



OSHA Regional Instruction

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: 21-03 (CPL 04) | **EFFECTIVE DATE:** December 31, 2021

SUBJECT: Local Emphasis Program for Logging Operations under Federal Jurisdiction in Oregon

REGIONAL IDENTIFIER: Region 10

ABSTRACT

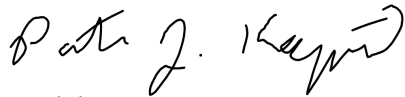
- Purpose:** This instruction renews the policies and procedures to be followed when making local emphasis inspections of logging operations under federal jurisdiction in Oregon.
- Scope:** This instruction applies in Oregon to inspections by federal OSHA of sites under federal jurisdiction.
- References:**
- OSHA Instruction CPL 04-00-002, Procedures for Approval of Local Emphasis Programs, dated November 13, 2018.
 - OSHA Instruction CPL 02-00-164, Field Operations Manual, dated April 4, 2020
 - OSHA Memorandum for Regional Administrators, Subject: “Establishment-Targeting Lists for Emphasis Programs”, dated November 13, 2014.
 - OSHA Memorandum for Regional Administrators, Subject: “Procedures for Local and Regional Emphasis Programs”, dated December 3, 2014.
- Cancellation:** OSHA Regional Instruction 19-06 (CPL 04), dated December 31, 2018.
- Expiration Date:** This instruction will expire December 31, 2026, but may be renewed.
- State Impact:** None.
- Significant Changes:** The scope and application of this LEP was changed from the Portland and Washington Area Offices to only apply to the Portland Area Office.

Action Offices: Portland Area Office and the Office of Enforcement Programs.

Originating Office: Office of Enforcement Programs

Contact: Assistant Regional Administrator
Office of Enforcement Programs

By and Under the Authority of:

A handwritten signature in black ink, appearing to read "Patrick J. Kapust". The signature is written in a cursive style with a large, looped initial "P".

Patrick J. Kapust
Acting Regional Administrator

Executive Summary

This instruction renews the framework for a local emphasis program to reduce and/or eliminate hazards associated with logging in Oregon.

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I. Purpose.

This instruction renews the policies and procedures to follow when making local emphasis inspections of logging operations in Oregon that are under federal jurisdiction.

II. Scope.

This instruction applies in Oregon to inspections by federal OSHA of sites under federal jurisdiction.

III. Action Offices.

Portland Area Offices and the Office of Enforcement Programs

IV. References:

OSHA Instruction CPL 04-00-002, Procedures for Approval of Local Emphasis Programs, dated November 13, 2018.

OSHA Instruction CPL 02-00-164, Field Operations Manual, dated April 4, 2020.

OSHA Instruction CPL 02-00-051, Enforcement Exemptions and Limitations under the Appropriations Act, May 28, 1998.

OSHA Memorandum for Regional Administrators, Subject: “Establishment-Targeting Lists for Emphasis Programs”, dated November 13, 2014.

OSHA Memorandum for Regional Administrators, Subject: “Procedures for Local and Regional Emphasis Programs”, dated December 3, 2014.

V. Cancellation.

OSHA Regional Instruction, 19-06 (CPL 04), dated December 31, 2018.

VI. Expiration.

This instruction will expire December 31, 2026, but may be renewed.

VII. Actions Required.

The Area Director shall use the procedures described in this instruction when any logging operation is scheduled for a programmed safety and health inspection.

VIII. Background.

This LEP supports the Occupational Safety and Health Administration (OSHA) Fiscal

Year 2022 Agency Management Plan, Agency Theme 1, Assure Safe and Healthful Workplaces, to secure safe and health workplaces, including the agency’s theme to protect the most vulnerable workers in high hazard industries, by targeting industries with higher than average illness and injury rates. The responsibility for conducting safety and health inspections of most logging operations in Oregon belongs to the occupational safety and health programs operated by the state of Oregon under the OSHA Act. Those inspections are made according to state procedures approved by OSHA. The exception to this is all Indian reservations and trust lands, which fall under the jurisdiction of federal OSHA.

Decline in any injury, illness, and fatality rates: There were no logging fatalities under OSHA’s jurisdiction during 2019, 2020, or 2021. Injury and illness statistical data for 2019 in the logging industry in Oregon and the Federal injury and illness data are shown below. The Federal TRC rate for all private industries in 2019 was 2.8 and the DART rate was 1.5.

NAICS	OR TRC	OR DART	FEDERAL TRC	FEDERAL DART
113, Forestry and Logging	4.6	3.7	2.8	2.4
1133, Logging	4.8	4.0	2.7	2.3

The purpose of this instruction is to provide an inspection system to cover this high hazard industry.

IX. Policy.

The Portland Area Director shall use the references, listed in Section IV of this instruction, as the basis for scheduling programmed safety and health inspections in logging operations.

Referral inspections from safety or health compliance officers making inspections under this inspection program shall be made using the guidelines outlined in the FOM.

X. Procedures.

The procedures contained in this instruction shall be followed for the purpose of targeting and scheduling OSHA inspections in all logging operations under OSHA’s jurisdiction in Oregon.

A. Outreach

This LEP has been in place for many years and outreach is a continual effort through programs such as Safety Fests, meetings with local industry organizations, and other

professional safety and health conference. Area Director will continue to highlight this LEP during speaking events and meetings with agencies who perform logging or contract logging operations.

B. Specific Industry

All establishments classified under NAICS 113310, Logging, will be considered eligible for programmed safety and health inspections under the system. Additional employers working at a selected logging work site will also be eligible for inspection if they are engaged in logging operation activity or if their employees are exposed to hazards related to those activities.

C. Targeting

1. The Area Director shall determine, a part of their yearly program plan, the number of logging inspections that will be conducted during the fiscal year.
2. The Area Director shall divide their jurisdiction into geographical areas to represent the primary areas of logging activity within the state.
3. The Area Director shall allocate the projected number of inspections to each geographical area.
4. The Area Director shall make contact with contracting officials on Indian trust lands and reservations, to assist the Area Director in identifying potential logging operations within their jurisdiction.

D. Inspection Scheduling

1. Compliance officers (CSHOs) shall be directed to a pre-selected geographical area as determined by the program plan or the office's scheduling system. The CSHO shall be instructed to inspect the first logging site he/she comes across. The compliance officer shall conduct a complete inspection of the work site.
2. If the Area Director has scheduled more than one logging inspection on a particular trip, the CSHO shall be instructed to continue their search in the region assigned. The CSHO shall then make a full investigation of the second logging site that is found. This will continue until the CSHO has conducted the number of inspections assigned by the Area Director unless they are told to return to the area office or the Area Director assigns them a different work schedule.
3. The Area Director shall emphasize to the CSHO that a site shall be inspected once the compliance officer becomes aware of it. In no case shall a compliance officer be allowed to "cruise" looking for a particular employer or work site.

E. Unprogrammed Inspections.

Unprogrammed inspections (i.e., complaints, fatalities) will be made following current OSHA policy. Those work sites that receive an unprogrammed inspection shall be removed from the geographical area list for the year.

XI. OIS Coding and Evaluation.

A. OIS Coding

Inspections, unprogrammed activities and compliance assistance activities conducted under this program shall be coded with the designation "LOGGING." Inspections conducted under this program shall be coded as "Programmed Planned" with the LEP designation "LOGGING". Unprogrammed inspections (i.e. Complaints, Referrals from Outside OSHA, Fatalities/Catastrophes, Employer reported hospitalization or amputation) shall be classified as "Unprogrammed" and coded under this local emphasis program designation of "LOGGING".

B. Evaluation Procedures

This LEP will be evaluated in accordance with OSHA Instruction CPL 04-00-002, Procedures for Approval of Local Emphasis Programs, dated November 13, 2018.

The Area Director will be asked to provide input concerning special problems that may have surfaced during the year; recommendations to improve the LEP; and recommendations to renew or not renew the LEP.

The Office of Enforcement Programs shall review the input and prepare an evaluation to be submitted to the Regional Administrator for review at the midpoint and at the completion of the program.