

DOSH DIRECTIVE

Department of Labor and Industries
Division of Occupational Safety and Health
Keeping Washington safe and working

20.85 Pre-Commercial Thinning (PCT)

Date: May 28, 2019

I. Purpose

This Directive provides guidance to DOSH enforcement and consultation staff, and clarifies inspection procedures and enforcement policies related to pre-commercial thinning (PCT) inspections.

II. Scope and Application

This Directive applies to statewide use of pre-commercial thinning activities. It updates and replaces all previous instructions on this issue, whether formal or informal. It does not create new requirements for employers.

III. References

- Chapter 296-307 WAC, Safety Standards for Agriculture
- 29 CFR 1928.110 to the "Reforestation" Industry
- OSHA Interpretation—Applicability of Field Sanitation Standard 11/6/1989
- ANSI B175.1-2012, Internal Combustion Engine-Powered Hand-Held Chain Saws
- DD 33.80, Field Sanitation for Agriculture Workers
- DD 5.98, Bathroom and Toilet Facility Access

IV. Background

The reforestation process involves site preparation, chemical applications, direct seedling planting, animal control, spraying, pruning and pre-commercial thinning (PCT). Various machines, hand tools, chemicals, explosives and sprayers are used to complete these tasks.

PCT is the process of decreasing the number of trees in a young stand of trees, to provide the remaining trees adequate opportunity to grow to marketable size in a timely fashion. PCT reduces competition within the stand of trees, preventing stagnation and increasing the growth of the remaining trees.

PCT is accomplished using a variety of techniques. Chemical herbicides, mechanical equipment, and/or controlled burns/fire are often employed to reduce tree densities. Thinning techniques and equipment are typically selected based on both the structural characteristics of the stand of trees, and the conditions of the site.

The density, size of trees, ruggedness of terrain and the amount of debris in the stand of trees often affect tool selection. Brush saws are frequently used for PCT, however larger trees may warrant the use of a chainsaw. Typically, trees that have been thinned or felled have minor commercial value. The felled trees are usually abandoned in place and are not removed for commercial utilization.

V. Enforcement Policies

- A. For DOSH intended purposes, PCT is classified as an agricultural operation in Washington State, covered under Chapter 296-307 WAC, Safety Standards for Agriculture. PCT is more similar to other agricultural field operations than it is to logging operations, therefore PCT falls under Chapter 296-307 WAC, Safety Standards for Agriculture.
- B. **Inspections Protocol.** When conducting inspections involving PCT, the CSHO must evaluate what work activities are being done. If the trees being cut have no commercial value and none of the felled trees are removed for utilization, then the work being done is PCT and falls under chapter 296-307 WAC.

The following questions will help determine if PCT work is being done:

- a. What tasks are employees doing and why?
- b. What is the end use purpose for the trees that the employees are thinning?
- c. What tools are being used, if any? (Chainsaws, brush hogs, weed eaters, pesticides, etc.)

VI. Enforcement Policy

- A. **Field Sanitation.** Any violations relating to field sanitation must be cited by using WAC 296-307-095. Facilities and supplies must be available to PCT employees at the time they arrive at the worksite to conduct PCT activities.

Where it is not feasible to locate facilities within a quarter mile of the work site, the facilities must be located at the point of closest vehicular access, and the CSHO must document the feasibility reason and diagram where the work is being done and where the toilets are located.

The CSHO must evaluate whether there is the proper amount of toilets, handwashing facilities, and drinking water for the number of employees on site. The toilets must be maintained, cleaned and stocked with toilet paper.

When documenting violations, CSHOs must include the number of employees on site, the number of toilets or lack of, and the distance to the toilet facilities.

Example Citation Language: "The employer did not provide the proper toilet facilities for the employees conducting pre-commercial thinning work."

- B. Chainsaw Violations.** Any violations relating to using chainsaws must be cited by using the safe place requirements in WAC 296-307-045(1), and referencing ANSI B175.1-2012, Internal Combustion Engine-Powered Hand-Held Chain Saws, and/or using the owner's manual. When documenting violations, CSHOs must include the manufacturer, model number, and serial number of the chainsaws that are cited.

Example Citation Language: "The employer must furnish to each employee a workplace free from recognized controllable hazards likely to cause serious injury or death. The employer did not ensure that the employees working on the pre-commercial thinning site and using chainsaws were following ANSI B175.1-2012, Internal Combustion Engine-Powered Hand-Held Chain Saws, or the instructions of the chainsaw's manufacturer."

- C. Accident Prevention Program (APP).** Because of the nature of PCT, the CSHO must evaluate and document the Accident Prevention Program (APP) and ensure it contains an on-the-job review of the practices necessary to perform job assignments in a safe and healthful manner.
- D. Safe Place Requirements.** When there is not a specific code in chapter 296-307 WAC, to use during a PCT inspection, serious violations observed could be addressed using the safe place requirements located in Part B, WAC 296-307-045(1). All safe place violations will be designated as a serious violation following the guidance in the DOSH Compliance Manual regarding Safe Place Violations.

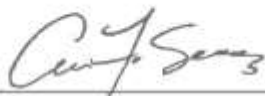
VII. Who to Contact

DOSH staff are encourage to contact DOSH Technical Services if they have questions or need additional guidance or interpretive assistance related to his Directive.

VIII. Review and Cancellation

DOSH will review this Directive for applicability within two years from the issue date, and it will remain effective until superseded or canceled.

Approved: _____



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