

Oregon OSHA
Forest Activities Advisory Committee
Minutes
June 9, 2022
9:00 am – noon

Attendees:

Renee Stapleton	Tami Plikat	John Garland	Tyson Losli
Bryon Snapp	Jennifer (Flood)	John Myers	Steve Ulrich
Dave Boyd	Tom Bozicevic	Trena Vandehey	Ted Bunch
Bruce Skurdahl	Larry Kirkpatrick	David Grim	Preston Green
Jackie Boyd	Denise Dethlefs	Kevin Lyons	Kate Ryan
Teresa Lundy	Mark Dvorscak	Mathew McCartney	Wayne Oja
Rod Huffman	Greig Lowell	Holt Andron	Jim Gahlsdorf

Meeting Agenda:

- Introductions
- Review of March meeting minutes
- Review new permanent rules:
 - [Protection from Wildfire Smoke](#)
 - [Heat Illness Prevention](#)
- Tethered logging follow-up from March meeting
- WaveCel technology hard hats – meets ANSI Z89.1, Type II, class C requirements
- Quarterly Overnight Hospitalizations & Fatalities Report (see below)
- Roundtable (time permitting)

Renee Stapleton started the meeting at 9:04am and introductions were conducted.

Review of March meeting minutes:

Member motioned to approve, a second member approved the minutes. No objections. Minutes approved.

Review new permanent rules:

- [Protection from Wildfire Smoke](#) (Tom Bozicevic)
 - Many provisions the same as in the temporary rule
 - Less stringent rule on Mandatory use of filtering facepiece
 - Effective July 1, 2022
 - Strictly related to wildfire smoke

- Applies to public and private sector employers whose employees are or will be exposed to wildfire smoke where the ambient air concentration for fine particulate matter (PM2.5) is at or above 35.5 µg/m³ (Air Quality Index value of 101 for PM2.5)
- OAR 437-004-9791 applies only to agricultural employers; however, key requirements and exemptions are identical to OAR 437-002-1081 which applies to all other Oregon employers.
- Review of exemptions
- Review of training and documentation
- Review of eEmployer two-way communication
- Check resources for AQI -- examples: local government/county health resources; Oregon DEQ; US EPA AirNow; Interagency Wildland Fire Air Quality Response Program websites; direct measurement with employer's device. Use of the 5-3-1 Visibility Index is allowed.
- Review of the supply of filtering facepiece respirators to employees by employers
- Multimedia training module will be available. Will cover 5 of 10 requirements. Likely available week of June 13, 2022.

Questions/comments?

- Q. Member: training module – can OSHA provide that in an editable document so companies can add their own information to the document?
- A. Renee Stapleton: The module will be online training so there wouldn't be anything to edit. We will be providing fillable forms for forms on heat and we can look for similar resources to provide for smoke.
- Q. Member: Are there required written plans for businesses to prepare for wildfire smoke?
- A. Tom Bozicevic: The documentation that is required only consists of the training documentation. However, an employer's current medical plan of what to do if an employee is injured, etc., would need to include what to do if an employee's wildfire smoke exposure necessitates medical attention.
- Q. Member: What are allowed as far as masks, N95s vs KN95s?
- A. Tom Bozicevic: Last year's temporary rules allowed KN95s for wildfire smoke due to supply concerns of N95s. Since supplies of N95s is no longer a concern, the permanent rule does not allow for KN95s. Filtering facepiece respirators, such as but not limited to N95s, must be NIOSH approved.
- Q. Member: If you have employees who refuse to wear the respirator, can they sign a waiver to take liability off employer?
- A. Tom Bozicevic: Address respirator use like all other required PPE. However, if a doctor's note states an employee should not wear a filtering facepiece respirator, follow the doctor's recommendation and use administrative controls to minimize wildfire smoke exposure.
- A. Renee Stapleton: Look into ADA requirements as well.
- Q. Member: How will notification work to notify compliance officers "in the hills" from Oregon OSHA? Would be helpful if there is something that Oregon OSHA could share with employers who need to do the same process (example, how to document steps taken and conversation employers and employees have on these steps).
- A. Renee Stapleton: Right now Oregon OSHA is focusing on the heat element. Last year, there weren't as many issues due to focus being on Covid. Frequent communication between compliance officer and manager.

- A. Bryon Snapp: There is a check-in requirement under the heat rule. We ensure logging inspectors are equipped with satellite phones. Check-ins allow for discussions of changes in AQI.
- A. Tom Bozicevic: It would be best practice if employer chooses to document those conversations.
- A. Bryon Snapp: That discussion would be gained through employee interviews.
- Q. Member: Are there any general directives?
- A. Renee Stapleton: We have a heat illness prevention program available online. We do not have one for smoke. Still trying to figure out how to go forward with that.
- A. Renee Stapleton: The smoke resource materials will be posted on this website: <https://osha.oregon.gov/Pages/topics/wildfires.aspx>. The training video and a factsheet in English and Spanish will be posted on this site in the coming days.
- [Heat Illness Prevention](#) (Ted Bunch)
 - Renee Stapleton: The heat resource materials are posted on this website: <https://osha.oregon.gov/Pages/topics/heat-stress.aspx>. The online training course, and factsheets are posted here. Additional materials will be posted soon on the heat illness prevention plan, sample plans, and fillable forms will be posted in the coming days.
 - Effective June 15, 2022
 - Indoor and outdoor environments. Heat index equals or exceeds 80 degrees F.
 - Review of full and partial exemptions
 - Review of Access to Shade section
 - Review of High Heat Practices section
 - Review of Work/rest schedule section
 - Review of Emergency Medical Plan section
 - Review of Acclimatization Plan section
 - Review of Written Heat Illness Prevention Plan section
 - Review of Supervisor and Employee Training section (video meets 5 of 7 training requirements)
 - Review of Training Documentation section
 - Amends OAR 437-004-1120 to include Ag Labor Housing.

Questions/comments?

- Q. Member: Is the heat rule the same as the smoke rule in that exposure can be up to 15 minutes? Does heat rule have a one-hour combined exposure in 24 hours?
- A. Ted Bunch: It would be less than 15 minutes for the heat rule.
- Q. Member: In a steep, open-area canyon, there is no place to put up a shaded area. They would have to walk 45 minutes each way to a shaded area.
- A. Ted Bunch: Employers would need to use other cooling measures.
- Q. Member: Are those other cooling measures still an alternative to shade?
- A. Ted Bunch: Yes.
- A. Bryon Snapp: This involves thinking outside the box.
- Q. Member: [in regards to] shade – Would those removable rims that make a hard hat a little wider count as shading the body?

- A. Ted Bunch: The requirement is that it needs to completely block the sun. There is also a size requirement. Intent needs to be met with blockage and size. From chat: *Exception: When the employer can demonstrate that providing access to shade is not safe or it interferes with the ability of employers and employees to complete the necessary work in a particular situation, for example, during high winds or when an employee is walking through range land, employers must identify and implement alternative cooling measures that provide equivalent protection such as providing cooling vests (either with fans or ice packs), water-dampened cotton clothing, or similar effective measures. The Heat Illness Prevention Plan under section (8) must include the use, care, and maintenance of the alternative cooling methods, in writing.*
- Q. Member: [In regards to] rest breaks – does this count the entire day or just the hours that are in that certain heat index?
- A. Ted Bunch: Just the hours (time of the shift/day) that are in the applicable heat index.
- Q. Member: [In regards to] training materials needing to be kept up to a year. Are you proposing we train our employees every year?
- A. Ted Bunch: Yes.
- Q. Member: Where do we access the smoke/heat training modules?
- A. Ted Bunch: A-Z topics for Heat and Wildfires (smoke)
<https://osha.oregon.gov/Pages/topics/heat-stress.aspx>
<https://osha.oregon.gov/Pages/topics/wildfires.aspx>

WaveCel technology hard hats – meets ANSI Z89.1, Type II, class C requirements

- Tom Bozicevic: ANSI standard – Does meet the current ANSI standard. Asked AOL to share opinion on them. Do you know if there is a significant weight difference compared to a traditional hard hat?
- A. Member: They have not been delivered yet. Weight is not a significant difference. They have two models, vented and unvented.

Tethered logging follow-up from March meeting (Tom Bozicevic) – see emailed document

- Line inspection/replacement: does require after 2000 hours of use, be replaced.
- Person in base machine cab while the machine is operating. Requirement still needed? We are making these changes for the variance and would appreciate input. No longer required those lines to be replaced after 2000 hours. Still requiring daily inspections prior to use. Unit startup line inspections: inspect max of each tether line used during the previous project plus an additional 100 feet.

Questions/comments?

- Q. Member: How long will these variances last before permanent rules?
- A. Tom Bozicevic: Looking at the outcome of Oregon Department of Forestry rulemaking. They are in the process of rulemaking possibly for 2023.
- Q. Member: Are contacts available for those in State Forestry?
- A. Tom Bozicevic: They are in the beginning stages of rulemaking. I have contacted them and am currently waiting for them to develop their plan. Just one individual as my contact.
- Q. Member: Question about tip-over protection if base machine is on a flat surface.

- A. Tom Bozicevic: Even when the base machine is on a flat surface, there is no guarantee that a tip-over can't happen during tethering operations. We previously made the decision to keep the tip-over protection if someone is in the cab of the machine.
- Q. Member: When you have a camera inside the cab, does that count as the line inspection component?
- A. Tom Bozicevic: I am not familiar with how sophisticated those cameras are in terms of visibility. Also that inspection should be done as a separate task not simultaneously with another machine operation.
- Q. Member: Chileans have been using tethered logging with good safety results. New Zealand had two incidents, one pulling over base machine with no operator. Another where one operator was injured (while crossing the lines) based on lack of communication with another operator (moved machine).
- Tom Bozicevic will email out the updated version of the draft of Tethered Logging research variance provisions.

Quarterly Overnight Hospitalizations & Fatalities Report

Fatality & Hospitalizations Reported to OR-OSHA (March 1, 2022 – June 6, 2022)

Hospitalization – Struck by

Employer was in the process of falling an alder tree that had another alder tree leaned into it, behind him and uphill. The employer was aware of this hazard and made an escape route, with the thought of the tree above and behind him, falling at the same time that he fell the tree it was leaned into. When the tree that he was felling started to fall, the employer was in his escape route when he was struck-by the tree above and behind him. When the tree was in the process of up-rooting, the left side of the root was the last to up-root, steering the tree in the direction of the employers escape route, rather than falling downhill with the other fell tree.

Hospitalization – Struck by

A truck driver was struck by a log. The log was being moved by an excavator. The force from the tree hitting the individual in the legs knocked him down, causing the injury. The individual was taken by ambulance and is expected to be in the hospital for 5-6 days.

Hospitalization – Fall to lower level

The employee was dragging the drop line down to a turn of logs to be shipped to the landing. The motorized carriage is on the standing skyline which was approximately two hundred feet in the air. The motorized carriage holds approximately 400 feet of drop line. The employee was dragging the drop line down to the turn when the drop line on the drum came to the end. The drum kept turning and instead of reversing the line off the drum, now the drum was reeling the drop line back onto the drum. The employee did not let go of the drop line. The employee was dragged back up the hill and into the air. The employee did not let go of the drop line. The second rigger whistled to start lowering the standing sky line. The sky line was dropping lower and approximately 30 feet in the air, the employee let go of the drop line. The employee fell onto a stump and was severely injured. 911 was contacted, and the crew packed the employee up to the landing to wait for first responders.

Q. Member: In the incident with the skycar, the employee was just holding on, not caught?

A. Tom Bozicevic: This is the only information we have on that.

Roundtable

- Member: On logging road, bush in lane. I decided to saw limbs off. I have a cordless skill saw in back. Did I still need all of the PPE?
- Tom Bozicevic: Chaps are not required when using skill saws.
- Tom Bozicevic: Bark box – after market attachment that replaces the muffler on a chainsaw. Decibels coming off that chainsaw have increased. Hearing protection may need to be improved upon.
- Member: Spark arrestor approved?
- Tom Bozicevic: Not that I know of.
- Member: If a modified tool is used and a fire starts, they are liable.
- Renee Stapleton: Conferences have started back up again.
<https://osha.oregon.gov/conferences/Pages/index.aspx>
- Member: A lot of questions for whistle stickers. Nice to have updated whistles/stickers. Thanked another Member for the work on that.
- September meeting will likely be held at AOL's Salem office.

Meeting adjourned at 11:20am.