CFR 1910.269(g)(3), which allows bare-hand work under certain circumstances. Oregon added a State-initiated rule that prohibits live-line bare-hand work. The State also adopted two State-initiated rules requiring more frequent testing of insulating rubber gloves and sleeves and a two worker rule. This submission was adopted and effective August 1, 1994, under OR-OSHA Administrative Order (AO) 3–1994.

Machinery and Machine Guarding


Crane Operator Training


Spray Finishing


Reinforced Plastics Manufacturing


Explosives and Blasting Agents


Fire Protection and Fire Fighters

On its own initiative, the State of Oregon has submitted by letter dated May 2, 1994, a repeal of Division 61, Fire Protection and adoption by reference of Subpart F, 29 CFR 1910.155–165, Fire Protection; and repeal of Division 151, Fire Fighters and
the adoption of OAR 437–02–182, new rules for Fire Fighters. The State’s Fire Protection standard was adopted by reference August 27, 1993, effective November 1, 1993, under OR–OSHA Administrative Order 14–1993. The State’s Fire Fighter standard—a section of Division 2/L, Fire Protection—is a State-initiated standard that covers public sector fire departments, which are not covered by Federal OSHA. This standard was adopted under the same Administrative Order. The Fire Fighter standard is comparable to OSHA’s Fire Brigade standard contained in 29 CFR 1910.156. The main difference is that protective clothing such as foot, leg, body, hand and head protection must meet the requirements of NFPA rather than the requirements contained in the standard or other organizations. On its own initiative, the State of Oregon has also submitted by letter dated May 21, 1999 additional revisions and additions to its public sector Fire Fighters standard, OAR 437–02–182. The State upgraded its personal protective equipment requirements and required that each fire fighter involved in rescue, fire suppression or other hazardous duties be provided with and use a Personal Alert Safety System (PASS). Oregon also changed the personnel physical requirements for performing work in emergencies, added a requirement for using an Incident Management system in accordance with NFPA 1561, and added a formula to calculate the water supply requirements for live fire training. Oregon’s submission was adopted and effective on March 1, 1998 under OR–OSHA AO 2–1998. On its own initiative, Oregon has also submitted on August 7, 2000 further revisions to its Fire Fighters standard which require the sampling of air every six months from respirator compressors. Oregon’s submission was adopted and effective on January 28, 2000 under OR–OSHA AO 2–2000. (Oregon has adopted identically the Federal procedures for interior structural fire fighting, as found in OSHA’s Respiratory Protection standard at 1910.134. This standard is cross-referenced in the State’s Fire Fighters standard.)

Lead

On its own initiative, Oregon submitted by letter dated December 10, 1990, an amendment to 1910.1025. Lead, which was previously approved (54 FR 38300) on September 15, 1989. The State repealed 1910.1025(a), Scope and Application, and adopted OAR 437–02–371, which states that the lead standard applies to all occupational exposures to lead including agriculture and construction. This change was adopted and effective November 30, 1990 in OR–OSHA Administrative Order 26–1990. However, by letter dated January 20, 1995, the State of Oregon submitted an amendment to OAR 437–02–371 that excludes construction from the application of 1910.1025 due to the new lead in construction standard. The change was adopted and effective September 30, 1994 via OR–OSHA AO 6–1994.

Ventilation

Oregon has submitted State and Federal-initiated standard amendments by letters dated March 13, 1992 and May 9, 1994 which are comparable to 29 CFR 1910.94, Ventilation. The significant State-initiated amendments include updating the ANSI reference for air purity, a requirement for blasting nozzles to be equipped with a deadman switch, addition of nine definitions, and venting of fuel burning heating devices. The Federal amendments were published August 6, 1990 (FR 31984). The State adopted its amendments via Administrative Order 2–1992 on February 6, 1992, effective May 1, 1992.

Noise Exposure

On its own initiative, the State has adopted by letter dated April 23, 1993, a readoption of State rules comparable to OSHA standard 29 CFR 1910.95. Occupational Noise Exposure, as amended through June 28, 1983 (48 FR 29687). Oregon’s OAR 437 Division 121 noise standard has been repealed in its entirety by the new State standard, OAR 437–02–1910.95. The State had received written comments on its proposed rule which addressed potential workers’ compensation issues and the recordability of hearing loss on the OSHA 200 Log of Occupational Illnesses and Injuries. The State’s amendment was adopted under OR–OSHA Administrative Order 4–1993 on April 1, 1993, effective May 1, 1993. Although Oregon adopted the Federal noise standard by reference, the State also included the following significant differences in place of several provisions: Oregon adopted OAR 437–02–095 (in lieu of 29 CFR 1910.95(g)(3)), which requires all persons conducting audiometric testing to be certified without exception. The State did not adopt a rule similar to 29 CFR 1910.95(g)(ii), as Oregon does not allow the Mobile Test Van exception. Oregon did not adopt a standard similar to 29 CFR 1910.95(g)(ii) and its references, 29 CFR 1910.95(j)(2)(ii)(A) and Appendix F because Oregon does not make any allowance for presbycusis. The State did not adopt a standard similar to 29 CFR 1910.95(o), because Oregon Revised Statute (ORS) 654.022 requires all-industry compliance with all standards. All other provisions of 29 CFR 1910.95, Occupational Noise Exposure, have been adopted by reference as OAR 437–02–1910.95.

Handling Materials


Overhead and Gantry Cranes

Crawler Locomotive and Truck Cranes

On its own initiative, the State submitted by letter dated October 6, 1993, a recodification and amendment of the State standard, Crawler Locomotive and Truck Cranes, OAR 437–02–1910.180. The State has repealed OAR 437–89, Crawler Locomotive and Truck Cranes, in its entirety, and adopted by reference the Federal standard 29 CFR 1910.180—as amended through July 17, 1987 (52 FR 27077)—as OAR 437–02–1910.180. The State also recodified and added, without change, some existing State-initiated standards: OAR 437–89–265(6) and (8), Load Rating, were recodified as OAR 437–02–230(2)(a) and (b); OAR 437–89–270, Booms, was recodified as OAR 437–02–230(3); and OAR 437–89–375(1), Hydraulic Cranes, was recodified as OAR 437–02–230(4). In addition, the State incorporated a new provision at OAR 437–02–230(1), Definitions for Authorized and Competent Persons. The Crawler Locomotive and Truck Cranes amendments were adopted on August 20, 1993, effective November 1, 1993, under OR–OSHA Administrative Order 13–1993.

General Environmental Controls


Commercial Diving Operations

On its own initiative, the State of Oregon has submitted by letter dated May 6, 1993, a repeal of the State standard OAR 437, Division 86, Commercial Diving Operations, and adoption by reference of the Federal standard at 1910.401–441. The State’s standard was adopted May 4, 1993, effective June 1, 1993, through OR–OSHA Administrative Order 5–1993. Oregon’s Commercial Diving standard includes these differences not previously approved: requirements for Inland Emergency Aid, for air supply systems, and testing for carbon monoxide in the supplied air.

Sawmills

On its own initiative, the State of Oregon has submitted by letter dated June 23, 1993, a repeal of the State standard OAR Division 79, Lumber, Plywood and Shingle Manufacturing, and adoption by reference of the comparable Federal standard at 1910.265, Sawmills. The State’s standard was adopted June 8, 1993, effective August 1, 1993, through OR–OSHA Administrative Order 7–1993. Oregon’s Sawmills standard includes two differences not previously approved: (1) Changing the scope to include plywood manufacturers and cooperage and veneer operations; and (2) providing clarification for other equivalent means for releasing binders. In addition, on its own initiative, the State of Oregon submitted by letter dated June 13, 1997, a repeal of one paragraph, OAR 437–02–0313(5)(c), of the State’s Sawmills standard, because foot protection is already covered adequately in Division 2/1, Personal Protective Equipment. The State’s amendment was adopted and effective on July 22, 1996, under Oregon AO 3–1996.

Air Receivers

On its own initiative, the State submitted by letter dated October 14, 1993, a recodification and amendment of the State standard on Air Receivers, OAR 437–02–1910.169. The State repealed OAR 437–62, Compressed Gas, Compressed Air Equipment and Pressure Vessels, in its entirety, and adopted by reference the Federal standard 29 CFR 1910.169—as amended through February 1, 1985 (50 FR 4649)—as OAR 437–02–1910.169. Oregon’s adoption by reference of the Federal standards added some previously approved State-initiated standards that were re-codified without change: OAR 437–65–040(2) through (5), 437–62–040(7), 437–65–040(8), 437–65–040(11) and (12), were recodified as OAR 437–02–266(3)[a] through (i), respectively; and OAR 437–65–045(1) through (7) was recodified as OAR 437–02–266(4)[a] through (g), respectively. The State also incorporated some additional requirements at OAR 437–02–266(1), Lower Guard; and 437–02–266(2)[a] through (e), Power Chain Saws, that were not previously approved. Oregon’s standard was adopted under OR–OSHA Administrative Order 10–1993 on July 29, 1993, effective September 15, 1993. All of these standards amendments were incorporated as part of the Oregon State plan upon adoption.

Decision. OSHA has determined that these State standard amendments are at least as effective as the comparable Federal standards, as required by section 18(c)(2) of the Act. The following standards amendments have been in effect since these dates (only the latest amendment date is shown): Electric Power Generation/Transmission/Distribution, Electrical Protective Equipment and Electrical Safety-Related Work Practices (August
1. 1994), Machinery and Machine Guarding (September 30, 1994), Powered Platforms for Building Maintenance (September 30, 1994), Crane Operator Training (September 30, 1994), Spray Finishing (May 1, 1992), Reinforced Plastics Manufacturing (May 1, 1992), Explosives and Blasting Agents (September 30, 1994), Fire Protection and Fire Fighters (January 28, 2000), Lead (September 30, 1994), Ventilation (May 1, 1992), Noise Exposure (May 1, 1993), Handling Materials (November 1, 1993), General Environmental Controls, including Sanitation (February 1, 1993), Commercial Diving (June 1, 1993), Sawmills (July 22, 1996), Air Receivers (September 15, 1993), and Guarding of Portable Powered Tools (September 15, 1993). During that time OSHA has received no indication of significant objection to the State’s different standards either as to their effectiveness in comparison to the Federal standard or as to their conformance with the product change requirements of section 18(c)(2) of the Act. (A different State standard applicable to a product which is distributed or used in interstate commerce must be required by compelling local conditions and not unduly burden interstate commerce.)

Oregon’s Fire Protection and public sector Fire Fighters standards have been in effect since 1993, although the Fire Fighters standard was amended in March 1998 and January 2000. The private sector Fire Protection standard is identical to the Federal. Since the public sector Fire Fighters standard is at least as effective as the comparable Federal standards, it is not specifically applicable to products used or distributed in interstate commerce, and is limited in scope to the public sector in Oregon. OSHA has determined that further opportunity for public comment is not appropriate. OSHA has also determined that the differences between the following State standards amendments and the Federal amendments are minor: Overhead and Gantry Cranes, Crawler Locomotive and Truck Cranes, and Definitions (1910.241).

OSHA therefore approves all the standards and amendments contained in this notice; however, the right to reconsider this approval is reserved should substantial objections be submitted to the Assistant Secretary.

3. Location of Supplement for Inspection and Copying. A copy of the standards, along with the approved plan, may be inspected and copied during normal business hours at the following locations: Office of the Regional Administrator, Occupational Safety and Health Administration, 1111 Third Avenue, Suite 715, Seattle, Washington 98101–3212; Oregon Occupational Safety and Health Division, Department of Consumer and Business Services, Salem, Oregon 97310; and the Office of State Programs, Occupational Safety and Health Administration, Room N–3700, 200 Constitution Avenue, NW, Washington, D.C. 20210.

4. Public Participation. Under 29 CFR 1953.2(c), the Assistant Secretary may prescribe alternative procedures to expedite the review process or for other good cause which may be consistent with applicable laws. The Assistant Secretary finds that good cause exists for not publishing the Supplement to the Oregon State Plan as a proposed change and making the Regional Administrator’s approval effective upon publication for the following reasons:

1. The standard amendments are at least as effective as the Federal standards which were promulgated in accordance with the Federal law, including meeting requirements for public participation.

2. The amendments were adopted in accordance with the procedural requirements of State law and further public participation would be repetitious.

This decision is effective August 25, 2000.

(Sec. 18, Pub. L. 91–596, 84 STAT. 6108 [29 U.S.C. 667]).

Signed at Seattle, Washington, this 15th day of August, 2000.

Richard S. Terrill,
Regional Administrator.

[FR Doc. 00–21694 Filed 8–24–00; 8:45 am]
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DEPARTMENT OF LABOR

Pension and Welfare Benefits Administration

111th Full Meeting of the Advisory Council on Employee Welfare and Pension Benefits Plan; Notice of Meeting


The purpose of the meeting, which will begin at 1:30 p.m. and end at approximately 3:00 p.m., is for the three working groups to provide progress reports on their study topics and for Leslie Kramerich, the acting Assistant Secretary for the Pension and Welfare Benefits Administration, to update members on employee benefit legislative and regulatory activities.

Members of the public are encouraged to file a written statement pertaining to any topics the Council elected to study for the year by submitting 20 copies on or before September 4, 2000 to Sharon Morrissey, Executive Secretary, ERISA Advisory Council, U.S. Department of Labor, Suite N–5677, 200 Constitution Avenue, NW, Washington, DC 20210.

Individuals or representatives of organizations wishing to address the Advisory Council should forward their requests to the Executive Secretary or telephone (202) 219–8753. Oral presentations will be limited to ten minutes, time permitting, but an extended statement may be submitted for the record. Individuals with disabilities, who need special accommodations, should contact Sharon Morrissey by September 4 at the address indicated.

Organizations or individuals may also submit statements for the record without testifying. Twenty (20) copies of such statements should be sent to the Executive Secretary of the Advisory Council at the above address. Papers will be accepted and included in the record of the meeting if received on or before September 4, 2000.

Signed at Washington, DC this 21st day of August 2000.

Leslie Kramerich,
Acting Assistant Secretary, Pension and Welfare Benefits Administration.

[FR Doc. 00–21735 Filed 8–24–00; 8:45 am]
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