



# OSHA REGIONAL INSTRUCTION

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

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**DIRECTIVE NUMBER:** 2023-10 (CPL 04)

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**SUBJECT:** Regional Emphasis Program for Logging in West Virginia

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**REGION:** III

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**SIGNATURE DATE:** September 26, 2023

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**EFFECTIVE DATE:** October 1, 2023

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## ABSTRACT

- Purpose:** This Instruction continues a Local Emphasis Program for the Logging Industry in West Virginia.
- References:** [CPL 04-00-002, Procedures for the Approval of Local Emphasis Programs \(LEPs\)](#) (11/13/2018)  
[CPL 02-00-025, Scheduling System for Programmed Inspections](#) (January 4, 1995)  
[CPL 02-00-164 Field Operations Manual \(FOM\)](#) (April 14, 2020)
- Cancellations:** Philadelphia Regional Notice: CPL 2019-12 (CPL 04), dated October 1, 2018. This Instruction replaces and updates an earlier version.
- State Impact:** None.
- Action Offices:** Charleston, West Virginia Area
- Office. Originating Office:** Charleston, West Virginia
- Area Office. Contact:** Blake McEnany, Area Director  
Charleston Area Office  
405 Capitol Street, Suite 407  
Charleston, West Virginia  
25301-1727

By and Under the Authority of

Michael J.  
Rivera Regional  
Administrator

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## LOGGING LEP

- I. Purpose  
This instruction continues an LEP for the Logging Industry in West Virginia.
- II. Scope  
This instruction applies to the Charleston Area Office.
- III. References  
[CPL 04-00-002, Procedures for the Approval of Local Emphasis Programs \(LEPs\)](#) (11/13/2018) [CPL 02-00-025, Scheduling System for Programmed Inspections](#) (January 4, 1995) [CPL 02-00-164 Field Operations Manual \(FOM\)](#) (April 14, 2020) [CPL 02-00-051, Enforcement Exemptions and Limitations Under the Appropriations Act](#) (February 13, 2023)
- IV. Expiration  
This Instruction expires on September 30, 2028.
- V. Action Information

A. Responsible Office	Charleston Area Office
B. Action Office	Charleston Area Office
C. Information Office	Philadelphia Regional Office
- VI. Action  
OSHA compliance personnel shall ensure that the procedures contained in this directive are followed when conducting this LEP.
- VII. Background  
The logging industry has been recognized as one of the five most hazardous industries, based on injury rates, and has been a source of multiple fatalities in West Virginia historically. From January 1, 2018 to September 1, 2023, 14.4 percent (eleven workers) of all occupational fatalities in West Virginia occurred in logging. Significant emphasis will be placed on this industry to reduce its injury and illness rate and fatality rate. This program is designed to provide inspection coverage to logging establishments and contractors (NAICS 113310) that conduct timber cutting operations in West Virginia. Based upon the 2021 Bureau of Labor Statistics nationwide data, logging workers experienced a fatal injury rate of 82.2 per 100,000 workers, having 60 fatalities.
- VIII. Procedures  
This LEP will be conducted throughout the State of West Virginia.  
  
There will be two phases to the LEP, an outreach phase and an inspection phase. Each is discussed below.  
  
A. Outreach Activities
  1. Outreach activities were conducted throughout FY 2015 as resources and

weather permitted. Charleston Area Office personnel participated in training classes given by the West Virginia Division of Forestry. At these sessions, OSHA Area Office personnel answered questions and provided information on compliance, the LEP, and logging safety. Area Office personnel will continue to serve as a contact for technical and other information for the West Virginia Forestry Association, an industry group that is operating a pilot program to reduce workers' compensation rates for certain members. The Charleston Area Office also prepared correspondence to logging companies throughout the State to ensure familiarity with OSHA standards, the LEP, and logging safety.

2. The Area Office will continue to respond to queries and requests for materials generated by the letter and class participation described above.

#### B. Inspection Activity

Information from neutral sources such as the U.S. Forest Service will be used to determine the location and number of logging operations in West Virginia. The Charleston Area office will also utilize a WV Division of Forestry web-based program known as LONIE (Logging Operation Notification Inspection & Enforcement). LONIE will be used to locate active logging jobs in the State of WV.

1. When an employer's NAICS is exempted in the most current revision to Appendix A of [CPL 02-00-051, Enforcement Exemptions and Limitations Under the Appropriations Act](#) at the time of the opening conference, the procedures described in the [Appropriations Act](#) will be followed. For employers with 10 employees or less that are not inspected, the CSHO will provide compliance assistance information and exit the job site.
2. The state will be divided into six regions corresponding to the areas of jurisdiction of the West Virginia Division of Forestry. See Appendix A-1, Listing of West Virginia Division of Forestry regional contacts, and Appendix A- 2, Map of Geographical Logging Regions. These six regions will be randomly selected using a random number generating function in standard software, such as Microsoft Excel or Access, to determine the order in which the regions will be planned for inspection activity. When the office is ready to conduct inspections, the LONIE system will be accessed by the Supervisor to determine the location of all active logging sites in that region. All sites will be listed on the inspection register.
3. Based on prior experience, it is estimated that it will be possible to inspect all covered logging operations in each region. It is estimated there will be five to ten contractors in each area, excluding self-employed sole proprietorships, equal partnerships, and the like. The number of employers to be inspected is an estimate which may be revised during the year based on changing

conditions and/or efficient use of CSHO time. If excessive numbers of loggers are found to be operating, sites to be inspected will be selected by random number table applied to the original inspection register. Sites can be inspected in any order that makes efficient use of CSHO resources.

4. Once a site has been inspected, it shall not be scheduled again for at least 6 months unless there is a complaint, referral, or incident at the site which requires inspection.
5. Employers in NAICS code 113310/SIC code 2411 may also be selected for inspection based on observation by a CSHO of a worksite at which logging is being conducted. If, in the normal course of travel, a CSHO observes a work site within the area office's jurisdiction that is conducting operations in NAICS code 113310/SIC code 2411, the CSHO will call the Area Office to inform the Area Director or other supervisor of his/her intent to conduct the inspection.
6. Complaints, referral, and fatalities will be handled in accordance with CPL 02-00-164, the FOM.
7. All scheduled inspections will be comprehensive in scope and will last at least one shift to ensure all practices, including tree felling, are observed.

IX. Recording in OIS

The OIS identifier code to be used on the Inspection form, Inspection Type tab, under Inspection Emphasis Programs will be **“LOGGING”**.

X. Evaluation

The Area Office will submit to the Regional Administrator a written evaluation at the midpoint (30 months) and completion (60 months) of this LEP in the format specified by OSHA Instruction [CPL 04-00-002 Procedures for the Approval of Local Emphasis Programs \(LEPs\) \(11/13/2018\)](#).

## **APPENDIX A-1 – Listing of West Virginia Division of Forestry Regional Contacts**

### **Region 1 – Headquarters, Farmington Office (304) 825-6983**

Rudy Williams, Regional Forester (Marion & Taylor Counties)  
304-825-6983

Dan Cooley, Forester (Barbour & Harrison Counties)  
304-541-8126

Mike Boyce, Forester (Monongalia County)  
304-502-2269

Mike Reese, Forester (Preston & Tucker Counties)  
304-435-9518

Brent Lyons, Forester (Brooke, Hancock, Ohio, & Marshall (north of Rt250) Counties)  
304-546-2275

Shaun Kuhn, Forrester (Marshall (South of Rt 250) & Wetzel Counties)  
304-389-2491

### **Region 2 – Headquarters, Romney Office (304) 822-4512**

William E. Pownell, Regional Forester (Hardy & Mineral Counties)  
304-822-4512

Todd Carnell, Forester (Hampshire County)  
304-703-5546

Isaac Bergdoll, Forester (Grant & Pendleton (West) Counties)  
304-703-9716

Rosey Santerre, Assistant Regional Forrester (Pendleton (East) County)  
304-703-9392

Jarred Kinlein, Forrester (Berkley, Jefferson, & Morgan Counties)  
304-490-5993

### **Region 3 – Headquarters, Buckhannon Office (304) 439-3003**

Jason Jones, Regional Forester (Randolph County) 304-439-  
3003

Jack Spencer, Forester (Nicholas County)  
304-731-6138

Johnny King, Forester (Braxton County)  
304-534-2328

Danny James, Forester (Lewis & Upshur Counties)  
304-712-5627

Joe Jelich, Forester (Clay County)  
304-380-3574

Curtis Helton, Forester (Pocahontas County)  
304-380-3781

Cole Kalma, Forester (Webster County)  
304-406-2857

**Region 4 – Headquarters, Beckley Office (304) 256-6775**

Christopher White, Regional Forester (Fayette, McDowell, Mercer, & Wyoming Counties)  
304-256-6775

Anthony Kesterson, Forester (Greenbrier County)  
304-380-3398

Joey Harless, Forester (Monroe County)  
304-256-6775

William C. Okes, Forrester (Summers County)  
304-546-5095

Mark Hudnall, Forester (Raleigh County)  
304-256-6775

**Region 5 – Headquarters, Milton Office (304) 743-6186**

Kevin Arnold, Regional Forester (Kanawha, Logan & Mingo Counties)  
304-743-6186

Ian Smith, Forester (Putnam County)  
304-654-8109

H. Larry Six, Forester (Mason County)  
304-380-7490

David Turnipseed, Forester (Lincoln County)  
304-380-6428

Matt Cook, Forester (Wayne County)  
304-590-4973

Mike Dolin, Forester (Boone County)  
304-380-1532

Craig Elswick, Forester (Cabell County)  
304-894-2696

**Region 6 – Headquarters, Elizabeth Office (304) 275-0261**

Vernon Stephens, Regional Forester (Jackson, Richie, Roane, & Wirt Counties)  
304-275-0261

Craig Minton, Assistant Regional Forester (Wood County)  
304-275-0261

Jon Wilson, Forester (Pleasants & Tyler Counties)  
304-389-3831

Joshua Kaplan, Forester (Ritchie County)  
304-210-4332

Jesse King, Forester (Calhoun & Gilmer Counties)  
304-488-9157

Cory Adkison, Forester (Doddridge County)  
681-417-8987



### APPENDIX A-2 - Map of Geographical Logging Regions

