

**Oregon OSHA  
Forest Activities Advisory Committee  
September 10, 2020  
Meeting Minutes**

**Attendees:**

Steve Aulerich  
Dave Boyd  
Tom Bozicevic  
Mark Dvorscak  
Betsy Earls  
Larry Fipps  
Jim Gahlsdorf

John Garland  
Barbara Hanley  
Rod Huffman  
Julie Love  
Kevin Lyons  
Dave McLaughlin  
John Myers

Kate Ryan  
Bruce Skurdahl  
Joey Sayles  
Bryon Snapp  
Renée Stapleton  
Jeff Wimer  
Michael Wood

**Meeting called to order at 9:10 a.m.**

The group discussed the Dec. 12, 2019 meeting minutes. The group recommended no changes, and approved the Dec. 12, 2019 meeting minutes.

**New business**

**Current rulemaking update (information only):**

- [\\*Re-Proposed\\* Increase of Certain Minimum and Maximum Penalties for Alleged Violations](#)
- [\\*Re-Proposed\\* Amendments in General Administrative Rules to Clarify Employer's Responsibilities](#)
- [Temporary rule to address COVID-19 in all workplaces](#) *Update: Comment deadline extended through September 7, 2020.* Michael Wood: This rule received approximately 1500 public comments. The goal for more substantial wording is Sept. 21.

Michael Wood: Oregon OSHA has received 11,000-12,000 complaints up to this point in 2020. The majority of those have been COVID-19 related (businesses being open, social distancing, face coverings, etc.). Communication to resolve complaints has been primarily through phone/fax detailing requirements for businesses. While forest activities related complaints have been minimal, fewer than 200 complaints have been related to forest product manufacturing employers.

Division 7 rulemaking is still active but on hold.

Renée Stapleton: Other rules are still active but are on hold due to pandemic-related activity (ALH, woodland firefighting, Beryllium)

**Tethered logging research variance update**

Summary document was shown during meeting and emailed with meeting invitation.

Tom B: There were no requests for variances in 2019. In the list including 2019, the last one was in 2018. There is currently a pending variance revocation for failure to report injury and

submit timely semi-annual reports. There have been five variances issued for 2020 up to this point. OSHA Technical has been seeing additional types of systems not seen before (i.e., TimberMax and Falcon Forest Equipment).

A member asked about the result for the employer if a variance is revoked. Per Tom, since the rule restricts the use of machines to slopes of 50 percent or less, tethered logging systems could still be used on slopes of less than 50 percent for steep slope machines.

Two members stated that the summary of incidents had been previously provided to this group and that those summaries were very helpful to rulemaking. Tom stated that other documents have full report of steps done by employer, employer-reported mechanical issues, etc. Tom also explained that the latest report was not complete because we are still waiting for all reports to be submitted.

**Action item:** Tom agreed to provide the full summaries to the group after all reports have been submitted.

A member asked how long tethered logging research variances will be active/issued before moving to the rulemaking phase. According to Tom, many of these systems are new and equipment issues may arise with more operating hours. However, we have no specific length at this time but will continue to issue variances. Renée added that Oregon Department of Forestry's (ODF) Forest Protection Act has raised issues with the use of tethered logging practices but the ODF has allowed Oregon OSHA to move forward with issuing variances for "research" purposes. The Act may need to be changed before Oregon OSHA promulgates related rulemaking. There are a lot of factors involved as other agencies have their missions too. They do receive copies of Oregon OSHA's issued variances through their public records request.

#### **Clarification on the need for sleeve shackles vs regular shackles**

A member submitted an agenda item for committee discussion: *Can a regular shackle be used if little or no bight is present?*

The member added during the meeting: *It appears that sleeve shackles are required when hooking on to a stump rather than a bell shackle being allowed to be used. If using a regular bell shackle, without kinks in the cable, is there a reason that the bell shackle could not be used?* Also, it was pointed out that the figures in the rule do not fully match the text, which Tom made note of for future rulemaking.

Another member who was unavailable to participate in the meeting, sent an email with their response:

*"I think the rules should be left as is because the potential for a regular shackle to wind up with too much bight is very high. With too much bight and the D to d ratio between shackle and cable approaching 1 to 1 the cable will cut off at 50 % of the breaking strength, if the cable is new and or undamaged. Cumulative wear and damage will reduce this even further."*

The group pointed out that the text below the figures also answers this question but the initial confusion was because the text 437-007-0635(7) appears to be the start of a new rule rather than a continuation of the text of the rule. Another member also shared more information about when using bell shackles on a stump and when there is more or less bight.

The group asked when we switched to having only sleeve shackles to which Larry Fipps answered that it was when we went from Div. 6 to Div. 7.

### **Publications**

Preventing heat-related illness resources:

- [Program Directive A-299 Local \(LEP\): Preventing Heat Related Illness](#)
- [Heat Illness Prevention Plan](#)
- [Hazard Alert: Rhabdomyolysis](#)

Renée S.: These tools are so employers and employees can recognize signs of heat illness and get treatment for employees. Employers in the logging industry should also keep an eye out for heat-related symptoms.

### **Quarterly Overnight Hospitalizations & Fatalities Report (Jan. – Sept. 2020)**

The committee reviewed the accidents and fatalities reported to Oregon OSHA between January 2020 and September 2020. The group discussed the fatalities and accidents.

Tom B added that this report may be incomplete but currently shows 16 events and six fatalities. Also included are data for heat-stress events that have occurred in 2020 industry-wide.

Renée and Bryon Snapp clarified that this information is preliminary until the investigation is completed. The redacted synopsis is then posted to the Oregon OSHA website:  
<https://osha.oregon.gov/pubs/reports/Pages/forest-activities-incidents.aspx>

Renée: the plan is for June 2021 for discussion on wildland firefighting rules.

### **Roundtable (time permitting)**

Rod Huffman: Asa is no longer working at AOL. Rod is again the contact. He also has a shackle document that he can share with the group.

Barbara Hanley and Rod Huffman: Oregon FACE program has reached out to AOL. They are hoping to update the handbook that was drafted with Jeff Wimer and discussed with Oregon OSHA. The goal is to emphasize the young worker program and connect with that age group via the smartphone platform and digitization.

The group confirmed to Tom that the virtual meeting format worked well and that they are in favor of it for the next meeting if needed due to the current pandemic.

**Meeting adjourned 10:38am**

**Next Meeting: Dec. 10, 2020 (possibly virtual)**