

**Oregon OSHA**  
**Construction Advisory Committee**  
Tuesday, September 3, 2013

**Meeting Minutes**

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**Attendees:**

Barry Moreland  
Bill Haskins  
Bret Taylor  
Brian Silbernagel  
Bruce Roller  
Chris Ottoson  
Chuck Lemon  
Clark Vermillion  
Dave Davidson

Dede Montgomery  
Demetra Star  
Dianna Gray  
Eliot Lapidus  
Gary Beck  
Ian Chase  
Joel Gonzalez  
Marilyn Schuster  
Mark Tobiasson  
Mary Lou Wilson

Melissa Diede  
Michael Wood  
Mike Margraf  
Nathan Taylor  
Teri Watson  
Travis Berg  
Tom Bozicevic  
Tony Howard  
Peg Munsell  
Zack Toney

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Meeting was called to order at 9:00 am by Dave Davidson  
Introductions were made

Approval of Minutes:

A motion was made and minutes approved with no changes.

Posted Construction Advisory Committee minutes can be found at:

[http://www.cbs.state.or.us/external/osha/standards/const\\_advise.html](http://www.cbs.state.or.us/external/osha/standards/const_advise.html)

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***Lessons Learned:***

None discussed.

***Continuing Business:***

**Status of rule making – Rulemaking updates can be found at:**

<http://www.orosha.org/pdf/rules/2013development.pdf>

**Confined Space Entry** – Michael informed the committee that Oregon OSHA will be withdrawing the new rule due to concerns of its possible economic effects. The rule will be proposed again once the concerns are addressed; however, there are no plans to add additional requirements. Until then, employers need to comply with the pre-existing federal rules in general industry, as well as the limited construction requirements previously in place.

**(9/23/2013 Update:** In a press release on September 4, 2013, Oregon OSHA announced their decision to withdraw the Oregon state - initiated confined space rule adopted in September 2012. On September 10, 2013, Oregon OSHA held a stakeholder meeting. At that meeting it was suggested that Oregon OSHA continue the current practice of only enforcing the requirements of

the new rule that are also violations of the old rule, rather than immediately replacing the state rule with the federal rule (which would mean that a final rule would need to be developed, proposed, adopted and in effect within 180 days). Oregon OSHA was asked to develop an issues list or substantive areas for discussion at the next meeting. A link to the meeting minutes, which includes identified issues, is attached.

[http://www.orosha.org/standards/advisory/confined/csac\\_minutes\\_09-2013.pdf](http://www.orosha.org/standards/advisory/confined/csac_minutes_09-2013.pdf)

Oregon OSHA's state – initiated rule remains in place at this time. Oregon OSHA will allow employers to comply with either the state-initiated rule or the federal rule until revisions to the state-initiated rule are finalized. The final rule will not include any requirements that are more stringent than those in the current Oregon rule

[http://www.orosha.org/pdf/rules/division\\_2/div2\\_j.pdf#page=35](http://www.orosha.org/pdf/rules/division_2/div2_j.pdf#page=35)

**Compressed Gas** – Peggy reported the status of the rule making for the welding standard in general industry and construction. Further work is needed to be done on the storage of compressed gas and compartment ventilation when transporting cylinders. Stakeholder meetings continue.

**Small Capacity Cranes in Construction** – No news from federal OSHA. Crane certification providers are reporting that employers are waiting to see what federal OSHA requires.

**Crystalline Silica** – Federal OSHA recently released a proposed standard to protect workers exposed to respirable crystalline silica in construction, with an action level of 25 µg/m<sup>3</sup> (micrograms of silica per cubic meter of air) over an 8-hour TWA.

[https://www.osha.gov/FedReg\\_osha\\_pdf/FED20130912.pdf](https://www.osha.gov/FedReg_osha_pdf/FED20130912.pdf)

**Fall Protection in Residential Construction** – Michael stated that Oregon OSHA will be moving forward with an extension request to federal OSHA for the agency's response.

### ***Monthly Overnight Hospitalizations & Fatalities Report***

Dianna gave a report of fatalities and overnight hospitalizations for the month of August. There were 3 fatalities and 1 overnight hospitalization. Details on an electrical shock accident that occurred in Salem in June are still unavailable until the conclusion of the ongoing investigation.

### ***Roundtable:***

Oregon OSHA Press Release: Bravo's Construction Services. The Home Builders Association has received questions on the matter. Tony emphasized the utilization of prequalification screening for subcontractors. However, due to the normal lag time in the citation issuing process, recent inspections activity information may not be available.

Dede informed the committee of a new interactive incident map on OHSU's website that shows the most current occupational fatalities recorded by OR-FACE. See link below:

<http://www.ohsu.edu/xd/research/centers-institutes/croet/outreach/or-face/incident-maps/index.cfm>

Michael Wood raised the question of holding meeting entirely at AGC in Wilsonville. Eliot will check if the location is available.

***Planning for Agenda and for Next Meeting:***

**When:** Tuesday, October 1, 2013 at 9:00 a.m.

**Where:** Oregon OSHA Salem Field Office, 1340 Tandem Ave. SE, Salem, OR