§ 1952.106

(d) As required by Section 18(f) of the Act, OSHA will continue to monitor the operations of the Oregon state program to assure that the provisions of the state plan are substantially complied with and that the program remains at least as effective as the Federal program. Failure by the state to comply with its obligations may result in the suspension or revocation of the final approval determination under Section 18(e), resumption of Federal enforcement, and/or proceedings for withdrawal of plan approval.

(70 FR 24954, May 12, 2005, as amended at 71 FR 2886, Jan. 18, 2006; 71 FR 36990, June 29, 2006)

§ 1952.107

Changes to approved plans.

In accordance with part 1953 of this chapter, the following Oregon plan changes were approved by the Assistant Secretary:

(a) The State submitted a revised field operations manual patterned after the Federal field operations manual, including modifications, in effect February 11, 1985, which superseded the State’s previously approved manual. The Assistant Secretary approved the manual on July 29, 1986.


(c) The State submitted an inspection scheduling system which schedules inspections based on lists of employers with a high incidence of workers compensation claims, whose operations are within industries with high injury rates, or which have a high potential for health problems. The Assistant Secretary approved the supplement on July 29, 1986.

(d) The State submitted several changes to its administrative regulations concerning personal sampling, petition to modify abatement dates, penalties for repeat violations, and record-keeping exemptions. The Assistant Secretary approved these changes on July 29, 1986.

(e) Legislation. (1) On March 29, 1994, the Acting Assistant Secretary approved Oregon’s revised statutory penalty levels as enacted subject to further action by the State in 1995 to correct the State’s omission of revisions of the penalty for posting violations. Aside from posting penalties, Oregon’s revised penalty levels are the same as the revised Federal penalty levels contained in section 17 of the Act as amended on November 5, 1990.

(2) [Reserved]

(f) Oregon’s State plan changes excluding coverage under the plan of all private sector employment (including tribal and Indian-owned enterprises) on Umatilla Indian reservation or trust lands, by letters of April 29 and July 14, 1997 (see §§1952.105); extending coverage under the plan to Superfund sites and private contractors working on U.S. Army Corps of Engineers dam construction projects, as noted in a 1992 Memorandum of Understanding; and specifying four (4) unusual circumstances where Federal enforcement authority may be exercised, as described in a 1991 addendum to the State’s operational status agreement, were approved by the Acting Assistant Secretary on September 24, 1997.

(g) Oregon’s State plan changes extending Federal enforcement jurisdiction to shore side shipyard and boatyard employment, as described in a 1996 Memorandum of Understanding and addendum to the State’s operational status agreement, and to all private sector employment, including tribal and Indian-owned enterprises, on