

**Oregon OSHA
Forest Activities Advisory Committee
June 10, 2021
9:00 am - noon**

Attendees:

Bryon Snapp	Renee Stapleton	Kate Ryan
Denise Dethlefs	Kevin Lyons	Barbara Hanley
Bruce Sjurdahl	Steve Aulerich	Tricia Patel-Burch
Tom Bozicevic	John Garland	Teresa Lundy
Ted Bunch	John Myers	Jim Gahlsdorf
Larry Fipps	Mark Dvorscak	

Meeting Agenda:

- Introductions
- Review and approve March 2021 meeting minutes
- Legislature update from Tricia Patel-Burch (Oregon OSHA)
- Current rulemaking update, including [Excessive Heat](#) and [Wildfire Smoke](#)
- Quarterly Overnight Hospitalizations & Fatalities Report (3/5/21 – 6/4/21)
- Roundtable

Meeting started at 9:05am and introductions were conducted.

Review of March 2021 meeting minutes.

A member moved to approve minutes, seconded by another member. Approved minutes are posted to the Oregon OSHA website.

- A member asked to discuss the jammer system from the March minutes? Skyline system with a squirrel block. If so, it would be applicable to use cable logging code. It is shotgunned out of unit. So which system were we actually looking at? Should be clarification in March minutes what a jammer is or isn't.
- From March minutes:
 - *Larry Fipps: Division 7 question. Has the FAAC discussed where jammer logging fall into D7 rules (in the initial 2003 rules)? It doesn't fall under the cable logging definition.*
 - *Member comment: if you had a line off a roadside, it was like a skidder machine.*
- Larry Fipps: Pulling from yarder. Skidder rules would come the closest.
 - Member comment: Some consider it long lining.
- Tom Bozicevic will follow up with Larry Fipps to make sure this is captured correctly.
- Member comment: important to focus on the functionality rather than wording/terms.

Legislative updates (Tricia Patel-Burch)

- Current bills are moving forward (from March minutes)
- Three new bills related to COVID in the last few weeks.

Rules adopted since March meeting (Tom Bozicevic)

- April – [COVID-19 Workplace Requirements for Employer-Provided Labor Housing](#)
- May – [COVID-19 Public Health Emergency in All Oregon Workplaces](#)
- June – [Cranes and Derricks in Construction: Railroad Roadway Work](#)

Upcoming/resumed rulemaking (Renee Stapleton and Bryon Snapp)

- Renee Stapleton: when Oregon reaches 70% vaccination rate of adults 18+ years old, we intend to remove the provisions for face coverings and physical distancing. Applies to the general rule, not ALH rule. Meeting next week with stakeholders, will be monthly meetings, to discuss pieces going away. Would be a “temporary amendment” as pieces were going away, rather than a “repeal” of the whole rule.
- Bryon Snapp: when Oregon reaches 70% vaccination rate of adults 18+ years old, there is a lifting of facial covering and physical distancing. A lot of employers are equating this with the entire rule, but these are just pieces of the whole rule. The other pieces of the rule not relating to facial coverings and physical distancing will still be in place at this time.
- Renee Stapleton: Feds will be holding a press conference today (6/10/21) and to announce that they are doing an emergency temp standard for COVID-12, only related to healthcare. Oregon would need to look to see that they are at least as effective, not expecting a lot of changes in Oregon.
- Renee Stapleton:
 - We are picking up ALH rules again.
 - Non-entry structural firefighting.
 - Working on consultation rulemaking in regards to public entities
 - Manganese

Wildfire Smoke and Excessive Heat draft rules

- Member comment: As a joint effort, several individuals/employers provided OSHA with letters about Heat and Smoke relaying concerns on the draft rulemaking. Also provided a redline version of the draft rules. Encourage others to share their insights if they were not part of that group.
- Renee Stapleton: We welcome and did receive redline versions of both Heat and Smoke draft rules. Technical is going through those and consolidating those to be shared with both Wildfire Smoke and Excessive Heat rule advisory committee (RAC) members.

- Tom Bozicevic: these are just drafts, not final rules. Appreciate suggestions. We can send clean copies to attendees of this group too. If you have comments or concerns, please forward those to Tom. We are accepting those throughout the rulemaking. Pointed out sections in the drafts for Wildfire Smoke and Excessive Heat, pointing to areas that may be most applicable to attendees of this meeting. Updated drafts and other materials can be found on our website:
 - Heat <https://osha.oregon.gov/rules/advisory/heat/Pages/default.aspx>
 - Smoke <https://osha.oregon.gov/rules/advisory/smoke/Pages/default.aspx>

- Questions/comments on Wildfire Smoke rule?
 - Share letters and redline documents with this group? Yes, member will send those to Tom B who will forward them to the group.
- Questions/comments on Heat Illness Prevention rule?
 - Member comment: The crux is the complexity of these rules. These are not steps that are feasible to understand and implement by both supervisors and employees.
 - Member comment: 1) Work they are doing would fall into the heavy work category of the table. 2) Where did the temp charting listed in the draft rule come from?
 - Ted Bunch: I believe that came directly from NIOSH (2) above. <https://www.osha.gov/otm/section-3-health-hazards/chapter-4#clothing>
 - Member question: Does a 3-4 day weekend restart the acclimatization process? Or a stretch of hot weather that work is changed, does that restart the process?
 - Member question: Also, if an employee goes on vacation, employers have to look at what the heat was of the destination he/she would be returning from.
 - Ted Bunch: We realize heat rule is extremely complex. Draft is changing based on comments from meeting attendees.
 - Member question: Acclimatization plan (10)(b) of draft rule. What is definition of “work” in that section? Is 20% the amount of the day they can do their job? Is 80% then where they sit in the shade or do something else?
 - Ted Bunch: We intend to work on both the complexity and the vagueness in the next draft.
 - Member question: a third of the day may be 60-70 degree temps, but later in the day the temp increases. Is any of that taken in account in this rule?
 - Ted Bunch: We are trying to govern several different industries with workers who work outdoors.
 - Tom Bozicevic: Clarified that question is looking at table in draft rule: applied to entire day or just when temps reach a certain threshold(s)?
 - Member question: Could CA rule be shared with group so that we can look at how they are the same or different?

- Ted Bunch: shared link for CA rule <https://www.dir.ca.gov/title8/3395.html> and WA rule https://deohs.washington.edu/pnash/sites/deohs.washington.edu.pnash/files/documents/Heat_Illness_L%26I_epxposure_rule.pdf. Tom will share with the group.

Overnight Hospitalizations & Fatalities:

3/9/21 – Hospitalization – Struck By

The rigging crew set a turn of logs, consisting of three logs ranging in length from 65' to 85'. The crew cleared out up and behind the turn of logs. The go-ahead whistle was blown. There was a vine maple approximately 8 inches on the big end, and approximately 55' to 60' long that was not choked laying on the ground towards the end of the choked logs. The turn started to leave its bed when the vine maple flipped up striking two employees.

3/15/21 – Hospitalization – Struck By

An employee working as a chaser on the landing was unbelling a turn of logs when the processor operator attempted to throw a chunk over the edge of the landing and instead, threw it across the landing, striking the employee and breaking his leg.

3/25/21 – Hospitalization – MVA

The employee was on his way to deliver supplies to the logging site. The employee went up the wrong spur road when he realized he was on the wrong road. The employee was in the process of turning the vehicle around when the employee hit a soft spot in the road, resulting in the vehicle rolling several times down the embankment, coming to a rest on a tall stump. The employee sustained a broken leg and neck injuries.

5/4/21 – Hospitalization – Trip/Fall

Employee tripped while carrying logs

Roundtable

- Member question: Will the next meeting be an in-person meeting?
 - Tom Bozicevic: I don't think we will be indefinitely as a virtual meeting, but no answer for the next meeting. I look forward to going back to in-person meetings.
- Member question: When do you anticipate the next revision on the Heat and Smoke draft rules?
 - Tom Bozicevic: We are working on reviewing and compiling the redline comments requested, but we are hoping to have a revised draft by the next RAC meeting.

Next meeting is scheduled for September 9, 2021.

Meeting adjourned at 11:03am.