

Oregon OSHA
Construction Advisory Committee
Tuesday, August 04, 2009

Meeting Minutes

Attendees:	Dave Kaiser	Michael Wood
Andrew Haymart	Dianna Gray	Ron Haverkost
Barry Moreland	Jill McConnell	Tony Barsotti
Chris Ottoson	Lupe Ponce	Tony Howard
Dave Holland	Marilyn Schuster	Trena VanDeHey

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

Continuing Business:

Status of rule making –

Proposed:

Divisions 4/W, 2/Z, and 7/A - Worker Protection Standard (WPS)

A public hearing was held on July 29, 2009. OR-OSHA proposes to amend OAR 437-004-6000 in Division 4/W, Agriculture/Worker Protection Standard, with changes as they appeared in the Federal Register. EPA reviewed its pesticide regulations contained in 40 CFR Part 170, and made non-substantive technical changes in a number of areas to correct errors and cross-references, and to improve presentation and format.

OR-OSHA also is amending OAR 437-007-0010 Worker Protection Standard in Division 7, Forest Activities, to clarify the reference to WPS in Agriculture. The comment period was open through August 3, 2009 and two comments were received. Adoption will be mid-August 2009.

Division 1 – Scheduling and priority of inspections – Advisory groups met twice in May. Hearings have been scheduled for July (Salem) and August in Bend (14th at Bend Field Office) and Medford (18th at Jackson County Juvenile Services Center).

Recently Adopted:

Division 2/L - Confined space rescue issues in the fire fighters standard - A public hearing was held June 3, 2009. OR-OSHA amended OAR 437-002-0182, Oregon Rules

for Fire Fighters related to confined space rescue. Scheduled to be adopted July 9, 2009, effective October 1, 2009.

Division 2/O and Division 4/O Bailing equipment - The general industry rule is amended to include balers, stationary compactors, and self-contained compactors. Adopted July 7, 2009 and effective July 21, 2009.

Rulemaking under development:

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.

Division 2/J and 3/J - Confined Space in Construction – Draft language was sent out to external stakeholders in April. Advisory group met May 29th and July 10th. Next meeting set for September 11, 2009.

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 will present in front of the code committee again on Thursday, August 6th for what should be their final code committee meeting. Changes have been made to satisfy concerns including limiting scope to new construction and certain size of roofs. The biggest challenge now is coming to terms with the Building Code officials concerns but they have gained the support from most of the code committee. An additional issue that has come up is the need to define “obstruction.”

Overnight Hospitalizations Report – Diana Gray:

Diana 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: -

Barry Moreland –

Oregon Employers Traffic Safety Conference will be held at NECA IBEW Electrical Training Center on September 29th.

Marilyn Schuster–

Marilyn distributed copies of Oregon OSHA’s website pages that include links to fatality and injury reports and statistics. One report is updated quarterly and includes Federal Form 170 reports with the next quarter available on site in about a week which would include data through the end of June 2009. The second report is produced by Oregon OSHA and includes fatalities from 2000-2009.

ANSI has come out with 3 new Fall Protection standards; 359.6, 359.12, & 359.13. These are not Oregon OSHA standards so any new requirements are not regulatory requirements.

In the [case](#) of a multi-employer worksite, Federal OSHA had a valid case to cite an employer, Summit. The Commission affirmed the original citation that held the controlling employer could in fact be held liable for violations of safety standards by subcontractors under 29 C.F.R. § 1910.12(a).

Tony Barsotti –

Tony informed the group that the A-10 standards are under revision now. Also, the Construction Safety newsletter is online and includes an article on ladders and risk factors.

Dave Holland –

Dave brought up the issue of who is responsible when an employee dies later, after an accident/incident or not, or off site. Michael Wood stated that when it comes to reporting requirements, Oregon OSHA wants a report to be made and then they'll make that determination.

Dave asked if Oregon OSHA would be taking on the National Certification process with cranes? Michael Wood stated that if Federal OSHA does, we will as well. We currently require operator training that exceed the current Federal standards that are in place.

Trena VanDeHey –

Trena mentioned that the new [Resource](#) is out and includes two articles on Silica and overexposures.

Tony Howard –

Tony has seen a trend in accidents with manual material handling. Employers and employees need to be aware when getting from point A to point B.

Planning for Agenda and for Next Meeting:

When: Tuesday, September 1, 2009 at 9:00 a.m.

Where: AGC, Wilsonville