

**Local Emergency Planning Committee**  
**Minutes**  
**July 12**

Hermiston Fire Station #3  
(Westland Rd)

**Present:**

Mark Swanson, Pendleton Grain Growers  
Pat Hart, Hermiston Fire  
Stuart Rice, UEC  
Kerri Deal, ConAgra Foods  
Dean Marcum, Oregon Health Authority  
David Stewart, URS  
Maureen West, Swaggart Brothers, Inc.  
George Vorhauer, OR-OSHA  
Seth Cooney, OSP  
Lyndsey Croghan, Smith Frozen Foods, Inc.  
Stan Thomas, OR-OSHA  
Craig Williams, Hermiston Foods, LLC  
Doug Paine, Good Shepherd Medical Center  
Ben Weinke, City of Hermiston  
Jack Remillard, UCEM  
Sean Basford, City of Hermiston  
Shirley Woolam, Eastern Oregon Center for Independent Living  
Jodi Florence, UCEM

**Additions to agenda** - None

**Approval/Correction of Minutes** – approved

**OSHA** - George Vorhauer, Occupational Safety Consultant  
George handed out part of the OSHA manual that deals with inspections. (will be available at the next LEPC meeting).

OSHA will get involved if there is an accident, fatality or a scheduled inspection. There is typically no prior notice for an inspection. If there is a fatality, OSHA needs to be notified within eight hours.

The OSHA inspector will identify themselves and explain the process of the inspection. The process includes (refer to OSHA manual):

- Opening Conference (page 34): Ensure all from this list is available. They will want to address anything that may be an imminent danger.

- Inspection Procedures (page 38): Will document anything they see as a violation, will interview employees. Information is kept confidential.
- Red Warning Notice (page 37): Used to preclude or eliminate exposure to a condition which would constitute a violation affecting employee safety or health.
- Closing Conference (page 38): All items on this list need to be covered at the end of the inspections. Inspector may offer suggestions. A citation will be issued for violations, even if corrected during the inspection (although correction will be noted). Employers have the right to appeal citations.

(Department of Justice has determined that if you are looking at citation; make sure you request informal conference within 30 days. The request has to have “appeal” written on letter. If it is not, you waive your right to an appeal.)

The website (OROSHA.org) has new rules, hearings, newsletters and notices.

George is a consultant and offers assistance with inspections from OSHA.

There are 45 consultants in the State of Oregon. They offer free, confidential assistance to work on compliance issues.

Questions:

What is an accident? An overnight stay in a hospital.

What regulations should you use, fire codes or OSHA rules? OSHA always goes with the most restrictive rules. Other agencies could go with the Fire code, DEQ, HUD or other rules depending on the industry/agency. The rules may be similar, but what they protect is different.

Are there new fine amounts? There is a steering committee that will be looking for input from the public. It will be six months to a year to finalize.

Call George or Stan Thomas with questions.

**OSHA** – Stan Thomas, Enforcement Manager, Bend and Pendleton field Officer

Stan presented Power Point slide to explain confined spaces regulations. (Available electronically – contact Jodi if you would like a copy)

Stan described several confined space deaths.

83% of deaths of workers in a confined space had performed work in that space in the past. In the Pendleton case, it was the fifth entry into that space.

A confined space is an area large enough to physically enter, limited means of entry and exit, and not designed for continuous occupancy.

Permit Required Confined Space (PRCS) is a confined space and contains or has the potential to contain a hazardous atmosphere, contains a material that can engulf an entrant, has an internal

configuration that may cause entrapment or asphyxiation, or contains any other recognized serious safety or health hazard.

The new regulation defines it as a space that contains either an atmospheric or physical hazard. Number is 29CFR 1910.146, Division 2, Subdivision J and K.

Confined space emergencies: Response should equal the hazards in the space, 911 likely isn't an option, fire departments rarely agree to be designated confined space rescue option, lack of planning unnecessarily endangers first responders.

Advice from Stan: When dealing with equipment, check to be sure it all works together. Use one brand rather than several different ones. Be sure everyone knows how to use the equipment.

[www.OSHA.org](http://www.OSHA.org) is the website. There is an A – Z topic list, publications, online courses, fact sheets, library. Complaints can be filed online. All OSHA documents are always free.

### **Sub-Committee Reports**

Planning – no report.

Resource Development - Dean got a resource list of Hermiston Chamber of Commerce members. This is one list that can be used to contact businesses or agencies in an emergency. If there is an emergency, the County should have list of resources (backhoe, port-a-potties, etc.). During an emergency, the county is responsible for resources. They should have the resource list and maintain it. We will need after hours contact numbers and have prearranged providers. The list will need to be updated periodically.

Confined Spaces – No report.

Public Outreach – We could do media advisory to spark more interest in LEPC. Another suggestion was having the meetings in Pendleton and Hermiston.

### **Membership / By-laws**

Currently our membership is fairly loose, anyone can become a member. The questions that have come up include, can all members from a specific industry vote? What is voting member? What is a regular member? How many voting members can an entity have?

New suggested by-laws include:

- Each entity can have a vote (two sites – two votes)
- Member entity in good standing – as long as one member from entity remains in good standing. If no representative is present at two meetings that entity moves to “member not in good standing”.
- Entity can return to good standing by attending two consecutive meetings. Entity may appoint a delegate to attend as a voting member (even though not officially a member).

To make amendments to the by-laws, we need to provide notice to members.  
We will include members in good standing in the minutes.  
If you have any questions or changes, contact Jodi or Pat.

State of Oregon Support for LEPC –The Community Right to Know program (Office of State Fire Marshal) has cut three positions; Bill Brauer, Krista Fischer, and Terry Wolfe will no longer be able to assist LEPCs. Bill will not be attending this group to assist. POC will be with State Fire Marshal's office.

Next Meeting Date: September 27, 2011 at Good Shepherd Medical Center,  
Conference Center # 2