



A publication of the  
Oregon Independent Aggregate Association  
PO Box 571  
Stayton, Oregon 97383  
[www.oraaggregate.com](http://www.oraaggregate.com)

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## *Oregon Independent Aggregate Association Newsletter*

**December 2017**

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### **Chairman's Message**

As we look ahead to 2018, I want to notify our members of two important health and safety workshops coming soon. First, we will again offer our **Refresher and New Miner Part 46 Training** in two sessions in March. Details for registering for the training sessions are included in this newsletter.

Second, we will hold a workshop focused on the new **OSHA Crystalline Silica Rule** that was approved and partially enacted this year. The new OSHA rule regarding respirable crystalline silica has the potential to affect many businesses related to mining and construction. We have arranged for Adele Abrams to provide an overview of the new rule and lead discussion for the impacts on businesses and safety preparedness. The details of the event – tentatively scheduled for February 23, 2018 – are provided later in this newsletter. Ken Leahy Construction will sponsor the venue; many thanks for their help in providing this informative session.

OIAA's primary goal is to educate and inform our membership of important news and provide required training to help them operate their business. Hopefully you participate in the training opportunities and, when in need, take advantage of the technical expertise and advocacy OIAA and our partners in the industry can provide. If you see value in what OIAA does for you, why not attend a meeting (only 4 per year) and participate in organizing OIAA's services. If you wish OIAA did something better or different, why not join the Board and help make those changes? (See what I did there?) All of our meetings are open to members except the final Board meeting each year. I encourage you to stop by for one of our open meetings, meet the Board members, and participate in providing useful service to our membership.

Hope you all have a terrific Holiday!

***Erick Staley***

## OIAA sponsored Event. (Free to all current OIAA Members)

Friday February 23<sup>rd</sup> - Associated General Contractors Office - Wilsonville, Oregon

Guest Presenter: Adele Abrams, Esq., CMSP.

8:30 AM to 1:30 PM

### **OSHA's New Crystalline Silica Standard Training Workshop**

This workshop will cover the requirements under OSHA's new crystalline silica standard, which took effect for construction in 2017 and affects general industry starting in June 2018. The seminar will cover general provisions of the rule including:

- Workplace exposure assessments and identification of "objective data",
- Development of written exposure control plans,
- Determination of which workers must undergo medical surveillance,
- Regulated areas and mandated signage,
- Engineering and work practice solutions for common tasks,
- Respirator use and medical evaluations, and
- Training for workers and for designated competent persons.

The new rule cuts exposure limits down to 50 ug/m<sup>3</sup> (8-hour TWA), which is half of the old general industry PEL and 20% of the old construction limit. Penalties for violations can reach \$126,749! OR-OSHA has a rulemaking in progress to adopt the federal standard. In addition, the seminar will address the impact of the OSHA rule on mining operations, particularly for employers that are under both OSHA and MSHA jurisdiction. This will be practical, solutions-oriented workshop.

**This workshop is for OIAA Members only and is open to Company Owners, Management and Safety Managers.** We are limiting attendance to 3 employees form each member company. With a limit of 50 total in attendance. Please contact OIAA Secretary Kellie Ramar no later than February 12<sup>th</sup> if you plan to attend.

This workshop is hosted by Ken Leahy Construction. Beverages and snacks will be provided.

To register for this event call Kellie Ramar at (503) 357-2193 or e-mail to [kramar@kenleahy.com](mailto:kramar@kenleahy.com). Please put OIAA Silica workshop in the subject line. Space will be limited to the first 50 that sign up.

## **MSHA Begins Winter Alert Campaign**

On December 5<sup>th</sup>. MSHA announced the beginning of the agency's annual winter alert campaign. During these campaigns, MSHA inspectors frequently target specific standards which are more likely to lead to hazards during the winter.

MSHA specifically mentioned three best practices at surface mines in the campaign announcement, asking mines to perform the following tasks: check highwalls and benches for stability; examine vehicles for exhaust leaks and consider limiting engine idle time to reduce the risk of carbon monoxide asphyxiation; and remove snow and ice on roadways and apply sand to maintain traction.

MSHA frequently cites 30 C.F.R. 56.3130 "Wall, bank and slope stability" and 30 C.F.R. 56.3200 "Correction of hazardous conditions" when inspectors observe loose material on highwalls. Inspectors will also look at the base or toe of the high walls for evidence of material which has sloughed off the wall, and often point to cracks in highwall systems as evidence that highwalls are unstable. These cracks are exacerbated by freeze and thaw cycles, thus we strongly recommend preventing access to highwalls which an operation is not actively mining. It is important to note that MSHA requires not just a barrier impeding entry to areas with hazardous conditions, but also a sign warning against entry.

Inspectors may cite 30 C.F.R. 56.14100 where they find exhaust leaks on vehicles. This is the catch-all standard for defects affecting safety which are not addressed by a specific standard. Note that some administrative law judges have required MSHA to show that a mine had an opportunity to discover and correct hazards cited under this standard, as it has language requiring that defects "shall be corrected in a timely manner." Judges have found that to correct an effect in a timely manner, a mine must have had an opportunity to discover the defect first.

Where MSHA finds snow and ice on the roadways, they may cite 30 C.F.R. 56.9100(b), which required that "signs or signals that warn of hazardous conditions shall be placed at appropriate locations at each mine." MSHA may also issue citations where there is snow and ice on walkways or catwalks. There is a specific standard addressing this hazard, 30 C.F.R. 56.110169, which requires "Regularly used walkways and travelways shall be sanded, salted or cleared of snow and ice as soon as practicable." Note the language "as soon as practicable," meaning an operation must have time to discover and remedy the hazard. If an inspector finds footprints in the snow on a catwalk and no effort has been made to clean the area, MSHA will likely issue a citation.

*This information is courtesy of Josh Schultz, Esq., MSP with Adele Abrams Office.*



## OIAA 2018 Part 46 Training

Only two more months until registration will begin for our 2018 Part 46 Refresher training. We will be holding two separate classes back to back, one in Albany and one in Roseburg. The difference this year is that we are limiting the number of attendees in each class. Registration is on a first come first served basis. Once one class is filled you registration will be directed to the other class. Sign up early to ensure that you get the location you are wanting. The registration form will be individually e-mailed out to you the first half of January. It will be listed on the website and in the January newsletter.

Once again this year the class will be taught by the Law office of Adele Abrams. The dates and locations are listed below:

**Douglas County Fairgrounds, Roseburg, OR – March 12, 2018**  
**Linn County Fair & Expo, Albany, OR – March 13, 2018**

Starting in 2018 this will be a “Refresher Training” class only. If you have new miners they may attend and this course material will count towards the new miner training, but it will not cover all of it. Each company will need to provide the additional training required for their new miners.

The type of membership your company has defines how many employees you can send to the **training at no cost**. Each person on your list must be an employee for your company and receive payroll wages from your company. Hired outside consultants and subcontractors are not considered employees and will need to register as either a Member or Non-Member company.

The different types of memberships are listed below.

**Premier Corporate Membership** attendance will be free for all YOUR employees.

**Corporate Membership** attendance will be **free for the first 10 employees**. The cost for each additional employee will be \$100.00. You will be billed for the additional attendees after the training is completed.

**Associate Membership** attendance will be **free for your first employee**. The cost for each additional employee will be \$ 100.00. You will be billed for the additional attendees after the training is completed

Registration form will be printed in the January Newsletter

## Oregon Independent Aggregate 2018 Officers

Officers for the year beginning January 1, 2018 were elected at the Annual Work session Board meeting on December 13<sup>th</sup>.

Chairman- Erick Staley (Geo Design) Vice Chairman – Roy Garrison ( Geo Design) Treasurer - Mary McNatt ( Davis Creek Quarry) Secretary - Kellie Ramar –( Ken Leahy Construction, Inc)

Thank you to all the Board Members that stepped up to once again lead our organization



Happy Holidays

OIAA Board Members wish each of you a very special Holiday Season. As you and your organizations move into 2018, we hope the New Year will be one of progress and new opportunities, that your celebrations are joyous and special, and that you are able to spend time with friends and family.

### ***2018 Board Meeting Schedule***

*Meeting dates will be printed in January Newsletter*

#### **APPLICATIONS FOR BOARD MEMBERS ARE NOW BEING ACCEPTED**

If you have fresh ideas or would like to become more active in our association by becoming a member of the Board of Directors we are currently accepting applications. Our Association is only as good as we each make it. Membership participation is an important part of our mission. If you are interested please e-mail our Secretary Kellie Ramar @ [memberreply@oraggregate.com](mailto:memberreply@oraggregate.com) or call her at (503) 849-5583 for more information

VISIT OUR WEBSITE AT [WWW.ORAGGREGATE.COM](http://WWW.ORAGGREGATE.COM)