

**Oregon OSHA
Forest Activities Advisory Committee
March 14, 2019
Meeting Minutes**

Attendees:

Francisca Belart
Tom Bozicevic
Heather Case
Mike Coiner
Mark Dvorscak
Jim Gahlsdorf
John Garland
Jim Geisinger
Rod Huffman

Larry Kirkpatrick
Tyson Losli
Teresa Lundy
Kevin Lyons
Brett Morrissette
Greg Pellham
Joey Sayles
Rocky Shampang
Bruce Skurdahl

Bryon Snapp
Renée Stapleton
Jeff Wimer
Michael Wood

Meeting called to order at 9:02 a.m.

The group introduced themselves.

The group discussed the December 13, 2018 meeting minutes. The group recommended no changes, and **approved the December 13, 2018 meeting minutes.**

In the discussion of the meeting minutes, Renée discussed changes to the roles within the advisory committee, noting that she would be facilitating meetings, while Tom would be present as an attendee and technical section contributor.

New Business

Logging Inspection Scheduling

Michael Wood, Administrator of Oregon OSHA, joined the group to begin a discussion regarding scheduling logging inspections. Michael pointed out that the logging industry has been seeing less gains in safety than other businesses, although he noted that the small numbers statistically can make it hard to see trends in safety. He acknowledged that currently, Oregon OSHA struggles with how to get to the right sites to inspect when there is not an accident or a fatality investigation, and that there seems to be a disconnect between the most frequent citations in logging, and actual hazards most encountered by employees.

Michael stated he would like to discuss and revisit how Oregon OSHA schedules logging inspections, and the inspection limitation in the current struck-by emphasis program.

The group discussed how to know what is actually going on before an injury or fatality event, and what Oregon OSHA can do to make use of enforcement resources to identify hazards prior to an accident or fatality.

The group identified two suggestions for both industry professionals and Oregon OSHA. The first was for Oregon OSHA to get details surrounding cases out into the industry as the agency completes its investigation. The second was for employers to take more time and examine if bad habits are getting passed down, and who is educating the younger workforce that is actually out on the ground.

The group further discussed a website for employers that could identify accident and fatality investigations, and provide added details after investigations close. The group also discussed concerns surrounding redaction of information to avoid identifying employers, but suggested including the synopsis or a truncated version of it. One member suggested that it may be useful to have a running tally of accidents/injuries in the industry (maybe on a graph over time), to show trends.

Action Item: Oregon OSHA will follow up with citations and outcomes of inspections for accident and fatality investigations, likely in the form of a website that can be accessed by everyone and quickly updated.

The group discussed the availability of consultation and that the industry, although small, has been using consultation more in recent years. Members also discussed the possibility of abbreviated openings, and the struck-by emphasis more deeply, including how incidents get categorized as belonging in the emphasis program.

The group also discussed ideas that the industry needs to focus on the why more than the existence of hazardous behaviors/conditions. To identify what led to the hazard, and to put mechanisms in place to prevent reoccurrence. This can include training and disciplinary actions, however, the latter is challenging in the current hiring market. The group also identified more potential for hazardous behavior as tethered logging continues and manual workers are brought into that process on more dangerous ground.

The group also discussed the prevalence of independent contractors and subcontractors not covering themselves with workers' compensation insurance, and that this impacts what goes on in the contractor pool. The group also briefly discussed a bill in the legislature right now regarding independent contractors.

The group also discussed the increase in tree length logging, which makes it more of a challenge for workers to get clear, and improvements on not crowding the rigging were lost. During this increase, the rules didn't change, but logging became different. The group also stated they noticed this in landings, particularly employers "cheapening out" on landing designs.

The group discussed the potential to figure out the number of cutters that are NOT covered by workers' compensation insurance by finding out the number of cutters that are covered and working from full state counts. The group also discussed insurers' reluctance to issue cutter policies, and that FACE has moved away from logging issues.

The group discussed a potential certification program for cutters, for example some sort of statewide regulatory certification, which could help with a standard level of safety among cutters. The group also discussed the cost of training and economic incentives and disincentives. The group also discussed the Worksafe BC program and its advantages and disadvantages.

The group emphasized that they would like to hear any results that may come out of continued conversations regarding logging inspection scheduling. They also asked Tom to follow up on the logging initiative outcome by asking Beth about evaluations.

Action Item: The group will think about and bring ideas to the group regarding how to educate the logging industry to help prevent reoccurrence of injuries and fatalities.

Action Item: Tom will follow up with Beth regarding logging initiative outcomes.

Rulemaking Update

Michael and Renée updated the group on current rulemaking activities. This included the following:

- Oregon OSHA will be proposing increasing penalties again in order to stay as effective as federal OSHA in this area. The increase is to prevent the gap between federal OSHA penalty amounts and Oregon OSHA penalty amounts from getting too large, resulting in a dramatic increase.
- Oregon OSHA will be proposing a rulemaking regarding defining “Employer Knowledge”, and this rulemaking is currently in the pre-proposal stage.
- Electronic recordkeeping- Oregon OSHA will be proposing rulemaking in order to stay consistent with recent federal final rulemaking. The latest federal rulemaking was labelled a deregulation due to decreasing the amount that subject employers have to report.

Continuing Business

How should lift guylines be tied off?

This agenda item was stricken from the agenda as the requestor already received an answer to this issue.

Required number of yarding transmitters in the brush during cable operations

A member of the group worked to memorialize the group’s previous conversations regarding the number of “bugs” needed per crew. He created a document called “Bugs in the Brush” and distributed it to the group. The group discussed how to use this information, in perhaps an interpretation from Oregon OSHA, a fact sheet, or potentially a hazard alert. The group was asked to look at it and come back with ideas for a document at the next meeting that will give employers guidance on this issue.

The group suggested potentially including a definition of what a crew is in this writing, as there seems to be ambiguity between the industry and the agency regarding the definition of a crew. This may be defined operationally, but can be confusing while out in the field.

The group also discussed and clarified “voice communication” in paragraph (13) of OAR 437-007-0940, which some took to mean that voice communication was satisfied as long as an audible whistle sounds when the line is moved.

Action Item: Oregon OSHA will add developing a definition for “crew” to the potential Division 7 rulemaking.

Action Item: Tom will electronically distribute the current list of potential Division 7 rulemaking to the group.

OSU Steep Slope Research Team Recommendations

Representatives from Oregon State University presented some recommendations that have come out of their continued research regarding steep slope logging. The department had received a grant from NIOSH to study steep slope logging and tethered logging. In the presentation, they provided a list of publications about safety in tethered logging that have been published from information found in this study. John Garland authored an article and he stated he would make that available to Tom to send to the group.

An application for anchoring was also put out by this group as a result of the grant, and the research group has future projects that came from this study that could include using multi-stump anchors, and the sidewashing of stumps. The NIOSH research program will be ending in August.

John added that he is continuing work with studying the effect of tethered logging on operators, including a pre/post study and some potential health effects, there will be more to publish from him.

The research committee had four recommendations for employers who participated in the study:

- Plan prior to the tethering activity – maybe with a pre-site safety meeting.
- Employee must be trained in the exact system before going over Division 7 slope limitations.
- Side washing continues to be under review, specifically regarding rub points
- It would be good to produce a best management practices guide, and the NIOSH research team is willing to help with this.

The group discussed the soil impacts of tethered logging operations, and the difference between engineering a system designed for traction-assist verses a systems designed as a safety line. The group also discussed potential engineering differences between a tracked and a wheeled equipment.

The group also discussed whether or not there needs to be training on how to inspect tethered logging systems, and the places in the code that mention training already. The study group pointed out that there is a larger number of employers using tethered logging systems through an Oregon OSHA variance than the number of employers who participated in the research.

FAAC Steep Slope Subcommittee Activities

John Garland passed around a sign up sheet requesting people write down if they are interested in being in the subcommittee. He stated he expects most meetings to convene by phone or skype and to discuss the info from OSU and questions posed by that information. John provided a power point presentation which listed topics the subcommittee will need to address:

- Provide information about experiences in WA, BC, NZ, Chile, and Europe guidance.
- Look at potential regulatory language to draft for code.
 - o Potentially a planning requirement?
- Discuss monitoring of changing circumstances in planning.
- Discuss the role of landowners and support from them.
- How to learn from variance results.

- How to incorporate best operating practices into the code.
- How to document compliance with planning.
- Also need to consider operations that will be covered.

The group also discussed the need to take into account other legal or regulatory aspects before moving too far into rulemaking, and the idea of getting regulatory ideas out there before screening them for legality/other issues.

The group also pointed out that, based on the variance reports, 69 cutter years so far have been saved by the use of tethered logging systems, and that is only on use on slopes above 50%.

John also provided the group with a presentation he and Marcy Harrington gave on accidents and fatalities at the Pacific Northwest Agricultural Safety and Health Center summit on February 20, 2019.

Deadman Anchor Charts

Francisca provided information to the group regarding the OSU research team's results in making deadman anchor charts as a tool for workers, and asked for the group's input. She is working on writing a guide to summarize the results of the team's work regarding anchoring. In it will be the deadman anchor charts. She is looking for feedback from the group specifically on how these charts would be used in the industry and suggestions for how to present the charts in a helpful way for the industry.

Francisca went through examples of how to use the deadman anchor charts with the group as they are presented currently. The group discussed the information contained in the chart, what other information might be helpful, as well as the differences between strapping a log versus choking a log and how that might effect the chart.

The group also discussed the safety factor – a question Francisca would like the group to provide recommendations: Do we include the safety factor in the charts, or do we leave it to the anchor designer to pick their own safety factor and use the charts based on that? If the safety factor is included in the chart, what safety factors should we make charts for?

The group asked if the charts could be used in the opposite order from how they were currently presented, based on the size of the log in front of them, and Francisca answered yes they could. The group also pointed out that the charts or the guide may need to address compensating questions, including the relationship between burying the anchor deeper and the increase of the angle to the tower that is created by doing this.

The group also discussed deadmans used in guylines and skylines. Francisca stated that, in further research, the team would want to look at the tipping plate and rock held anchors.

Francisca stated that the group could also email her with their thoughts and ideas as they think of them after this meeting.

Tethered Logging

Research Variance Report Summary

Tom presented the Semi-Annual report for tethered logging research variance participants, which covered the time period from July 2018 through December 2018.

The group noted that the variance participants were seeing the same types of issues, which most commonly has been replacement of worn and damaged connectors.

There were 6,081 hours in this report period that were logged without any reported incidents or recordable injuries. The total hours so far logged for all variance participants is 23,791. These hours are all for operating tethered logging systems over 50 percent slope.

Some things noted in the report was a few instances of restricting the number of hours to reduce fatigue on operators or requiring a second person to stay with the base machine. Also, there was one instance of repair of a hose on a steep slope, and the participant noted it was harder to do than on level ground.

Quarterly Overnight Hospitalizations & Fatalities Report

The committee reviewed the accidents reported to Oregon OSHA between December 2018 and March 8, 2019.

The group discussed the accidents and one fatality that happened this quarter.

Rod handed out a hazard alert put together by Associated Oregon Loggers, Oregon OSHA, and Roseburg Forest Products. This hazard alert dealt with lockout/tagout issues. The group discussed how this also included hydraulic energy, which is something workers sometimes forget in lockout/tagout.

- The group also suggested including a demonstration of lockout/tagout at the next logging conference
- Oregon OSHA agreed to include a link to this hazard alert on their website
- The group also suggested sending this hazard alert out to tethered logging operators.

Action Item: Tom will send out the Lockout/Tagout hazard alert to the tethered logging variance holders.

Roundtable

The group discussed that Mike Anderson passed away on Monday, March 11, 2019. Rocky will send out information to the group regarding services if anyone wants to attend.

On Thursday, March 28th, Dorsa Vie will be holding a webinar regarding measuring and preventing musculoskeletal injury. Tom will get info about this webinar and distribute it to the group.

The group discussed that Worksafe BC may be changing their rules in 2020 to require a 1 ¼ inch Lexan for processors.

Tom passed out an email to the group from Eugene/Springfield Fire, notifying the logging industry of changes in bleeding stoppage, include the use of tourniquets, and suggesting that logging crews stock and tourniquet and compression bandages in their first aid kits.

The group discussed first aid certification training and taking it online, and whether or not that would be in compliance with OSHA rules. Renée stated that inspectors would have to look at what the training covered, and compare it with Red Cross training, which includes demonstrations. If there was a violation from something such as not having the certification signed, that would be a de minimis violation. The group also pointed out that SAIF is offering first aid training for employees as well online.

Meeting adjourned 12:16 p.m.

Next Meeting:

When: Thursday, June 13, 2019 at 9:00 a.m.

Where: Associated Oregon Loggers Office, 2015 Madrona Ave SE, Salem, OR 97302