

Oregon OSHA

Construction Advisory Committee

Tuesday, September 01, 2009

Meeting Minutes

Attendees:	Terry Hammond	Jill McConnell
Andy Collins	Dave Holland	Ken Redifer
Barry Moreland	Mark Hopkins	Marilyn Schuster
Bill White	Dave Parsons	Peg Munsell
Brian Silbernagel	Dede Montgomery	Ron Haverkost
Bruce Roller	Dianna Gray	Tony Howard
Dan Freeburg	Eliot Lapidus	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

Lessons Learned/Safety Tip:

Tony Howard presented on a few accident scenarios via PowerPoint. The group discussed and identified risks, hazards, and prevention methods.

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-September 2009.

Division 1 – Scheduling and priority of inspections – Oregon OSHA is proposing changes to the methods used for scheduling safety and health inspections as described

within Oregon Administrative Rule, Chapter 437, Division 1. Advisory groups met twice in May. Hearings were held in July and August. The comment period closed on August 21, 2009 and 8 were received. Oregon OSHA is studying all comments before finalizing the rule changes.

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. Adopted July 9, 2009, effective October 1, 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 mid-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.

Division 2/L – Oregon rules for Firefighters – Stakeholders have met once and will meet again this fall concerning a rewrite of OAR 437-002-0182 Oregon Rules for Firefighters.

Division 2/H – Acetylene – Federal OSHA issued a direct final rule revising the acetylene standard published in the August 11, 2009 Federal Register. Oregon OSHA will propose and Oregon-initiated acetylene standard instead of adopting the federal changes to 1910.102.

Divisions 2 and 5 – Personal Protective Equipment – Federal OSHA issued a final rule in the September 9, 2009 Federal Register revising the personal protective equipment (PPE) sections in general industry and maritime activities regarding requirements for eye- and face-protective devices, head protection, and foot protection. Consensus standards are also updated.

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: -

Tony Howard – Tony shared an article, *Driver Distraction – A Real Killer*. Members shared their business requirements/restrictions on the use of cell phones on the job. Eliot mentioned the PSA on texting while driving and Dede provided the link to the YouTube video: http://www.youtube.com/watch?v=KF0_7qC6YFo. (The video is graphic.)

Dede Montgomery – Brochures were distributed on the [Oregon's Workplace Health & Safety: Looking Forward to 2020](#) Symposium on September 24, 2009 from 8:30am – 3:00pm at the Red Lion Hotel on the River, Jantzen Beach.

Barry Moreland –

Barry brought in a tic tracer, a voltage detector. He wanted to inform the group that the device varies and comes on at different volts. Tic tracers have limitations in how they operate and are really a test for “hot or not hot”.

Dave Holland –

Asked for clarification on a situation that came up, where someone moved a rough terrain truck crane that didn't have an operators card. He said the employee was simply moving the crane and not operating it. Dave asked if a person is simply moving a crane or taking it off a lowboy, does the employee or a mechanic need to have a training card? The answer was, not normally. Certifications and crane operator training cards are strictly for operations of the crane itself. In general, the employer is required to ensure that an employee knows (is qualified) what they're doing before the employer allows them to operate equipment of any kind.. Employees need to be properly instructed in all aspects of the jobs they are assigned by their employer to do.

Brian Silbernagel –

Brain asked if Oregon OSHA will require the same process as NCCCO with cranes? The response was if Federal OSHA does, Oregon OSHA will follow.

Ron Haverkost-

Ron has been receiving questions regarding eye protection and what the requirements are if employees want to wear sunglasses. Ron checked with Oakley and they state that their glasses meet or exceed the ANSI standards for optical clarity and impact The ANSI standard states that the spectacles shall bear the Z87 trademark and if it is not stamped with Z87, you are not in compliance with the Z87 standard.

Ron asked the group for feed back on free-rigging forklifts. Federal OSHA's interpretation is you can not because if you modify or make additions to the lift , that effects capacity or safe operations you are required to get the manufacturer's approval. Ron will bring copies of the standard and letter to the next meeting.

Tony Howard –

Tony reminded the group that in November/December, a new chair needs to be elected.

Nevada is the first state to require all construction employees to complete the OSHA 10-hour training and 30-hour outreach for supervisors.

Planning for Agenda and for Next Meeting:

When: Tuesday, October 6, 2009 at 9:00 a.m.

Where: L&I, Room F