

Fire Prevention Rules

Existing	2016 Proposed	Explanation
629-041-0005	629-041-0005	
Definitions	Definitions	
(1) The definitions set forth in ORS 477.001 shall apply to OAR Chapter 629, Divisions 041 through 046, unless the context otherwise requires.	(1) The definitions set forth in ORS 477.001 apply to OAR Chapter 629, Divisions 041 through 043, unless the context otherwise requires.	deleted "shall; present tense
(2) The following words and phrases, when used in OAR Chapter 629, Divisions 041 through 046, shall mean the following unless the context otherwise requires:	(2) The following words and phrases, when used in OAR Chapter 629, Divisions 041 through 043, are defined as follows, unless the context otherwise requires:	dropped Divisions 44, 45 and 46, because the defined terms do not occur in the text of those divisions
(a) "All-terrain vehicle" means a Class I all-terrain vehicle, as defined in ORS 801.190.	(a) "All-terrain vehicle" means a Class I all-terrain vehicle, as defined in ORS 801.190.	no change
(b) "Block" means a block which guides a moving line, except blocks which are located at a landing.	(b) "Block" means a pulley or system of pulleys set in a casing which guides a moving line.	avoids defining "block" as a "block which..."; exception regarding landings is moved to the text of the rule governing blocks in operations
(c) "Budget" means the budgeted cost of the Forester for a forest protection district, which cost has been determined under the authority and procedures of ORS 477.205 to 477.291;	(c) "Budget" means the budgeted cost of the Forester for a forest protection district, which cost has been determined under the authority and procedures of ORS 477.205 to 477.281;	changed statute reference; ORS 477.291 was repealed in 1999
(d) "Closed down requirements" means the machinery operation restrictions specified by the forester in the Industrial Fire Precaution Level (IFPL) system.	(d) "Close down requirements" means the machinery operation restrictions specified by the forester in the Industrial Fire Precaution Level (IFPL) system.	changed "closed" to "close" to match actual use in the text of the rule
(e) "Competent person" means a person who is physically capable and experienced to operate the firefighting equipment required for the operation area.		definition deleted due to potential confusion with OR-OSHA terminology; dealt with in rule text

(f) "Good operating condition" means fully ready for intended use, maintained in accordance with any manufacturer's recommendations and, where appropriate, properly installed and free of leaks.	(e) "Good operating condition" means fully ready for intended use, maintained in accordance with any manufacturer's recommendations and, where appropriate, properly installed and free of leaks.	renumbered
(g) "Fully turbo-charged" means all exhaust gases pass through a turbine wheel which is turning at all times and where there is no exhaust bypass to the atmosphere.	(f) "Fully turbo-charged" means all exhaust gases pass through a turbine wheel which is turning at all times and where there is no exhaust bypass to the atmosphere.	renumbered
(h) "Heavy truck" means a truck which has a gross vehicle weight rating of 26,001 pounds or more.	(g) "Heavy truck" means a truck which has a gross vehicle weight rating of 26,001 pounds or more.	renumbered
(i) "Immediate use" means:	(h) "Immediate use" means:	renumbered
(A) In good operating condition; and	(A) In good operating condition;	deleted "and"; redundant
(B) Requires the addition of no components, fuel, oil, parts or water to be made operational; and	(B) Requires the addition of no components, fuel, oil, parts or water to be made operational; and	no change
(C) Maintained in a known location which is easily and rapidly accessible by the operator.	(C) Maintained in a known location which is easily and rapidly accessible by the operator.	no change
	(i) "Improved road" means a road maintained for the use of motor vehicles and that is sufficiently clear of flammable material to prevent the spread of fire to adjacent vegetation.	new definition; replaces "public road" and is used in rules addressing spark arresters and fire watch service
(j) "Landing" means any designated place where logs are laid after being yarded, and are awaiting subsequent handling, loading and hauling.	(j) "Landing" means any designated place where logs are laid after being yarded, and are awaiting subsequent handling, loading and hauling.	no change
(k) "Light truck" means a truck which has a gross vehicle weight rating of 26,000 pounds or less.	(k) "Light truck" means a truck which has a gross vehicle weight rating of 26,000 pounds or less.	no change
(l) "Mobile equipment" means any power driven machinery operated in an operation area for a period of more than two days, except power saws;	(l) "Mobile equipment" means any power driven machinery that moves about under its own power in an operation area, but not including motor vehicles or stationary equipment as defined below;	eliminates two day concept; better sets apart from saws, pumps, yarders, trucks, crummies, etc.

(m) "Motor vehicle" means any vehicle that is self-propelled and which was built to transport persons or property primarily on improved roads, including buses, cars, recreational vehicles and trucks, except motorcycles and all-terrain vehicles;	(m) "Motor vehicle" means any vehicle that is self-propelled and which was built to transport persons or property primarily on improved roads, including buses, cars, recreational vehicles and trucks, except motorcycles and all-terrain vehicles;	no change
(n) "Motorcycle" is defined by ORS 801.365.	(n) "Motorcycle" has the same meaning as defined by ORS 801.365.	provides better legal effect
(o) "Moving lines" means mainlines and haulback lines used in a cable logging operation.	(o) "Moving lines" means mainlines and haulback lines used in a cable logging operation.	no change
(p) "Muffler" means a exhaust system device in good operating condition which is designed to reduce noise emission and which contains an internal baffle system.	(p) "Muffler" means an exhaust system device in good operating condition which is designed to reduce noise emission and which contains an internal baffle system.	changed "a" to "an"
(q) "Nationally recognized testing laboratory" is defined by OAR 437-002-0005.	(q) "Nationally recognized testing laboratory" has the same meaning as defined by OAR 437-002-0005 and 29 CFR 1910.7.	provides better legal effect; adds reference to code of federal regulations
(r) "Power driven machinery" means any machinery powered by or containing an internal combustion engine used to conduct an operation.	(r) "Power driven machinery" means any machinery, powered by or containing an internal combustion engine, used to conduct an operation.	adds commas to clarify that the defined term refers to "machinery" that conducts an operation, not the "engine"
(s) "Power saw" means a hand held saw powered by an internal combustion engine.	(s) "Power saw" means a hand held saw powered by an internal combustion engine.	no change
(t) "Prior approval" means written approval of the forester given for a specific plan before the operation begins, with the exception that verbal permission may be granted followed by immediate written confirmation where timing is critical.	(t) "Prior approval" means written approval of the forester given for a specific plan before the operation begins, with the exception that verbal permission may be granted followed by immediate written confirmation where timing is critical.	no change
(u) "Public road" means roads, thoroughfares and places which are open and used or intended for use by the general public for vehicular traffic.		definition deleted; replaced with "improved road" above
(v) "Snag" means a tree which is dead but still standing, and that has lost its leaves or needles and its small limbs.	(u) "Snag" means a tree which is dead but still standing, and that has lost its leaves or needles and its small limbs.	renumbered

(w) "Spark arrester" means a exhaust system device which traps or pulverizes exhaust carbon particles to a size below 0.023 inches in diameter before they are expelled from an exhaust system. Mufflers are not spark arresters.	(v) "Spark arrester" means an exhaust system device which traps or pulverizes exhaust carbon particles to a size below 0.023 inches in diameter before they are expelled from an exhaust system. Mufflers are not spark arresters.	renumbered and changed "a" to "an"
(x) "Stationary equipment" means any power driven machinery, except power saws, which is operated exclusively at one location in an operation area for a period of more than two days.	(w) "Stationary equipment" means any power driven machinery, except power saws, which has, or will be, operated exclusively at one location in an operation area for a period of more than two days.	renumbered; "has or will be" is intended to convey that, relative to the rule dealing with water supply, stationary equipment requires the water supply from the first day (during fire season), without conflicting with the statutory use of "stationary equipment" in ORS 477.650
(y) "Truck" means a motor vehicle designed primarily for carrying loads other than passengers and which is used to conduct an operation.	(x) "Truck" means a motor vehicle designed primarily for carrying loads other than passengers.	renumbered and deleted "and which is used to conduct an operation"; in most cases in the rules, requirements that apply to a "truck" already apply only to operations; the other case is with regard to spark arresters and there, trucks are exempt from the requirements so long as they have well maintained mufflers and exhaust systems, or have fully turbo-charged engines; the deleted phrase doesn't seem necessary or useful
(z) "Written order" means a prior written approval or written requirement, from the forester, for a specified practice.	(y) "Written order" means a prior written approval or written requirement, from the forester, for a specified practice.	renumbered
DIVISION 43	DIVISION 43	
FIRE PREVENTION	FIRE PREVENTION	
629-043-0005	629-043-0005	
Snag Falling	Snag Felling	corrected verb
(1) Pursuant to ORS 477.565(1):	(1) Pursuant to ORS 477.565(1):	no change

(a) Operators shall, when directed by the forester in written order, fell all snags which, in the judgement of the forester, constitute a fire hazard.	(a) Operators must fell all snags which, in the judgment of the forester, constitute a fire hazard, when directed by the forester in a written order.	no substantive change
(b) The forester shall require only the felling of snags which:	(b) The forester may only require the felling of snags which:	no substantive change
(A) Are necessary to prevent the spread of fire; and	(A) Are necessary to prevent the spread of fire; and	no change
(B) Are over 15 feet in height and within 100 feet distance of a landing.	(B) Are over 15 feet in height and within 100 feet distance of a landing.	no change
(2) Pursuant to ORS 477.565(2):	(2) Pursuant to ORS 477.565(2):	no change
(a) Operators shall, when directed by the forester in written order, fell all snags which, in the judgement of the forester, constitute a fire hazard.	(a) Operators must fell all snags which, in the judgment of the forester, constitute a fire hazard, when directed by the forester in a written order.	no substantive change
(b) The forester shall require only the felling of snags which:	(b) The forester may only require the felling of snags which are:	no substantive change
(A) Are necessary to prevent the spread of fire on forestland west of the summit of the Cascade Mountains; and	(A) Necessary to prevent the spread of fire on forestland west of the summit of the Cascade Mountains; and	deleted "are"; moved before the colon
(B) Are over 15 feet in height and over 12 inches in diameter.	(B) Over 15 feet in height and over 12 inches in diameter.	deleted "are"; moved before the colon
(3) The forester shall:	(3) The forester must:	no substantive change
(a) When determining whether snags constitute a fire hazard, give due consideration to:	(a) When determining whether snags constitute a fire hazard, give due consideration to:	no change
(A) The topography of the operation area; and	(A) The topography of the operation area;	deleted "and"; redundant
(B) The number of snags in and near the operation area; and	(B) The number and location of snags in and near the operation area; and	added "and location"
(C) The frequency of lightning in the operation area; and	(C) The frequency of lightning in the operation area.	deleted "and"; end of list
(D) The location of the snags in the operation area.		deleted; combined "location" into (B) above
(b) When issuing written orders, specify if the felling of snags is to be completed before and/or concurrent with the operation of power driven machinery;	(b) When issuing written orders, specify if the felling of snags is to be completed before or may be concurrent with the operation of power driven machinery (other than power saws);	added parenthetical phrase "other than power saws"; didn't want to imply that if felling was to be completed before use of power driven machinery, that it would have to be done with hand saws or axes

(4) The forester may, in written order, require additional snags in an operation area to be felled if, in the judgement of the forester, conditions so warrant.	(4) The forester may, in written order, require additional snags in an operation area to be felled if, in the judgment of the forester, conditions so warrant.	no change
(5) The forester may, in written order, reduce or waive any requirement of this rule if, in the judgement of the forester, conditions so warrant.		deleted this section because all requirements for snag felling already occur only by written order; shouldn't have any need to reduce or waive
629-043-0010		deleted
Additional Water Supply and Equipment		moved rule to OAR 629-043-023 to follow after the general water supply requirements
(1) Pursuant to ORS 477.615, operators shall, when directed by the forester in written order, provide a motor vehicle which complies with the capacity, pump, hose, nozzle and readiness requirements set forth in OAR 629-043-0020.		moved rule to OAR 629-043-023 to follow after the general water supply requirements
(2) The forester may, in written order, reduce or waive any requirement of the order issued under this rule if, in the judgement of the forester, the conditions so warrant or to take advantage of alternate methods or equipment proposed by the operator which provide, in the judgement of the forester, equal or better suppression of fire.		moved rule to OAR 629-043-023 to follow after the general water supply requirements
629-043-0015	629-043-0015	
Spark Arresters	Spark Arresters	
(1) Pursuant to ORS 477.645, all persons operating an internal combustion engine shall equip and maintain the engine with a spark arrester, which is in good working condition, and that is listed in the most recent edition of a publication of the National Wildfire Coordinating Group, entitled "Spark Arrester Guide" and which is known as publication number "PMS 430-1".	(1) Pursuant to ORS 477.645, any person operating an internal combustion engine during fire season, on or within one-eighth of one mile of a forest protection district, must equip and maintain the engine with a spark arrester, which is:	no substantive change when read together with ORS 477.645; added "during fire season" and reference to district to give complete picture of the requirement; (a) and (b) below are split out for easier reading
	(a) In good operating condition; and	no substantive change

	(b) Listed in the most recent edition of a publication of the National Wildfire Coordinating Group and the U.S.D.A. Forest Service, entitled "Spark Arrester Guide".	no substantive change
(2) The following are exempt from the requirements of this rule:	(2) The following are exempt from the requirements of section (1) of this rule:	added "of section (1)" because as currently written, one could infer that this also exempts (a) through (h) from (3) and (4) of this rule, which is not the intent
(a) Fully turbo-charged engines which are maintained in good operating condition;	(a) Fully turbo-charged engines which are maintained in good operating condition;	no change
(b) Engines in motor vehicles operating on public roads which are equipped with a muffler and a exhaust system;	(b) Engines in motor vehicles operating on improved roads which are equipped with a muffler and an exhaust system;	changed "public roads" to "improved roads" (see new definition); the exemption is more about potential to start a fire than about ownership
(c) Water pumping equipment used exclusively for fighting fire.		moved to (f) below for better grouping of exceptions
(d) Engines, except engines in all-terrain vehicles and motorcycles, of 50 cubic inch displacement or less which are equipped with a muffler and a exhaust system;		moved to (e) below for better grouping of exceptions
(e) Engines in light trucks which are equipped with a muffler and a exhaust system;	(c) Engines in light trucks which are equipped with a muffler and an exhaust system;	changed "a" to "an"; renumbered
(f) Engines in heavy trucks which are equipped with a muffler and a exhaust system which:	(d) Engines in heavy trucks which are equipped with a muffler and an exhaust system which:	changed "a" to "an"; renumbered
(A) Extends at least to the end of the truck frame and discharges to the rear; or	(A) Extends at least to the end of the truck frame and discharges to the rear; or	no change
(B) Extends above the cab of the truck and discharges upward or to the rear.	(B) Extends above the cab of the truck and discharges upward or to the rear.	no change
	(e) Engines of 50 cubic inch displacement or less which are equipped with a muffler and an exhaust system; and	moved from above; deleted reference to motorcycles and ATVs for hopefully easier understanding; they are addressed separately in section (3) below
	(f) Water pumping equipment used exclusively for fighting fire.	moved from above to deal first with motor vehicles, then smaller engine uses
(g) Engines in all-terrain vehicles and motorcycles which are equipped with:	(3) Engines in all-terrain vehicles and motorcycles are exempt from section (1) of this rule if equipped either with:	renumbered; no substantive change

(A) A muffler and a exhaust system; or	(a) A muffler and an exhaust system; or	renumbered
(B) A screen which completely encloses exhaust system openings and which is:	(b) A screen which completely encloses exhaust system openings and which is:	renumbered
(i) Heat and corrosion resistant; and	(A) Heat and corrosion resistant; and	renumbered
(ii) Which has no openings greater than .023 inch diameter.	(B) Which has no openings greater than .023 inch diameter.	renumbered
(h) Power saws. See OAR 629-043-0036.	(4) Power saws are exempt from this rule, but are separately regulated by OAR 629-043-0036.	renumbered; added language to make clear that power saws are treated separately in another rule
(3) All exhaust systems, mufflers and screens referred to in this rule shall be kept in good operating condition.	(5) All exhaust systems, mufflers and screens referred to in this rule must be maintained in good operating condition.	renumbered; no substantive change
(4) The forester may, in written order, reduce or waive any requirement of this rule if, in the judgement of the forester, conditions so warrant.	(6) The forester may, in written order, reduce or waive any requirement of this rule if, in the judgment of the forester, conditions so warrant.	renumbered
	NOTE: Use of any of the above-mentioned equipment may be further regulated or prohibited during fire season through the application of industrial or regulated use closures (ORS 477.535-.550).	note to make clear that additional regulation may occur with regard to these types of equipment
[Publications: The publication(s) referred to or incorporated by reference in this rule are available from the agency.]	[Publications: The publication(s) referred to or incorporated by reference in this rule are available from the agency or at http://www.fs.fed.us/t-d/programs/fire/spark/sag-index.html]	added a link to the web site containing the spark arrester guide
629-043-0020	629-043-0020	
Water Supply and Equipment for Stationary Engines	Water Supply and Equipment for Fire Suppression	title changed to reflect combining requirements for stationary and mobile equipment into the same rule
(1) Pursuant to ORS 477.650 operators shall comply with the following water supply and delivery requirements when operating stationary equipment:	(1) When operating stationary equipment during fire season inside or within one-eighth of one mile of a forest protection district, pursuant to ORS 477.650, operators must provide the following water supply and equipment at each location where stationary equipment is operated:	no substantive change when read together with ORS 477.650; added "during fire season" and reference to district to give complete picture of the requirement;
(a) Water supply:	(a) Water supply:	no change

(A) A self-propelled motor vehicle which is equipped with a water tank containing not less than 300 gallons of water; or	(A) A self-propelled motor vehicle which is equipped with a water tank containing not less than 300 gallons of water; or	no change
(B) A pond, stream, tank, or sump containing not less than 500 gallons of water.	(B) A pond, stream, tank, or sump containing not less than 500 gallons of water.	no change
(b) Water delivery:	(b) Water delivery equipment:	added "equipment"
(A) Water pump: Size and capacity shall be such that the pump will provide a discharge of not less than 20 gallons per minute when pumping through 50 feet of hose equipped with a 1/4 inch inside diameter nozzle at pump level;	(A) Water pump: Size and capacity must be such that the pump will discharge not less than 20 gallons per minute at a pressure of at least 115 pounds per square inch at pump level;	this does not actually change the standard; using PSI as a standard is intended to make it easier for operators to determine what pumps are appropriate to purchase to comply with the standard; measurement on site can still be accomplished either with a pressure guage, or timing how long it takes to fill a five gallon bucket with the right length of hose and nozzle
(B) Hose and nozzle: At least 500 feet of serviceable hose, of not less than 3/4 inch inside diameter, and a nozzle.	(B) Hose and nozzle: A nozzle, and enough serviceable hose of not less than 3/4 inch inside diameter, to reach from the water supply to any location in the operation area affected by power driven machinery, or 500 feet whichever is greater.	increases standard; changes in logging configurations and concern by landowners and fire managers resulted in a recommendation to increase the requirement for hose where equipment may be operating more than 500 feet from where the water supply can be; many landowners already require this of their contractors
	(2)When mobile equipment is used in an operation area during fire season, inside or within one-eighth of one mile of a forest protection district, pursuant to ORS 477.625 (1)(a), the operator must provide a water supply which complies with at least the minimum capacity, pump, hose and nozzle requirements set forth in section (1) of this rule.	increases standard and moved from rule 0026; brought the requirement for a water supply with mobile equipment together with stationary equipment and recommending the same increased hose requirement as provided above

	(3) "Operation area affected by power driven machinery" as used in this rule, means any part of the operation area where vegetation or flammable material might be ignited by exhaust, friction, or heated particles dropped or emitted from the power driven machinery or attached equipment, including but not limited to any moving lines, drills or other attachments.	further clarification of the increased standard described in sections (1) and (2) above
	(4) Within an operation area, except as required by ORS 477.615 or 477.660, only one water supply will be required to comply with sections (1), (2) or both of this rule, so long as access and communications are such that the combination of water supply, pump and hose can timely deliver water to a fire start. Taking more than ten minutes from discovery of the fire to move a self-propelled water supply into position and/or begin to deploy hose and nozzle for an effective attack on a fire may indicate water delivery was not timely.	this is an attempt to improve on interpretation as to when more than one water supply may be needed in an operation that has equipment working in various portions of the operation area, without requiring a written order from the forester
(2) All hose, motor vehicles, nozzles, pumps and tanks referred to in this rule shall be kept ready for immediate use.	(5) All hose, motor vehicles, nozzles, pumps and tanks referred to in this rule must be kept ready for immediate use.	renumbered; corrected spelling of "referred"
(3) The water supply, pump, not less than 250 feet of hose, and the nozzle, as required by this rule, shall be maintained as a connected, operating unit and kept ready for immediate use.	(6) The water supply, pump, not less than 250 feet of hose, and the nozzle, as required by this rule, must be maintained as a connected, operating unit and kept ready for immediate use.	renumbered
	(7) Nothing in this rule is intended to prohibit:	see (a) and (b) below
	(a) An owner of forestland from requiring operators to provide additional water or equipment when operating on the owner's land; or	not a standard, but clarification responding to frequently asked questions
	(b) An operator from using its water supply and equipment to make initial attack on a nearby fire outside the operation area.	not a standard, but clarification responding to frequently asked questions

	(8) When the operation only involves the use of self-loading log trucks on improved roads or landings cleared of flammable material, a water supply is not required.	reduces standard. Allows operators to move water supply to next job due to low risk of fires caused by self loaders.
(4) The forester, in written order, may reduce or waive any requirement of this rule if, in the judgement of the forester, conditions so warrant or to take advantage of alternate methods or equipment proposed by the operator which provide, in the judgement of the forester, equal or better suppression of fire.	(9) The forester, in written order, may reduce or waive any requirement of this rule if, in the judgment of the forester, conditions so warrant, or to take advantage of alternate methods or equipment proposed by the operator which provide, in the judgment of the forester, equal or better suppression of fire.	renumbered
	629-043-0023	new rule number
	Additional Water Supply and Equipment	moved from OAR 629-043-0010
	(1) Pursuant to ORS 477.615, operators must provide a self-propelled motor vehicle equipped with a water tank containing not less than 300 gallons of water and that complies with the pump, hose, nozzle and readiness requirements set forth in OAR 629-043-0020, when directed by the forester in a written order.	increases standard concurrent with change to hose requirements under rule 0020 above
	(2) The forester may, in a written order, reduce or waive any requirement of the order issued under this rule if, in the judgment of the forester, the conditions so warrant or to take advantage of alternate methods or equipment proposed by the operator which provide, in the judgment of the forester, equal or better suppression of fire.	no substantive change from existing OAR 629-043-0010(2)
629-043-0025	629-043-0025	
Fire Tools and Fire Extinguishers	Fire Tools and Fire Extinguishers	
Pursuant to ORS 477.655, operators shall comply with the following minimum fire tool and fire extinguisher requirements:	Pursuant to ORS 477.655, during fire season inside or within one-eighth of one mile of a forest protection district, operators must comply with the following minimum fire tool and fire extinguisher requirements:	no substantive change when read together with ORS 477.655; added "during fire season" and reference to district to give complete picture of the requirement;

<p>(1) Provide at the operation area, or at a location approved by the forester, the number of tools and tool boxes required by Table 1. An operation having more than 20 people shall use multiples of any of the columns in the table to arrive at a tool distribution equal to or in excess of the number of people in the operation.</p>	<p>(1) During an operation in progress provide at the operation area, or at a location approved by the forester, a tool box that contains a number of fire-fighting tools equal to or greater than the number of persons working on the operation.</p>	<p>reduces standard; the recommendation is that the tool box only be required on site during an operation in progress (which includes the fire watch period); the rule is simplified by eliminating the Table (which is no longer published by the Sec. of State) and just requiring one tool per person on the operation</p>
<p>(a) The tool boxes required by this rule shall be clearly identified as containing fire tools; and</p>	<p>(a) The tool box must be clearly identified as containing fire tools.</p>	<p>no substantive change</p>
<p>(b) The tools required by this paragraph shall be used only for fighting fire and for no other use.</p>	<p>(b) The tools must only be used for fighting fire.</p>	<p>no substantive change</p>
	<p>(c) The tools must include a mix of scraping tools (such as a pulaski or hazel hoe), cutting tools (such as a pulaski or axe) and shovels; appropriate for building a fire line and throwing dirt.</p>	<p>replaces the table in terms of what mix of tools is required</p>
	<p>(d) The above requirements for a tool box and tools to be used exclusively for fire-fighting do not apply if there are four or fewer persons working on the operation and each person has a shovel, suitable for fire-fighting, available for immediate use while working on the operation.</p>	<p>reduces standard; exempts small work crew from tool box requirement and duplication of tools; intended primarily for cutting crews where there is already a requirement that the cutter has a shovel and extinguisher with their saw</p>
<p>(2) Provide at each internal combustion engine, except power saws, one 2-1/2 pound size A, B, C rated fire extinguisher approved by a nationally recognized testing laboratory.</p>	<p>(2) Provide at each internal combustion engine, except power saws, one 2 A; 10 BC or higher (5 pound) rated fire extinguisher, or a combination of fire extinguishers that provide equivalent protection, approved by a nationally recognized testing laboratory.</p>	<p>increases standard to be consistent with OR-OSHA requirement for a larger capacity fire extinguisher</p>
<p>(3) Provide on each truck:</p>	<p>(3) Provide on each truck:</p>	<p>no change</p>
<p>(a) One 2-1/2 pound size A, B, C rated fire extinguisher approved by a nationally recognized testing laboratory; and</p>	<p>(a) One 2 A; 10 BC or higher (5 pound) rated fire extinguisher, or a combination of fire extinguishers that provide equivalent protection, approved by a nationally recognized testing laboratory;</p>	<p>increases standard to be consistent with OR-OSHA requirement for a larger capacity fire extinguisher</p>

(b) One round pointed shovel which has a face not less than 8 inches wide and a handle not less than 26 inches long; and	(b) One round pointed shovel which has a face not less than 8 inches wide and a handle not less than 26 inches long; and	no change
(c) One pulaski or axe which has a handle not less than 26 inches long.	(c) One pulaski or axe which has a handle not less than 26 inches long.	no change
(4) Provide at each block:	(4) Provide at each block, except those blocks located at a landing:	adds "except those blocks located at a landing" which was removed from the definition of a block
(a) One pump equipped can or bladder containing not less than five gallons of water; and	(a) One pump equipped can or bladder containing not less than five gallons of water; and	no change
(b) One round pointed shovel which has a face not less than 8 inches wide and a handle not less than 26 inches long.	(b) One round pointed shovel which has a face not less than 8 inches wide and a handle not less than 26 inches long.	no change
(5) All bladders, cans, pumps, tool boxes, tools and fire extinguishers referred to in this rule shall be kept ready for immediate use.	(5) All bladders, cans, pumps, tool boxes, tools and fire extinguishers referred to in this rule must be located and maintained ready for immediate use.	no substantive change
	(6) Fire extinguishers required by this rule must be equipped with a reliable and easily read pressure gauge or device or method for measurement of the contents of the extinguisher.	increases standard; this standard existed prior to 1997 and the recommendation is to reinstate it
	(7) When an additional internal combustion engine is permanently attached to a truck or other piece of power driven machinery, one fire extinguisher for the combined engines, which complies with section (2) of this rule, is sufficient.	clarification to reduce redundancy
(6) The forester may, in written order, modify, reduce or waive any requirement of this rule if, in the judgement of the forester, conditions so warrant or to take advantage of alternate methods or equipment proposed by the operator which provide equal or better suppression of fire.	(8) The forester may modify, reduce or waive any requirement of this rule in a written order, if in the judgment of the forester conditions so warrant, or to take advantage of alternate methods or equipment proposed by the operator which in the judgment of the forester will provide equal or better suppression of fire.	renumbered; no substantive change
[ED. NOTE: Copies of the Table referenced in this rule are available from the agency.]		deleted; the rule no longer references a Table
629-043-0026	629-043-0026	

Operation Area Fire Prevention	Operation Area Fire Prevention	
Pursuant to ORS 477.625(1)(a), operators shall comply with the following reasonable precautions that, in the judgement of the forester, are necessary to prevent the spread of fire on or from an operation area:	(1) Pursuant to ORS 477.625(1)(a), during a fire season, operators must comply with the following reasonable precautions that, in the judgment of the forester, are necessary to prevent the spread of fire on or from an operation area:	renumbered; "during a fire season" was added since all of the subsections (a) through (c) derive from existing rules that apply only to a fire season and was removed from existing (1) through (3) and (5) below
(1) When conducting a cable logging operation during fire season:	(a) When conducting a cable logging operation:	renumbered
(a) Clear the ground of all flammable debris for not less than ten feet slope distance, from the point directly below any block.	(A) Clear the ground of all flammable material (down to mineral soil) for not less than ten feet (radius) slope distance, from the point directly below any block.	renumbered; no substantive change; additional language attempts to make clearer a requirement that has long existed, but has often been misinterpreted
(b) Do not permit moving lines to rub on rock or woody material in such a way to cause sparks or sufficient heat that may cause ignition of fire.	(B) Do not permit moving lines to rub on rock or woody material in such a way to cause sparks or sufficient heat that may cause ignition of fire.	renumbered
(2) When conducting a operation during fire season which uses mobile equipment, provide a water supply which complies with the capacity, pump, hose, nozzle and readiness requirements set forth in OAR 629-043-0020.		deleted; dealt with in rule 0020 above
(3) When conducting a operation during fire season which uses power driven machinery, keep all power driven machinery free of excess flammable material which may create a risk of fire.	(b) Keep all power driven machinery free of excess flammable material which may create a risk of fire.	renumbered; no substantive change
	(c) When power driven machinery is left unattended, operators must disconnect main batteries from powered components (other than may be necessary to retain computer memory) through a shut-off switch or other means or, if battery power is not disconnected, unattended power driven machinery must be left on ground cleared of flammable material.	new standard; due to a number of fires determined to have started as a result of electrical faults in power driven machinery after the operator has left the operation area, this new standard is recommended to prevent future electrical fires

<p>(4) When using fire to dispose of slashing, develop for prior approval a plan which sets forth the personnel, equipment and procedures necessary to safely conduct the burning. The plan shall be developed in such a manner as to give due consideration to prevention of fire escape and protection of life, forest resources, property and air quality.</p>		<p>moved to (3) below</p>
<p>(5) When conducting a operation during fire season which uses mobile equipment east of the summit of the Cascade Mountains and when directed by the forester in written order, comply with limitations on when mobile equipment may be used. The forester shall base such limitations on the fire danger in the operation area, on the risk of fire beginning in the operation area, or due to a combination of any such conditions.</p>	<p>(2) When conducting an operation during fire season which uses mobile equipment east of the summit of the Cascade Mountains and when directed by the forester in written order, comply with limitations on when mobile equipment may be used. The forester must base such limitations on the fire danger in the operation area, on the risk of fire beginning in the operation area, or due to a combination of any such conditions.</p>	<p>renumbered; no substantive change</p>
	<p>(3) When using fire to dispose of slashing at any time of year, develop a plan for prior approval which sets forth the personnel, equipment and procedures necessary to safely conduct the burning. The plan must be developed in such a manner as to give due consideration to prevention of fire escape and protection of life, forest resources, property and air quality.</p>	<p>moved from existing (4) above; added "at any time of year" to distinguish the requirement clearly from the others above that only apply during fire season</p>
<p>(6) The forester may, in written order, reduce or waive any requirement of this rule if, in the judgement of the forester, conditions so warrant or to take advantage of alternate methods or equipment proposed by the operator which provide, in the judgement of the forester, equal or better prevention or suppression of fire.</p>	<p>(4) The forester may, in a written order, reduce or waive any requirement of this rule, if in the judgment of the forester conditions so warrant, or to take advantage of alternate methods or equipment proposed by the operator which provide, in the judgment of the forester, equal or better prevention or suppression of fire.</p>	<p>renumbered</p>
<p>629-043-0030</p>	<p>629-043-0030</p>	
<p>Watchman Service</p>	<p>Fire Watch Service</p>	<p>eliminated gender reference to conform with statute, in the title and throughout the rule</p>

<p>(1) Pursuant to ORS 477.665, operators shall comply with the following watchman requirements. Watchman shall:</p>	<p>(1) Pursuant to ORS 477.665, during fire season inside or within one-eighth of one mile of a forest protection district, operators must comply with the following fire watch requirements. A person performing fire watch service must:</p>	<p>no substantive change when read together with ORS 477.665; added "during fire season" and reference to district to give complete picture of the requirement;</p>
<p>(a) Be constantly on duty for three hours after the power driven machinery used by the operator has been shut down for the day; and</p>	<p>(a) Constantly observe the operation area during any breaks (up to three hours) in operation activity and for three hours after the power driven machinery used by the operator has been shut down for the day;</p>	<p>increases standard; closes a "loophole" whereby an operator might take a long break to get parts, for example, and not provide fire watch because they were not "shut down for the day"</p>
<p>(b) Visually observe all portions of the operation area on which operation activity occurred during the day.</p>	<p>(b) Visually observe all portions of the operation area on which operation activity occurred during the preceding period of activity; and</p>	<p>changed "day" to "preceding period of activity"</p>
	<p>(c) Be qualified in the use and operation of assigned firefighting equipment and tools; be physically capable of performing assigned fire suppression activities; and be advised of single employee assignment responsibilities (OAR 437-007-1315), when working alone.</p>	<p>deleted "competent person" requirement from existing (4)(a)(A) below and inserted this requirement that better describes expectations and conforms to OR-OSHA single employee responsibility requirements</p>
<p>(2) After a measurable amount of rain on the operation area, the forester may suspend the requirements of subsection (1) of this rule until such time as, in the judgement of the forester, conditions warrant reinstatement.</p>	<p>(2) After a measurable amount of rain on the operation area, the forester may suspend the requirements of subsection (1) of this rule until such time as, in the judgment of the forester, conditions warrant reinstatement.</p>	<p>no substantive change</p>
<p>(3) The forester may, in written order, reduce or waive any requirement of subsection (1) of this rule if, in the judgement of the forester, conditions so warrant.</p>	<p>(3) The forester may reduce or waive any requirement of subsections (1) (a) or (b) of this rule in a written order if, in the judgment of the forester conditions so warrant.</p>	<p>no substantive change</p>
	<p>(4) Immediately following a period when the only operation activity has been the use of self-loading log trucks on improved roads or landings cleared of flammable material, fire watch service is not required.</p>	<p>reduces standard; after all other operation activity has ceased, it is not uncommon that continued loading and hauling of logs take place using self-loading log trucks; <u>since there isn't a significant history of fire starts from self-loaders on improved roads, this exemption seems reasonable</u></p>

(4) Pursuant to ORS 477.625(1)(a):	(5) Pursuant to ORS 477.625(1) (a) operators must comply with the following fire watch requirements:	renumbered and combines existing (4) and (4)(a)
(a) Operators shall comply with the following watchman requirements:		combined with existing (4) to become (5) above
(A) Each watchman shall be a competent person.		see (1)(c) above
(B) Each watchman shall have adequate facilities for transportation and communications in order to be able to summon fire fighting assistance in a timely manner.	(a) Each person providing fire watch service on an operation area must have adequate facilities for transportation and communication to be able to summon firefighting assistance in a timely manner.	renumbered; no substantive change
(b) Watchman shall immediately proceed to control and extinguish any fire in the operation area, in a manner which is consistent with fire suppression safety practices, and shall summon all necessary fire fighting assistance.	(b) Upon discovery of a fire, fire watch personnel must:	this subsection, combined with paragraphs (A) and (B) below accomplish the same purpose/standard as the existing rule, while conforming to OR-OSHA requirements for single employee firefighting requirements
	(A) First report the fire, summon any necessary firefighting assistance, describe intended fire suppression activities and agree on a checking system; then	see (4)(b) above
	(B) After determining a safety zone and an escape route that will not be cut off if the fire increases or changes direction, immediately proceed to control and extinguish the fire, consistent with firefighting training and safety.	see (4)(b) above
629-043-0036	629-043-0036	
Power Saws	Power Saws	
Pursuant to ORS 477.640, all persons operating a power saw shall comply with the following fire prevention and suppression requirements:	Pursuant to ORS 477.640, any person operating a power saw during a fire season inside or within one-eighth of one mile of a forest protection district must comply with the following fire prevention and suppression requirements:	no substantive change when read together with ORS 477.645; added "during fire season" and reference to district to give complete picture of the requirement

<p>(1) A power saw used to conduct an operation shall be equipped and maintained with a spark arrester and other fire prevention equipment that is listed in the most recent edition of a publication of the National Wildfire Coordinating Group, entitled "Spark Arrester Guide" and which is known as publication number "PMS 430-2".</p>	<p>(1) A power saw must be equipped and maintained with a spark arrester and other fire prevention equipment that is listed in the most recent edition of a publication of the National Wildfire Coordinating Group and the U.S.D.A. Forest Service, entitled "Spark Arrester Guide" Volume 2 - Multi-Position Small Engine". Power saws which have been modified from the configuration, as tested and listed in the Spark Arrester Guide, are prohibited from use during fire season.</p>	<p>increased standard for power saws used for other than "operations"; in 1977, regulations for operations were increased based on research and testing regarding fire starts from saw exhaust and temperatures at exhaust ports; non-operation saws had a lesser standard presumably because of less continuous use and hardship on owners having to replace or reconfigure saws. at this time old non-compliant saws are likely non-existent, so it is time to bring all saw use to the same standard</p>
<p>(2) A power saw not used to conduct an operation shall be equipped as follows:</p>		<p>deleted; see (1) above</p>
<p>(a) As described in subsection (1) of this rule; or</p>		<p>deleted; see (1) above</p>
<p>(b) With a spark arresting device constructed to retain or destroy 90% or more of the carbon particles having a major diameter greater than 0.023 inches (0.584 mm). A spark arresting device equipped with a woven screen with a maximum opening size of 0.023 inches (0.584 mm) constructed of 0.013 inches (0.330 mm) or larger diameter, heat and corrosion resistant wire will be considered in compliance with this requirement, provided the total screen opening area is not less than 125 percent of the engine exhaust port area. The device shall be constructed to permit easy removal and replacement of the screen for field inspection, replacement, and cleaning.</p>		<p>deleted; see (1) above</p>
<p>(3) The following minimum fire tools and fire extinguishers shall be immediately available for the prevention and suppression of fire:</p>	<p>(2) When using a power saw, the following minimum fire tools and fire suppressants must be available for immediate use for the prevention and suppression of fire:</p>	<p>renumbered; clarify that these requirements pertain to the use of power saws</p>

(a) One fire extinguisher of at least eight ounce capacity; and	(a) One gallon of water or pressurized container of fire suppressant of at least eight ounce capacity; and	alternate standard; added "one gallon of water" as an alternative, primarily for home use or non-commercial wood-cutters to match with regulated use closure requirements
(b) One round pointed shovel which has a face not less than 8 inches wide and a handle not less than 26 inches long.	(b) One round pointed shovel which has a face not less than 8 inches wide and a handle not less than 26 inches long.	no change
(4) A power saw shall be stopped during fueling and moved not less than 20 feet from the place of fueling before being started.	(3) A power saw motor must be stopped during fueling and moved not less than 20 feet from the place of fueling before being started.	renumbered; no substantive change
(5) All fire prevention equipment, fire extinguishers, fire tools, screens, shovels, spark arresters and spark arresting devices referred to in this rule shall be kept ready for immediate use.	(4) All fire prevention equipment such as fire suppressants, fire tools, screens, shovels, spark arresters and spark arresting devices referred to in this rule must be maintained in good operating condition.	renumbered; no substantive change; "good operating condition" includes fully ready for use
(6) The forester may, in written order, reduce or waive any requirement of this rule if, the judgement of the forester, conditions so warrant.	(5) If in the judgment of the forester conditions warrant, the forester may reduce or waive any requirement of this rule.	renumbered; no substantive change
[Publications: The publication(s) referred to or incorporated by reference in this rule are available from the agency.]	[Publications: The publication(s) referred to or incorporated by reference in this rule are available from the agency or at http://www.fs.fed.us/t-d/programs/fire/spark/sag-index.html]	added a link to the web site containing the spark arrester guide
629-043-0040	629-043-0040	no change
Burning Permits	Permitted Burning	syntax; we don't advise burning your permit
(1) Pursuant to ORS 477.515, holders of permits for burning must:	(1) Pursuant to ORS 477.515, holders of permits for burning must:	no change
(a) Before burning, clear the area immediately around and above the burn site of material that may carry fire;	(a) Before burning, clear the area immediately around and above the burn site of material that may carry fire;	no change

(b) When burning in a barrel or similar container, completely cover the container openings with a screen constructed of not less than 14-gauge wire and that has openings which are no larger than one-fourth inch in diameter;	(b) When burning in a barrel or similar container, completely cover the container openings with a screen constructed of not less than 14-gauge wire and that has openings which are no larger than one-fourth inch in diameter;	no change
(c) Not allow the uncontrolled spread of fire away from the permitted burn site;	(c) Not allow the uncontrolled spread of fire away from the permitted burn site;	no change
(d) Not burn on a day when burning has been prohibited by the forester because of increased fire danger or because of air quality conditions;	(d) Not burn on a day when burning has been prohibited by the forester because of increased fire danger or because of air quality conditions;	no change
(e) Not burn without complying with all conditions, hours and dates set forth on the permit; and	(e) Not burn without complying with all conditions, hours and dates set forth on the permit; and	no change
(f) Not burn without complying with the open burning prohibitions set forth in OAR 340-264-0050 to 340-264-0170.	(f) Not burn without complying with the open burning prohibitions set forth in OAR 340-264-0050 to 340-264-0170.	no change
(2) The requirements of this rule do not apply to prescribed burning conducted in compliance with ORS 477.013, OAR 629-043-0026(4) and 629-048-0001 to 629-048-0500.	(2) The requirements of this rule do not apply to prescribed burning conducted in compliance with ORS 477.013, and 477.552 to 477.562, OAR 629-043-0026(4) and 629-048-0001 to 629-048-0500.	added reference to ORS 477.552 to 477.562
(3) The forester may, in a written order, reduce or waive any requirement of this rule if:	(3) The forester may, in a written order, reduce or waive any requirement of this rule if:	no change
(a) In the judgment of the forester, conditions so warrant; and	(a) In the judgment of the forester, conditions so warrant; and	no change
(b) The burning complies with the requirements of ORS 477.515, Chapter 468, Chapter 468A and OAR chapter 340 division 264.	(b) The burning complies with the requirements of ORS 477.515, and any applicable portions of ORS Chapter 468, Chapter 468A and OAR Chapter 340 Division 264.	added "any applicable portions of"