

**OCCUPATIONAL SAFETY  
AND HEALTH STANDARDS BOARD**

2520 Venture Oaks Way, Suite 350  
Sacramento, CA 95833  
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**SECOND NOTICE OF PROPOSED MODIFICATIONS TO  
CALIFORNIA CODE OF REGULATIONS**

TITLE 8: Chapter 4, Subchapter 13, Articles 1, 1.5, 2, 4, 5, 7, and 12; Sections 6249, 6251, 6260, 6262, 6270, 6272, 6281, 6282, 6283, 6290, 6295, 6328, 6329, and Appendix A, Radio Control Signaling Devices of the Logging and Sawmill Safety Orders (LSSOs)

**Amendments to the Logging and Sawmill Safety Orders with regard to Logging Operations**

Pursuant to Government Code Section 11346.8(c), the Occupational Safety and Health Standards Board (Standards Board) gives notice of the opportunity to submit written comments on the above-named regulations in which further modifications are being considered as a result of public comments and/or Board staff evaluation.

On May 9, 2001, the Standards Board mailed a Notice of Proposed Modifications to the advisory committee members and Board members to consider revisions to Title 8, Sections 6251 and 6283 of the Logging and Sawmill Safety Orders, California Code of Regulations. The Standards Board received one written comment on the proposed revisions. The regulations have been further modified as a result of the comment and Board consideration.

A copy of the full text of the regulation as originally proposed, and a copy of the modified text clearly indicating the further modifications, is attached for your information. In addition, a summary of all oral and written comments regarding the Notice of Proposed Modifications and staff responses is included.

Any written comments on these modifications must be received by 5:00 p.m. on August 13, 2001 at the Occupational Safety and Health Standards Board, 2520 Venture Oaks Way, Suite 350, Sacramento, California 95833. These regulations will be scheduled for adoption at a future business meeting of the Standards Board.

The Standards Board's rulemaking files on the proposed action are open to public inspection Monday through Friday, from 8:00 a.m. to 4:30 p.m., at the Standards Board's office at 2520 Venture Oaks Way, Suite 350, Sacramento, California 95833.

Inquiries concerning the proposed changes may be directed to the Executive Officer, John D. MacLeod at (916) 274-5721.

OCCUPATIONAL SAFETY AND HEALTH  
STANDARDS BOARD

Date: July 24, 2001

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John D. MacLeod, Executive Officer

**REGULATIONS AS ORIGINALLY PROPOSED**  
**(only modified pages are included)**

**STANDARDS PRESENTATION  
TO  
CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD**

**PROPOSED STATE STANDARD,  
TITLE 8, CHAPTER 4**

Amend Section 6251 to read:

§6251. First Aid.

(a) First-aid material shall be provided and personnel made available for care of injured employees. Means of communication, such as an operable two-way radio, phone, or radio/phone, shall be ~~established provided~~, and the names, addresses, and the telephone numbers of physicians, hospitals, and ambulances to be called shall be made readily available at all operations. Citizens' band radios are permitted only as a secondary means of communication.

(b) All necessary first-aid materials shall be provided at ~~every~~ any active camp, mill, log landing, or other active operation ~~as may be necessary~~, and shall consist in part of a rigid stretcher, 2 acceptable blankets (1 blanket for warmth and 1 waterproof blanket), and a first-aid kit. The blankets and the contents of the first-aid kit shall be kept in dustproof and moisture proof containers.

(c) Crew vehicles shall carry a first-aid kit. First-aid kits shall be kept fully supplied.

(d) First-aid training shall be provided as follows:

(1) ~~Those Supervisors or persons in charge of at a work site~~ shall be required to have a valid first-aid general knowledge concerning the stoppage of bleeding, care and splinting of fractures, dressing of wounds, and treatment of shock and shall be trained in cardiopulmonary resuscitation (CPR) certificate. Standards for first-aid and CPR training shall follow the principles of the American Heart Association, ~~or the American Red Cross, or other recognized agency.~~

(2) ~~At operations employing 5 or more employees, e~~ Employers shall arrange to have employees trained so they have a valid first-aid and CPR certificate issued by the American Red Cross, the Mine Safety and Health Administration American Heart Association, or other recognized agency.

NOTE: Approximately 1 out of every 5 employees should receive this training. In computing the number of employees for (d)(2), clerical workers need not be included.

(e) Adequate transportation to medical care shall be ~~provided for immediate use~~ arranged and made available for injured persons at all camps, mills, log landings, or other operations. Such transportation shall be of a nature to render comfort to the injured. Employees requiring the use of ~~a tourniquet or a stretcher~~ or whose injuries are of an otherwise serious nature shall be accompanied to medical attention by a competent person in addition to the vehicle driver.

NOTE: Authority cited: Section 142.3, Labor Code. Reference: Section 142.3, Labor Code.

**STANDARDS PRESENTATION  
TO  
CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD**

PROPOSED STATE STANDARD,  
TITLE 8, CHAPTER 4

Amend Section 6283 to read:

§6283. Portable Chain Saw Operations.

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(m) Every employer shall instruct and enforce a safe practice procedure including the rules listed below:

- (1) Inspect the saw daily to assure that all handles and guards are in place and tight, all controls function properly, and the muffler is operative.
- (2) Properly instruct operators on safe operation and adjustment.
- (3) Always keep a firm grip on the saw.
- (4) Fuel the saw only in conditions not conducive to fire hazards.
- (5) Start the saw at least 10 feet away from fueling area.
- (6) Start the saw only when firmly supported.
- (7) Do not use ~~engine~~ chain saw fuel for starting fires or for use as a cleaning solvent.
- (8) Use proper methods to avoid kickbacks.

NOTE: Authority cited: Section 142.3, Labor Code. Reference: Section, 142.3, Labor Code.

**REGULATIONS AS PROPOSED IN FIRST 15-DAY NOTICE**  
**(Modifications are shown in bold and double underscore for**  
**new language and bold and strikeout for deleted language.)**  
**(Only modified pages are included.)**

**STANDARDS PRESENTATION  
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(b) All necessary first-aid materials shall be provided at ~~every~~ any active camp, mill, log landing, or other active operation ~~as may be necessary~~, and shall consist in part of a rigid stretcher, 2 acceptable blankets (1 blanket for warmth and 1 waterproof blanket), and a first-aid kit. The blankets and the contents of the first-aid kit shall be kept in dust proof and moisture proof containers.

(c) Crew vehicles shall carry a first-aid kit. First-aid kits shall be kept fully supplied.

(d) First-aid training shall be provided as follows:

(1) At fixed sawmill facilities, in the absence of an infirmary, clinic, or hospital, in proximity to the workplace, which is used for the treatment of all injured employees, a person or persons shall be certified in, and readily accessible to render, first aid. ~~Those~~ In addition, ~~Supervisors or persons in charge of~~ at a work site shall be required to have a valid first-aid ~~general knowledge concerning the stoppage of bleeding, care and splinting of fractures, dressing of wounds, and treatment of shock and shall be trained in~~ cardiopulmonary resuscitation (CPR) certificate. Standards for first-aid and CPR training shall follow the principles of the American Heart Association, ~~or the American Red Cross, or other~~ recognized agency.

NOTE: The word "proximity" as used in this subsection means that medical treatment for injured employees can be provided within a distance of 10 miles from the worksite.

(2) ~~At operations employing 5 or more employees,~~ At logging operations and portable sawmill operations, ~~Employers shall arrange to have~~ each employees trained so they have a valid first-aid and CPR certificate issued by the American Red Cross, the Mine Safety and Health Administration ~~American Heart Association,~~ or other recognized agency. Provided a person or persons having a valid first aid and CPR certificate are readily accessible at the work site to render first aid, new employees shall receive the required training within six months from the date of hire.

NOTE: Approximately 1 out of every 5 employees should receive this training. In computing the number of employees for (d)(2), clerical workers need not be included.

EXCEPTION: Log truck drivers are not required to receive first-aid and CPR training if they are not involved with falling, yarding, skidding, or processing logs.

(e) Adequate transportation to medical care shall be ~~provided for immediate use~~ arranged and made available for injured persons at all camps, mills, log landings, or other operations. Such transportation shall be of a nature to render comfort to the injured. Employees requiring the use of ~~a tourniquet or~~ a stretcher or whose injuries are of an otherwise serious nature shall be accompanied to medical attention by a competent person in addition to the vehicle driver.

NOTE: Authority cited: Section 142.3, Labor Code. Reference: Section 142.3, Labor Code.

**STANDARDS PRESENTATION  
TO  
CALIFORNIA OCCUPATIONAL SAFETY AND HEALTH STANDARDS BOARD**

Attachment No. 1  
Page 10 of 16

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- (2) Properly instruct operators on safe operation and adjustment.
- (3) Always keep a firm grip on the saw.
- (4) Fuel the saw only in conditions not conducive to fire hazards.
- (5) Start the saw at least 10 feet away from fueling area.
- (6) Start the saw only when firmly supported.
- (7) Do not use ~~engine~~ chain saw **or other engine** fuels for starting fires or for use as a cleaning solvent.
- (8) Use proper methods to avoid kickbacks.

NOTE: Authority cited: Section 142.3, Labor Code. Reference: Section, 142.3, Labor Code.

**REGULATIONS AS PROPOSED IN SECOND 15-DAY NOTICE**  
**(Modifications are indicated by bold double strikeout for deleted language**  
**and bold italics and double underscore for new language.)**

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NOTE: The word "proximity" as used in this subsection means that *emergency medical response time or* medical treatment for injured employees can be provided within ~~a distance of 10 miles from the worksite.~~ *15 minutes.*

(2) ~~At operations employing 5 or more employees,~~ At logging operations and portable sawmill operations, ~~e~~Employers shall arrange to have each employees trained so they have a valid first-aid and CPR certificate issued by the American Red Cross, the Mine Safety and Health Administration American Heart Association, or other recognized agency. Provided a person or persons having a valid first aid and CPR certificate are readily accessible at the work site to render first aid, new employees shall receive the required training within six months from the date of hire.

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- (4) Fuel the saw only in conditions not conducive to fire hazards.
- (5) Start the saw at least 10 feet away from fueling area.
- (6) Start the saw only when firmly supported.
- (7) Do not use ~~engine~~ chain saw ~~or other engine~~ fuels for starting fires or for use as a cleaning solvent.

Exception: When approved by the fire authority, diesel fuel may be used to start warming fires provided the employer assures that in the particular situation it does not create a hazard for employees.

- (9) Use proper methods to avoid kickbacks.

NOTE: Authority cited: Section 142.3, Labor Code. Reference: Section 142.3, Labor Code.

## **SUMMARY AND RESPONSE TO COMMENTS**

## SUMMARY AND RESPONSE TO ORAL AND WRITTEN COMMENTS

### Written Comments

Mr. Don Milani, Marsh Advantage America, Safety Director, Associated California Loggers (ACL), by letter dated May 25, 2000.

### Comment No. 1:

Mr. Milani states his letter addressing modifications to Section 6283(m)(7) is written on behalf of ACL. Mr. Milani states the original intent of the safety order was to prevent the use of chain saw gas from being used to start warming fires. Mr. Milani believes that since the subsection only addresses the use of chain saws and fuel for chain saws, that it is an inappropriate section to address fuels for starting warming fires. He suggests that the original language be replaced with “Do not use **saw-gas** for starting fires or for use as a cleaning solvent.” The term “engine fuel” as used in the original language could only refer to saw-gas, because it is in the section dealing with portable chain saw operations. Mr. Milani further recommends that language permitting the use of diesel fuel to start warming fires be provided in a new subsection to Section 6262, Fuels, Oil and Other Flammable Liquids.

### Response:

In the Final Statement of Reasons, the Board’s response to Board Member William Jackson’s comment No. 2 indicates that the original proposed language for Section 6283(m)(7) could be subject to interpretation as to whether fuels other than “chain saw fuel” could be used for starting fires. The language proposed above in comment No. 1 by Mr. Milani is essentially the same as that originally proposed for public notice, “Do not use chain saw fuel for starting fires or for use as a cleaning solvent.” The Board believes that the language proposed by Mr. Milani could also be subject to interpretation as to whether fuels other than “saw-gas” could be used for starting fires. As indicated in the rationale for modifications to Section 6283(m)(7), the Board concurs with Mr. Milani that an exception should be provided for the use of diesel fuel. However, the Board believes the appropriate location of the modification should be provided as an exception to the requirements contained in Section 6283(m)(7).

### Comment No. 2:

Mr. Milani states that on a cold day, the logging crew will build a warming fire on the landing. Mr. Milani indicates the practice of starting warming fires has been going on since logging began and in his experience of almost thirty years, he is not aware of any injuries caused from starting warming fires. Federal OSHA does address the use of fuels used to start warming fires. In CFR 1910.266(d)(9)(iv), it states, “Flammable and combustible liquids, including chain-saw and diesel fuel, may be used to start a fire, provided the employer assures that in the particular

situation its use does not create a hazard for an employee.” Mr. Milani indicates that Federal OSHA regulations recognize that warming fires will be used and that fires can be safely started using most fuels. He recommends that the Board consider permitting the use of warming fires with diesel fuel.

Response:

Safety personnel within the logging industry concur with Mr. Milani that diesel fuel can be safely used to start warming fires. The California Department of Forestry uses diesel fuel to assist them in starting controlled burns. Mr. Milani’s recommendation is consistent with Federal OSHA requirements. The Board concurs with Mr. Milani to the extent that an exception is proposed for Section 6283(m)(7) to permit the use of diesel fuel to start warming fires when approved by the fire authority.