequent meetings will be held with a combination of people to bring additional comments and continue with current changes.

Tower Crane Emphasis Program – Barry Sandgren:

Barry discussed the results of the recent Local Emphasis Program on Tower Cranes. From August 2008 through February 2009, 7 tower cranes were inspected and 13 violations were cited.

Clarification of Language, Random Inspection Scheduling – Barry Sandgren:

Copies of the Program Directive A-248, Inspection Criteria: Criteria for Construction Inspections, was distributed. The question was asked about how random inspections of sites with multiple permits were handled? Although there is most likely going to be only one inspection of the site, sites can show up multiple times on the random inspection list. Sites can be selected in multiple ways such as through permits or Dodge reports. Permits can be submitted over a course of time so the site address may show up more than once. At multi-employer sites, the scope of inspection of the random site is kept to the address although an officer will inspect a nearby address if there is imminent danger. An employer can ask the compliance officer what list they are on and a good time to ask is at opening conference. If they are on a list, it will be a comprehensive inspection. A compliance officer can stop to inspect by site, scheduling list, or emphasis program. Barry Moreland will contact Gary Beck for more information for an article he is writing.

Lessons Learned – Barry Sandgren:

Barry presented on a trenching fatality from September 2008. Although employees were instructed not to enter the trench as all the work could be completed outside the trench, one employee entered the trench anyway and was crushed resulting in a fatality.

Overnight Hospitalizations Report – Dianna Gray:

Dianna provided the committee a summary of overnight hospitalizations reported to Oregon OSHA field offices during the last month that included the industry, type of injury and the mechanism of injury.

Roundtable: -

Peggy Munsell –

Oregon OSHA has on their website the latest special sesquicentennial edition [Resource](#) newsletter. OR-OSHA is still planning on putting the Construction Depot in Resource and asked for ideas. Compressed Air was suggested. Anyone can sign up to receive [email notification](#) of new Resource newsletters. The revised [Excavations](#) publication is out. Peg will bring copies to next meeting.

Dave Davidson–

Dave asked if there was a best practices or Fact Sheet on types of respirators. Information is on both the [Oregon OSHA](#) website and [CROET's](#) site. Dave suggested that a Fact Sheet or Hazard Alert on compressed air be put together including what the injuries/risks/types are and include PVC piping. It was suggested that Oregon OSHA develop this as a topic for the Resource newsletter.

Barry Moreland –

NECA/IBEW held their 11th Annual Electrical Industry Vendor Appreciation Night & Vendor Show. Barry passed around an invention by one of the electricians.

Dave Kaiser –

Dave brought up the [EPA Renovation, Repair and Painting Rule](#) and whether we should discuss amongst the group. It was agreed that we should so Peggy will provide Barry with contacts from DHS to present at a future meeting.

Tony Howard –

Tony asked for volunteers/ideas for future Lessons Learned.

Planning for Agenda and for Next Meeting:

When: Tuesday, July 7, 2009 at 9:00 a.m.

Where: L&I Building, Room F

NEW AGENDA ITEM: Mark Hurliman, VPP for construction