



# Board of Livestock Meeting

## Agenda Request Form

From: Dan Turcotte		Division/Program: Milk & Egg Bureau			Meeting Date: <b>August 15, 2016</b>		
<b><u>Agenda Item:</u>      General Updates</b>							
Recommendation:							
Time needed: 5 minutes	Attachments:	Yes	No	Board vote required?	Yes	No	
<b><u>Agenda Item:</u> Report on June FSMA Meeting in Portland</b>							
Background Info:							
Recommendation:							
Time needed: 5 minutes	Attachments:	Yes	No	Board vote required	Yes	No	
<b><u>Agenda Item:</u> Variance on Milk Handling Rules</b>							
Background Info: Lark Gilmer-Smothermon of Poor Orphan Creamery will address the BOL regarding a variance from the rules for milk handling.							
Recommendation:							
Time needed: 10 Minutes	Attachments:	Yes	No	Board vote required:	Yes	No	
<b><u>Agenda Item:</u></b>							
Background Info:							
Recommendation:							
Time needed:	Attachments:	Yes	No	Board vote required:	Yes	No	
<b><u>Agenda Item:</u></b>							
Background Info:							
Recommendation:							
Time needed:	Attachments:	Yes	No	Board vote required:	Yes	No	



# Board of Livestock Meeting

## Agenda Request Form

From: George Edwards		Division/Program: LLB			Meeting Date: Aug 15		
<b><u>Agenda Item:</u></b>							
Background Info: Livestock Loss Board General Update							
Recommendation:							
Time needed: 10 minutes	Attachments:		No	Board vote required?		No	
<b><u>Agenda Item:</u></b>							
Background Info:							
Recommendation:							
Time needed:	Attachments:	Yes	No	Board vote required	Yes	No	
<b><u>Agenda Item:</u></b>							
Background Info:							
Recommendation:							
Time needed:	Attachments:	Yes	No	Board vote required:	Yes	No	
<b><u>Agenda Item:</u></b>							
Background Info:							
Recommendation:							
Time needed:	Attachments:	Yes	No	Board vote required:	Yes	No	



# Board of Livestock Meeting

## Agenda Request Form

From: Leslie Doely/Ty Thomas		Division/Program: Brands Enforcement			Meeting Date: <b>8/15/2016</b>		
<b><u>Agenda Item:</u>            General Updates</b>							
Background Info:							
Recommendation:							
Time needed: 20 min	Attachments:	Yes	<b>No</b>	Board vote required?	Yes	<b>No</b>	
<b><u>Agenda Item:</u>            Out of State Travel Report: ILIA</b>							
Background Info:							
Recommendation:							
Time needed: 10 minutes	Attachments:	Yes	<b>No</b>	Board vote required	Yes	<b>No</b>	
<b><u>Agenda Item:</u></b>							
Background Info:							
Recommendation:							
Time needed:	Attachments:	Yes	No	Board vote required:	Yes	No	
<b><u>Agenda Item:</u></b>							
Background Info:							
Recommendation:							
Time needed:	Attachments:	Yes	No	Board vote required:	Yes	No	



# Board of Livestock Meeting

## Agenda Request Form

From: George Harris	Division/Program: Centralized Services	Date: August 15, 2016 Board Meeting
<b>Agenda Item: FY 16 Projection to Actual Expenditure Review</b>		
During FY 2016, the CSD fiscal staff developed an expenditure projection methodology for the EO, Board and Managers to utilize to better manage their budgets. George will also present to the Board a review of actual FYE expenditures in comparison to projected expenditures from March/April 2016 timeframe. The utility and future use of the method will be discussed,		
Recommendation:		
Time needed: 20 min	Attachments:	Yes No Board vote required? Yes No X
<b>Agenda Item: Cash Analysis</b>		
Background Info: George will present to the Board the actual cash balances achieved in our state special revenue accounts including, per capita fee, brand inspection revenue, animal health (lab fees) and milk inspection projections at Fiscal Year End 2016.		
Recommendation:		
Time needed: 20 minutes	Attachments:	Yes No Board vote required: Yes No x
<b>Agenda Item: State Special Revenue Collection Comparison FY 2015 with FY 2016 Actuals</b>		
Background Info: George will present to the Board a comparison of state special revenue collections from FY 2015 to FY 2016. He will provide an update for per capita collection for TY 2015 and TY 2016 to date. He will also report to the Board the FYE 2016 collections of Brand, Lab Fees and Milk Inspection revenues.		
Recommendation:		
Time needed: 15 minutes	Attachments:	Yes No Board vote required: Yes No X
<b>Agenda Item: Budget Status Through FYE 2016</b>		
Background Info: The budget status reports submitted to the Board will be included in the CSD report. The reports will include FY 2016 expenditures compared to budgeted authority. It will also include a review of the status of the department as a whole.		
Recommendation:		
Time needed: 10 minutes	Attachments:	Yes No Board vote required: Yes No X
<b>Agenda Item: FY 18-19 Budgeting Update</b>		
Background Info: The budget instructions are to be submitted to agencies August 16. George will update the Board on the FY 2018-19 budget development process and any timeframes for preparation, Board approval and submittal to OBPP. He will also brief the Board on fixed costs from the Department of Administration, EPP items and respond to questions on the process.		
Recommendation:		
Time needed: 10 minutes	Attachments:	Yes No Board vote required: Yes No X
<b>Agenda Item: IT Manager Recruitment</b>		

Background Info: George and Mike will update the Board on the status of the IT Manager recruitment.						
Recommendation:						
Time needed: 15 minutes	Attachments:	Yes	No	Board vote required:	Yes X	No

**Agenda Item:**

Background Info:						
Recommendation:						
Time needed: 20 minutes	Attachments:	Yes	No	Board vote required:	Yes X	No



# Board of Livestock Meeting

## Agenda Request Form

From:Layton		Division/Program: Diagnostic Laboratory			Meeting Date: Aug, 2016			
<b><u>Agenda Item Update Electrical Issue</u></b>								
As reported, the building has been experiencing electrical outages. Update from MSU								
Recommendation:								
Time needed: 5min		Attachments:	no	Board vote required?		no		
<b><u>Agenda Item: Incinerator inspection- DEQ and maintenance</u></b>								
Background Info:DEQ came and inspected our incinerator and documentation. Passed. See attached. Call on 8-3-16 from company that maintains the incinerator. There will be a refractory crew in the state this month. I will take pictures and send to company and then determine if repairs are needed. Likely in my opinion. Cost uncertain at this time. If I have an estimate, vote may be needed.								
Recommendation: Information only								
Time needed: 5-10m		Attachments:	yes	Board vote required		yes	no	
<b><u>Agenda Item Safety inspection- Department of Labor and Industry</u></b>								
Background Info: Unannounced inspection, report included. Serious issue, exposed live wire, use of extension cords and respirator program. First two are addressed. Respirator program- looking for one to adopt that fits our purpose. See attached report								
Recommendation: Information								
Time needed: 10min		Attachments:	yes	Board vote required:		No		
<b><u>Agenda Item: Cost Analysis per Leg. Audit</u></b>								
Background Info: I want to query the BOL as to the procedure adopt to move forward with this requirement and eventually the fee determination								
Recommendation: Information								
Time needed:		Attachments:	yes	no	Board vote required:		yes	No
<b><u>Agenda Item: Other items that may arise</u></b>								
Background Info:								
Recommendation:								
Time needed:		Attachments:	yes	no	Board vote required:		yes	no



Montana Department of  
**LABOR & INDUSTRY**  
Employment Relations Division

Steve Bullock, Governor  
Pam Bucy, Commissioner

Safety and Health Bureau  
Bryan Page, Bureau Chief

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July 28, 2016

Steven Smith  
Veterinary Pathologist  
Department of Livestock – Bozeman Laboratory  
1911 W. Lincoln  
Bozeman, MT 59718

**Re: Safety Compliance Inspection – Department of Livestock  
Inspection Number: ERD07142016-01BM, July 14, 2016**

Dear Mr. Smith:

The Montana Department of Labor, Safety and Health Bureau and I, Breeinna McDougall would like to thank the Department of Livestock for your cooperation and support during the safety compliance inspection conducted on July 14, 2016. The areas observed during this visit included Bozeman Laboratories.

The report contains a **List of Serious & Other than Serious violations** and recommended actions to aid in the correction of the violations. The list of Serious Violations must be posted in a prominent location for employees to view. It is recommended to correct the hazards in a timely manner and post the corrective actions taken to abate the hazards. This knowledge will help the employees do their part in maintaining a safe and healthy workplace.

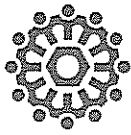
The report includes a brief evaluation of the Montana Safety Culture Act (MSCA) for the Department of Livestock. Your cooperation during the visit is greatly appreciated. Please contact me at (406) 444-0432 for any additional information.

Sincerely:

Breeinna McDougall  
Compliance Specialist  
Montana DLI - Safety and Health Bureau







Montana Department of  
**LABOR & INDUSTRY**  
Employment Relations Division  
Steve Bullock, Governor  
Pam Bucy, Commissioner

Safety and Health Bureau

## **Safety Compliance Report**

**For**

**Department of Livestock, Bozeman Laboratory  
1911 W. Lincoln  
Bozeman, MT 59718**

**Visit Date:  
July 14, 2016**

**Visit Number:  
ERD07142016-01BM**



**Submitted By:**

**Breeinna McDougall, Compliance Specialist**

**On, July 28, 2016**

**Montana Safety and Health Bureau  
Montana Department of Labor and Industry**

PO Box 8011  
Helena MT 59604

[www.montanafety.com](http://www.montanafety.com)

Phone (406) 444-0432  
Fax (406) 444-9396

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## Montana Safety Culture Act Evaluation

Enacted in 1993, the Montana Safety Culture Act (MSCA) requires that all employers establish an educational based safety program and a comprehensive safety and health program. A brief review of the inspectors' observations for each employer requirement under the MSCA is listed below:

### All Employers

1. Provide each new employee with a general safety orientation containing information common to all employees and appropriate to the business operations, before they begin their regular job duties.
  - The Department of Livestock Bozeman Laboratory provides new employees with a general safety orientation.
2. Provide job or task-specific safety training appropriate for employees before they perform that job or task without direct supervision.
  - The Department of Livestock Bozeman Laboratory conducts task-specific training on Standard Operating Procedures. However, documentation was not provided.
3. Offer continuing regular refresher safety training.
  - Although it is noted that the Department of Livestock Bozeman Laboratory has offered First Aid/ CPR training in the past documentation for current refresher training was not provided.
4. Provide a system for the employer and their employees to develop an awareness and appreciation of safety through tools such as newsletters, periodic safety meetings, posters, and safety incentive programs.
  - The Department of Livestock Bozeman Laboratory has a system in place to develop awareness and appreciation of safety that includes periodic safety meetings.

5. Provide periodic self-inspection for hazard assessment when the safety program is implemented, new worksites are established, and thereafter as is appropriate to the business operations, but at least annually.
  - Although it is noted that the Department of Livestock Bozeman Laboratory has conducted documented self-inspections of the laboratory in the past, documentation for current periodic self-inspection was not provided.
6. Include documentation of performance of activities listed in (1) through (5) above. Keep the documentation for three years.
  - With the exception of new employee general safety orientation and periodic safety meetings, documentation is not maintained for the above elements.

### **Additional Requirements for Employers with More Than 5 Employees**

1. Develop and implement policies and procedures that assign specific safety responsibilities and safety performance accountability.
    - The Department of Livestock Bozeman Laboratory did not provide documentation of a safety policy which highlights the safety responsibilities for employees and members of management.
  2. Develop and implement procedures for reporting, investigating, and taking corrective action on all work-related incidents, accidents, injuries, illnesses and known unsafe work conditions or practices.
    - The Department of Livestock Bozeman Laboratory did not provide documentation of procedures in place for incident reporting and investigation.
  3. Have a safety committee in place, which complies with the requirements of the MSCA.
    - The Department of Livestock Bozeman Laboratory did not provide documentation of an active safety committee in place.
-

### **Safety Culture Summary**

The Department of Livestock Bozeman Laboratory is not fully compliant with the requirements of the Montana Safety Culture Act (MSCA). Task-specific training on Standard Operating Procedures is conducted. However, documentation was not provided. Also, documentation for current refresher training was not provided and self-inspections for the Bozeman Lab are not conducted at least annually. Furthermore, documentation of a safety policy which highlights the safety responsibilities for employees and members of management and incident reporting procedures was not provided at time of inspection and an active safety committee is not in place. Despite these deficiencies, the Bozeman Laboratory provides new employees with a general safety orientation upon hire and has an awareness and appreciation for safety through periodic safety meetings. We recommend that the Department of Livestock Bozeman Laboratory work with the Montana Department of Labor & Industry Consultation Services to become compliant with the MSCA.

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## Hazard Description and Correction Recommendations

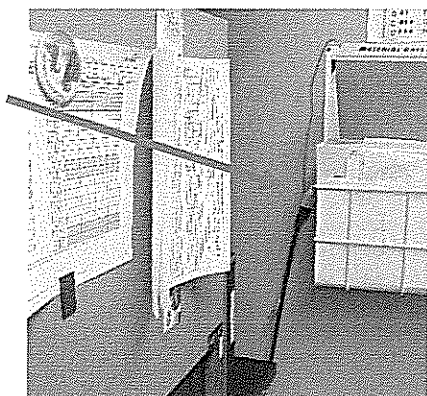
### Serious Violations

#### Item Number 1 :

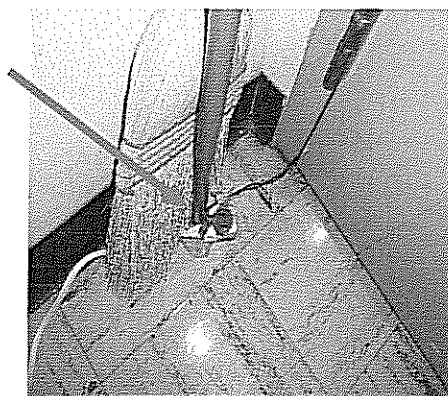
**Standard:** ARM 24.30.102: 29 CFR 1910.305(g)(1)(iv)(A). Unless specifically permitted otherwise in paragraph (g)(1)(ii) of this section, flexible cords and cables may not be used as a substitute for the fixed wiring of a structure.

**Condition:** Observed several flexible cords used as permanent wiring throughout the laboratories.

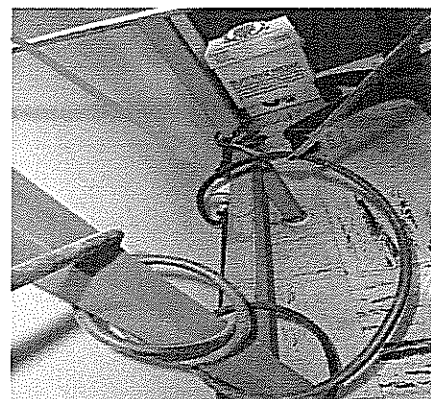
**Recommended Action:** Have an electrician install approved, permanent wiring for these locations.



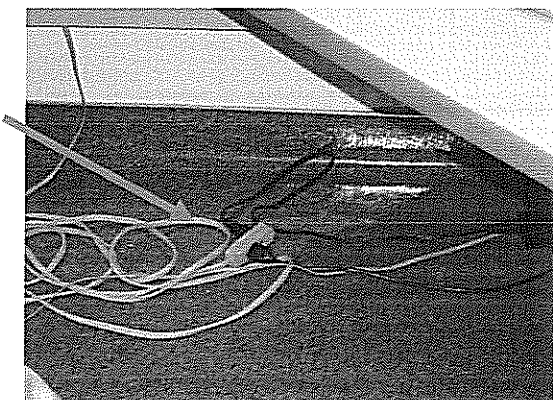
Milk Lab: Cord for Incubator



Milk Lab: Cord for Cow Lights



Clinical Pathology Lab: Microscope



Pathologist Office: Cord for Computer



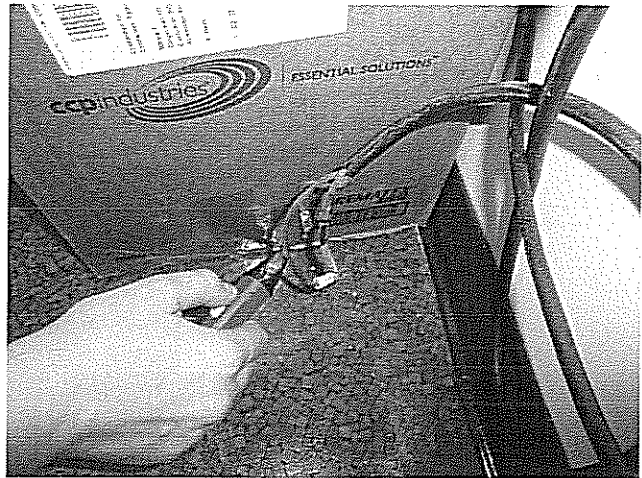
PCR Area

**Item Number: 2**

**Standard:** ARM 24.30.102: 29 CFR 1910.303(g)(2)(i). Except as elsewhere required or permitted by this standard, live parts of electrical equipment operating at 50 volts or more shall be guarded against accidental contact by use of approved cabinets or other forms of approved enclosure.

**Condition:** Energized electrical wires were exposed in the PCR Area.

**Recommended Action:** Have an electrician remove/cover the exposed wires to prevent accidental contact.



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**Item Number: 3**

**Standard:** ARM 24.30.102: 29 CFR 1910.134(c). "Respiratory Protection Program" This paragraph requires the employer to develop and implement a written respiratory protection program with required worksite- specific procedures and elements for required respirator use. The program must be administered by a suitably trained program administrator. In addition, certain program elements may be voluntary use to prevent potential hazards associated with the use of the respirator.

**Condition:** Respirators were found in the labs. It was explained that respirators are used by employees who are sensitive to formalin. The department does not have a respiratory protection program in place.

**Recommended Action:** When respirators are utilized, the employer must develop a respirator program. This program must include medical evaluations, fit testing requirements, and the appropriate training (selection, use, and maintenance) that must be conducted prior to respirator use. All above elements must be documented.



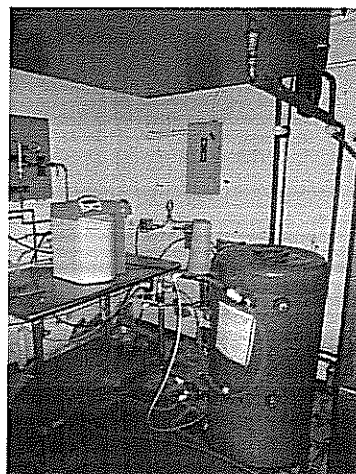
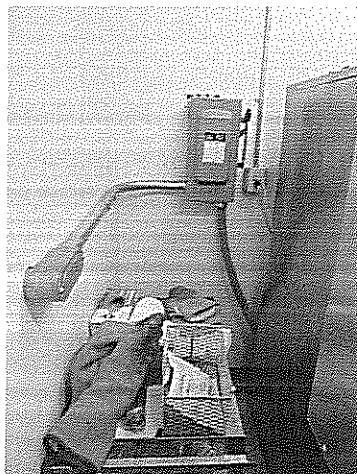
## **Other than Serious Violations**

**Item Number: 4**

**Standard:** ARM 24.30.102; 29 CFR 1910.303(g)(1). Sufficient access and working space shall be provided and maintained about all electric equipment to permit ready & safe operation and maintenance of such equipment.

**Condition:** Observed electrical breaker panels and disconnect switches throughout the labs with blocked access.

**Recommended Action:** Remove items from these areas to provide sufficient access and working space to the panels and switches. Best practice is to tape or paint a 3' area in front of electrical panels.



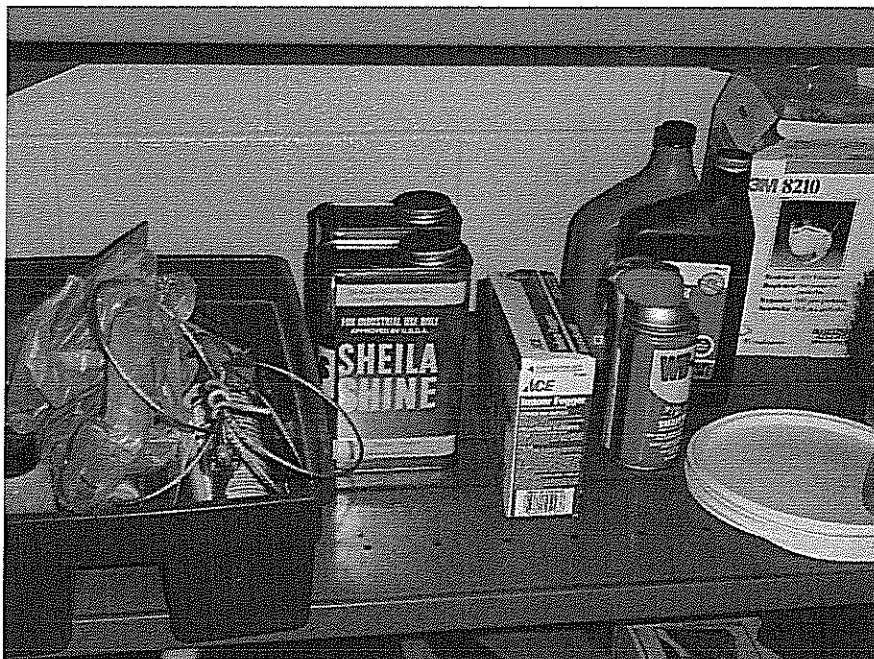


**Item Number: 5**

**Standard:** ARM 24.30.102: MCA 50-71-116. An employer must provide a place of employment free from recognized hazards that are causing or are likely to cause death or serious physical harm.

**Condition:** Flammable liquids were stored outside of an approved storage container/cabinet.

**Recommended Action:** Store all flammable liquids in an approved container/cabinet when not in use. A metal locker can be used as a storage cabinet.



**Item Number: 6**

**Standard:** ARM 24.30.102; 29 CFR 1910.22(d)(1). In every building or other structure, or part thereof, used for mercantile, business, industrial, or storage purposes, the loads approved by the building official shall be marked on plates of approved design which shall be supplied and securely affixed by the owner of the building, or his duly authorized agent, in a conspicuous place in each space to which they relate. Such plates shall not be removed or defaced but, if lost, removed, or defaced, shall be replaced by the owner or his agent.

**Condition:** The overhead storage area in the Ante Room did not have the maximum load rating posted.

**Recommended Action:** Identify and clearly label the load rating for the overhead storage.

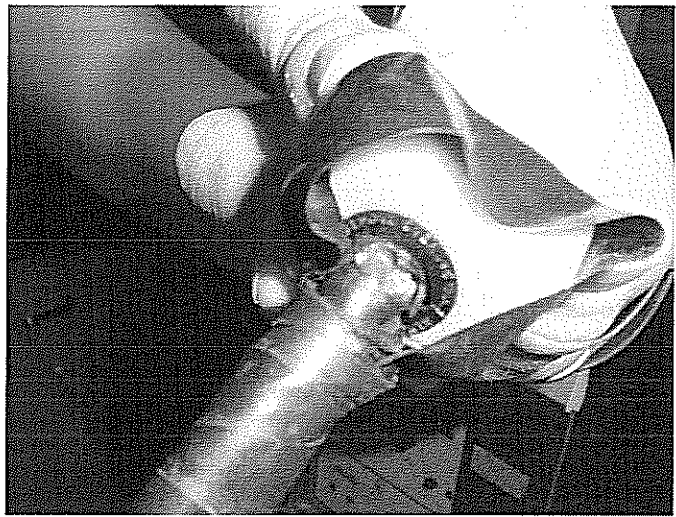


**Item Number: 7**

**Standard:** ARM 24.30.102; 29 CFR 1910.305(g)(2)(iii). Flexible cords and cables shall be connected to devices and fittings so that strain relief is provided that will prevent pull form being directly transmitted to joints or terminal screws.

**Condition:** Observed a power cord to the plate reader in the Milk Lab and an extension cord in the closet of the Preparation Room with exposed inner conductors due to the outer jackets being pulled from the plugs.

**Recommended Action:** Remove the cords and accompanying equipment from service until the cords can be properly repaired or replaced.



**Item Number: 8**

**Standard:** ARM 24.30.102; 29 CFR 1910.305(g)(1)(iv)(C). Unless specifically permitted otherwise in paragraph (g)(1)(ii) of this section, flexible cords and cables may not be used where run through doorways, windows, or similar openings.

**Condition:** Observed an electrical cord running through a doorway in the Milk Lab.

**Recommended Action:** Have an electrician install an outlet on the other side of the door or remove or relocate the lights.



## Regulatory Assistance and Training Resources

Provided below are resources, tools, valuable information, training opportunities and guidance to assist employers in maintaining a safe and healthful workplace.

[www.montanasafety.com](http://www.montanasafety.com)

<https://safetywriter.com>

<http://safetyfestmt.com/>

<http://www.osha.gov/>

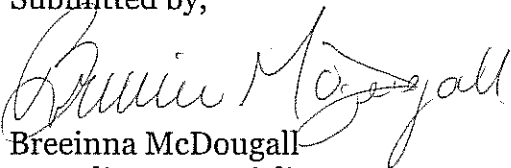
*Informal education was provided during the visit on :*

- *Requirements of the Montana Safety Culture Act.*
- *DLI Consultation Services.*

## Closing Comments

The Montana Safety and Health Bureau appreciates the Department of Livestock's concern for the safety and health of their employees. Each employer has the right to request an appeal on any of the above citations or recommendations under MCA 50-71-119(4). If there are any questions or additional help is required please contact Breeinna McDougall at (406) 444-0432 or [bmcdougall@mt.gov](mailto:bmcdougall@mt.gov).

Submitted by,



Breeinna McDougall  
Compliance Specialist  
Montana Safety and Health Bureau

## List of Hazards

### Department of Livestock – Bozeman Laboratory ERDo7142016-01BM

Item Number	Condition	Standard
1	Observed several flexible cords used as permanent wiring throughout the laboratories.	ARM 24.30.102; 29 CFR 1910.305(g)(1)(iv)(A)
2	Energized electrical wires were exposed in the PCR Area.	ARM 24.30.102; 29 CFR 1910.303(g)(2)(i)
3	Respirators were found in the labs. It was explained that respirators are used by employees who are sensitive to formalin. The department does not have a respiratory protection program in place.	ARM 24.30.102; 29 CFR 1910.134(c)
4	Observed electrical breaker panels and disconnect switches throughout the labs with blocked access.	ARM 24.30.102; 29 CFR 1910.303(g)(1)
5	Flammable liquids were stored outside of an approved storage container/cabinet.	ARM 24.30.102; MCA 50-71-116
6	The overhead storage area in the Ante Room did not have the maximum load rating posted.	ARM 24.30.102; 29 CFR 1910.22(d)(1)
7	Observed a power cord to the plate reader in the Milk Lab and an extension cord in the closet of the Preparation Room with exposed inner conductors due to the outer jackets being pulled from the plugs.	ARM 24.30.102; 29 CFR 1910.305(g)(2)(iii)
8	Observed an electrical cord running through a doorway in the Milk Lab.	ARM 24.30.102; 29 CFR 1910.305(g)(1)(iv)(C)

**Appendix A**  
**List of Hazards**

**Department of Livestock**  
**1911 W. Lincoln**  
**Bozeman, MT 59718**

**Visit Number: ERD07142016-01BM**

This list of hazards must be posted, unedited, in a prominent place where it is readily observable by all affected employees for thirty (30) days or until the hazards are corrected.

This is a notification of serious hazards identified during our inspection as noted as citations. Please contact Breeinna McDougall, Montana DLI - Safety and Health Bureau, at (406) 444-0432 for any further information.

**Hazard Summary – Serious Hazards**

<b>Item Number: 1</b>	<b>Standard:</b> ARM 24.30.102: 29 CFR 1910.305(g)(1)(iv)(A)
<b>Instance: Several</b>	<b>Correction Due Date: 08/29/16</b>
<b>Condition:</b> Observed several flexible cords used as permanent wiring throughout the laboratories.	

<b>Item Number: 2</b>	<b>Standard:</b> ARM 24.30.102: 29 CFR 1910.303(g)(2)(i)
<b>Instance: 1</b>	<b>Correction Due Date: 08/29/16</b>
<b>Condition:</b> Energized electrical wires were exposed in the PCR Area.	

<b>Item Number: 3</b>	<b>Standard:</b> ARM 24.30.102: 29 CFR 1910.134(c)
<b>Instance: 1</b>	<b>Correction Due Date: 08/29/16</b>
<b>Condition:</b> Respirators were found in the labs. It was explained that respirators are used by employees who are sensitive to formalin. The department does not have a respiratory protection program in place.	

2 copies posted 8-2-16 (P)

**Appendix B**  
**Report On Correction of Hazards**

**Department of Livestock**  
**1911 W. Lincoln**  
**Bozeman, MT 59718**

**Visit Number: ERD07142016-01BM**

On July 14, 2016, Breeinna McDougall, Compliance Specialist from the Montana DLI - Safety and Health Bureau conducted a Safety Compliance inspection at Department of Livestock, Bozeman Laboratory.

Use this form to document the corrective actions and/or the preventive measures the employer has taken to correct the reported items. The employer has agreed to respond to all items categorized as Serious. Although not required, it is encouraged to report corrective action taken for items categorized as Other Than Serious and Regulatory.

Please return this report form no later than August 29, 2016.

*Breeinna McDougall*  
*Compliance Specialist*  
*Montana DLI - Safety and Health Bureau*  
*P.O. Box 8011*  
*Helena, MT 59604*

If corrective action cannot be accomplished by the corrective action date, a written request for an extension must be submitted no later than **August 29, 2016**.

**The following "Serious Hazards" REQUIRE a response:**

**Item Number: 1**


**Correction Due Date: 08/29/16**

**Condition:** Observed several flexible cords used as permanent wiring throughout the laboratories.

**Date Corrected:**

**Corrective Action Taken:**

**Steps to Prevent Recurrence:**

*2 copies posted - 8-2-16*   
*JM 8-2-16*



**Item Number: 2**

**Correction Due Date: 08/29/16**

**Condition:** Energized electrical wires were exposed in the PCR Area.

**Date Corrected:**

**Corrective Action Taken:**

**Steps to Prevent Recurrence:**

**Item Number: 3**

**Correction Due Date: 08/29/16**

**Condition:** Respirators were found in the labs. It was explained that respirators are used by employees who are sensitive to formalin. The department does not have a respiratory protection program in place.

**Date Corrected:**

**Corrective Action Taken:**

**Steps to Prevent Recurrence:**

**To be completed by the Employer or Employer's Representative:**

*The abatement information contained in this Progress Report is true and correct to the best of my knowledge.*

**Print Name and Title** \_\_\_\_\_

**Signature** \_\_\_\_\_

**Date** \_\_\_\_\_

The following “Other than Serious Hazards” do not require a response; however it is encouraged to correct the hazards in a timely manner and report the corrective actions taken:

**Item Number: 4**

**Condition:** Observed electrical breaker panels and disconnect switches throughout the labs with blocked access.

**Date Corrected:**

**Corrective Action Taken:**

**Steps to Prevent Recurrence:**

**Item Number: 5**

**Condition:** Flammable liquids were stored outside of an approved storage container/cabinet.

**Date Corrected:**

**Corrective Action Taken:**

**Steps to Prevent Recurrence:**

**Item Number: 6**

**Condition:** The overhead storage area in the Ante Room did not have the maximum load rating posted.

**Date Corrected:**

**Corrective Action Taken:**

**Steps to Prevent Recurrence:**

# Appendix C

## *Request for Extension*

Department of Livestock  
1911 W. Lincoln  
Bozeman, MT 59718

**Visit Number: ERD07142016-01BM**

To request an extension, please complete this form and send it to:

*Breeinna McDougall*  
*Compliance Specialist*  
*Montana DLI - Safety and Health Bureau*  
*P.O. Box 8011*  
*Helena, MT 59604*

Upon approval, a copy of this form, signed by Montana DLI - Safety and Health Bureau, must be posted with the "LIST OF HAZARDS" (Appendix A from the original report). A follow-up inspection may be conducted.

Item Number:	Date of Request:
Original Correction Date:	
Describe progress to date and plan for completion:	
Describe the reason for the extension:	
Describe interim protection used to protect employees from exposure/injury:	

---

**Printed name and signature of requesting official**

**Request Date**

---

**Position of official**

---

**Printed name and signature of approving official**

**Approval Date**

**Item Number: 7**

**Condition:** Observed a power cord to the plate reader in the Milk Lab and an extension cord in the closet of the Preparation Room with exposed inner conductors due to the outer jackets being pulled from the plugs.

**Date Corrected:**

**Corrective Action Taken:**

**Steps to Prevent Recurrence:**

**Item Number: 8**

**Condition:** Observed an electrical cord running through a doorway in the Milk Lab.

**Date Corrected:**

**Corrective Action Taken:**

**Steps to Prevent Recurrence:**

**Item Number: 9**

**Condition:**

**Date Corrected:**

**Corrective Action Taken:**

**Steps to Prevent Recurrence:**

**To be completed by the Employer or Employer's Representative:**

*The abatement information contained in this Progress Report is true and correct to the best of my knowledge.*

**Print Name and Title** \_\_\_\_\_

**Signature** \_\_\_\_\_

**Date** \_\_\_\_\_



# Air Quality Bureau Field Services Section Inspection Report

## General Facility Information

## General Inspection Information

Company:

MAQP #: Operating: YES NO

Inspector: Date:

Type: Facility Contact:

Time On: Time Off:

Facility Size: A M B SM S

Facility Phone:

### Location

Facility E-mail :

County: NAA: YES NO

### Weather Conditions

Lat: Long:

Wind Speed/Direction:

Notes:

Temp/Sky Condition:

Evaluation of Equipment on Site Y N N/A

Comments:

Does Equipment Match Permit?

Is control equipment in place as required?

Is control equipment operating properly?

### Evaluation of Conditions/ Limits

In compliance with opacity limits?

Precautions taken to reduce dust?

In compliance with emission limits?

In compliance with process limits?

Process rate(s) during inspection:

### Evaluation of Testing Requirements

Testing completed as required?

Last test date: Next test date:

### Evaluation of Reporting Requirements

Reports kept / submitted as required?

### On-site Findings / Recommendations:

### Air Quality issues for Permittee Review:

Information Requested of Company: YES NO Details:

DEQ Representative (signature):

Report Date:

**Montana Department of Livestock Veterinary Diagnostic Laboratory  
MAQP #2834-03**

**Inspection photos 7/21/16**



**Figure 1. Incinerator**



**Figure 2. Incinerator Control Panel and Temperature Monitor**



**Figure 3. Incinerator Stack (Not Operating)**





# Board of Livestock Meeting

## Agenda Request Form

From: Gary Hamel		Division/Program: Meat and Poultry Inspection			Meeting Date: <b>August 15, 2016</b>		
<b><u>Agenda Item:</u> Request to fill Positions</b>							
Background Info: I need permission to fill two positions. One position will be filled in the Missoula area and the other will be filled in the Dillon area.							
Recommendation:							
Time needed: 10 minutes	Attachments:	Yes	No X	Board vote required?	Yes	No	
					X		
<b><u>Agenda Item:</u> Change and Administrative rule</b>							
Background Info: Seeking to change ARM 32.6.712 Food Safety and Inspection Service (Meat, Poultry) due to changes in the Code of Federal Regulations. Changes are necessary to maintain our "at least equal to" status.							
Recommendation:							
Time needed: 15 min	Attachments:	Yes x	No	Board vote required	Yes x	No	
<b><u>Agenda Item:</u> General Program Updates</b>							
Background Info: General updates for the Meat and Poultry Inspection program.							
Recommendation:							
Time needed: 5 min	Attachments:	Yes	No X	Board vote required:	Yes	No	
						X	
<b><u>Agenda Item:</u></b>							
Background Info:							
Recommendation:							
Time needed:	Attachments:	Yes	No	Board vote required:	Yes	No	
<b><u>Agenda Item:</u></b>							
Background Info:							
Recommendation:							
Time needed:	Attachments:	Yes	No	Board vote required:	Yes	No	

BEFORE THE DEPARTMENT OF LIVESTOCK  
OF THE STATE OF MONTANA

In the matter of the amendment of ) NOTICE OF PROPOSED  
ARM 32.6.712 pertaining to food ) AMENDMENT  
safety and inspection service (meat, )  
poultry) ) NO PUBLIC HEARING  
CONTEMPLATED

TO: All Concerned Persons

1. On October 3, 2016 the Department of Livestock (department) proposes to amend the above-stated rule.

2. The Department of Livestock will make reasonable accommodations for persons with disabilities who wish to participate in the rulemaking process or need an alternative accessible format of this notice. If you require an accommodation, contact the Department of Livestock no later than 5:00 p.m. on September 26, 2015 to advise us of the nature of the accommodation that you need. Please contact the Department of Livestock, 301 N. Roberts St., Room 308, P.O. Box 202001, Helena, MT 59620-2001; telephone: (406) 444-9321; TTD number: 1 (800) 253-4091; fax: (406) 444-1929; e-mail: MDOLcomments@mt.gov.

3. The department proposes to amend the following rule as follows, new matter underlined, deleted matter interlined:

32.6.712 FOOD SAFETY AND INSPECTION SERVICE (MEAT, POULTRY)

(1) remains the same.

(2) The Department of Livestock incorporates by reference the following as effective August 21, 2014:

(a) 9 CFR 381.65;

(b) 9 CFR 381.66.

~~(2)~~ (3) The Department of Livestock incorporates by reference the following as effective ~~September 17, 2015~~ June 19, 2015:

(a) 9 CFR 430.4.

(4) The Department of Livestock incorporates by reference the following as effective January 1, 2016:

(a) 9 CFR 381.117;

(b) 9 CFR 317.2.

(5) The Department of Livestock incorporates by reference the following as effective May 17, 2016:

(a) 9 CFR 317.2.

(6) The Department of Livestock incorporates by reference the following as effective June 20, 2016:

(a) 9 CFR 320.1;

(b) 9 CFR 320.2; and

(c) 9 CFR 320.3.

(3) and (4) remain the same, but are renumbered (7) and (8).  
AUTH: 81-2-102, 81-9-220, MCA  
IMP: 81-2-102, 81-9-217, 81-9-220, MCA

REASONABLE NECESSITY STATEMENT:

August 21, 2014, (9CFR 381.66, 381.65)

9 CFR 381.66 Temperature and Chilling and Freezing procedures)

This section revises the definition for “air chill” to allow an antimicrobial intervention to be applied with water to poultry at the beginning of the chilling process if its use does not result in any net pick-up of water or moisture during the chilling process. The initial antimicrobial intervention may result in some temperature reduction of the product if the majority of temperature removal is accomplished exclusively by chilled air.

9 CFR 381.65 Operations and Procedures, Generally

This section identifies procedures for controlling contamination throughout the poultry slaughter process. In addition, it requires that official poultry establishments develop, implement and maintain written procedures to prevent contamination of carcasses and parts by enteric pathogens and fecal contamination throughout the entire slaughter and dressing operation. Further requires larger establishments to collect samples to analyze for microbial organisms at specified rates.

In addition, official poultry establishments must maintain daily records to document the implementation and monitoring of the procedures of controlling contamination. Data may be maintained electronically if the establishment has controls to maintain data integrity. Records must be maintained for at least one year and must be accessible to FSIS. Montana currently does not have any poultry establishments of this size.

June 19, 2015 (9 CFR 430.4 Control of Lm in RTE Meat and Poultry)

FSIS is clarifying in the regulations that establishments may not release into commerce product that has been in contact with *Listeria monocytogenes* (*Lm*)-contaminated surfaces without reprocessing the product. In addition, FSIS is removing the requirement for establishments to report production volume and related information to FSIS because the Agency now routinely collects this information through its Public Health Information System (PHIS).

When the regulations came out, the effective date was noted as June 19, 2015 rather than September 17, 2015 as published in the Federal Register in anticipation of comments. This change is only to correct this date to accurately reflect the effective date listed in the Code of Federal Regulations.

January 1, 2016 (9 CFR 317.2, 381.117 Descriptive Designation for Added Solutions)

A product name for a raw meat or poultry product that does not meet a standard of identity must contain a descriptive designation that includes the percentage of added solution and the common name of all individual ingredients listed in descending order of predominance.

May 17, 2016 (9 CFR 317.2 Descriptive Designation for Tenderized Beef)

The product name for a mechanically tenderized beef must contain a descriptive designation that the product is mechanically tenderized, needle tenderized, or blade tenderized. Further, the labels of raw or partially cooked needle or blade tenderized raw beef products for household consumers, hotels, restaurants, or similar institutions, must bear validated cooking instructions.

June 20, 2016 (9 CFR 320.1, 320.2, 320.3)

9 CFR 320.1 Records to be Kept

Requires records of official establishments and retail stores that grind raw beef products for sale in commerce maintain the following records:

- Establishment numbers of establishments supplying material used to prepare each lot of raw ground beef products
- All supplier lot numbers and production dates
- Names of the supplied materials including beef components and any materials carried over from one production lot to the next
- The date and time each lot of raw ground beef product is produced
- Date and time when grinding equipment and other related food contact surfaces are cleaned and sanitized

9 CFR 320.2 Place of Maintenance of Records.

Requires records to be maintained at the place where business is conducted with one exception. The exception is that if business is conducted at multiple locations, the records may be maintained at the headquarters office.

9 CFR 320.3 Record Retention Period

Specifies that records required must be kept for two years following December 31 of the year in which the beef was ground.

4. Concerned persons may submit their data, views, or arguments in writing concerning the proposed action to the Executive Officer, Department of Livestock, 301 N. Roberts St., Room 308, P.O. Box 202001, Helena, MT 59620-2001, by faxing to (406) 444-1929, or by e-mailing to MDOLcomments@mt.gov to be received no later than 5:00 p.m., September 30, 2016.

5. If persons who are directly affected by the proposed action wish to express their data, views, or arguments orally or in writing at a public hearing, they must make a written request for a hearing and submit this request along with any written comments they have to the same address as above. The written request for hearing must be received no later than 5:00 p.m., September 30, 2016.

6. If the department receives requests for a public hearing on the proposed action from either 10 percent or 25, whichever is less, of the establishments who are directly affected by the proposed action; from the appropriate administrative rule review committee of the Legislature; from a governmental subdivision or agency; or from an association having not less than 25 members who will be directly affected, a public hearing will be held at a later date. Notice of the public hearing will be published in the Montana Administrative Register. Ten percent of those directly affected has been determined to be 4 establishments, based upon there being approximately 40 establishments relating to animal feeding, slaughter, and disposal.

7. The Department of Livestock maintains lists of interested persons who wish to receive notices of rulemaking actions proposed by this agency. Persons who wish to have their name added to the list shall make a written request that includes the name, e-mail, and mailing address of the person to receive notices and specifies for which program the person wishes to receive notices. Notices will be sent by e-mail unless a mailing preference is noted in the request. Such written request may be mailed or delivered to the contact person in 4 above or may be made by completing a request form at any rules hearing held by the department.

8. An electronic copy of this proposal notice is available through the Secretary of State's web site at <http://sos.mt.gov/ARM/Register>. The Secretary of State strives to make the electronic copy of this notice conform to the official version of the notice, as printed in the Montana Administrative Register, but advises all concerned persons that in the event of a discrepancy between the official printed text of the notice and the electronic version of the notice, only the official printed text will be considered. In addition, although the Secretary of State works to keep its web site accessible at all times, concerned persons should be aware that the web site may be unavailable during some periods, due to system maintenance or technical problems.

9. The bill sponsor contact requirements of 2-4-302, MCA, do not apply.

10. With regard to the requirements of 2-4-111, MCA, the department has determined that the amendment of the above-referenced rule will not significantly and directly impact small businesses.

BY: Michael J. Honeycutt  
Michael J. Honeycutt  
Board of Livestock  
Department of Livestock

BY: /s/ Cinda Young-Eichenfels  
Cinda Young-Eichenfels  
Rule Reviewer

Certified to the Secretary of State August 22, 2016.



# Board of Livestock Meeting

## Agenda Request Form

Aug 15, 2016

<b>1. From: Marty Zaluski</b>		<b>Division/Program: Animal Health</b>	
<b>Agenda Item: <u>Out of State Travel Request – USAHA</u></b>			
<p>Animal Health is requesting travel authorization for three veterinarians to attend United States Animal Health Association meeting in Greensboro, NC (October 13-19, 2016). This annual meeting is the single most critical meeting for discussing animal health programs, preparedness, and timely issues relating to animal health with other state animal health officials and federal counterparts.</p> <p>Costs of attendance are expected to be primarily covered by federal cooperative agreements (Zaluski, Szymanski) and General Fund (Liska). Estimated budget is below:</p> <p>Travel: \$2,100 (estimated)  Hotel: \$960 (Zaluski), \$800 (Szymanski), \$600 (Liska) = \$2360  Per Diem: \$320 (Zaluski), \$276 (Szymanski), \$230 (Liska) = \$826</p> <p>TOTAL: \$5286-\$1530 (GF)=\$3756 covered by CA funds</p>			
Time needed: 10 MIN	Attachments:	NO	Board vote required? YES

<b>2. From: Marty Zaluski</b>		<b>Division/Program: Animal Health</b>	
<b>Agenda Item: <u>Hire Animal Health Traceability Compliance Tech</u></b>			
<p>The Animal Health Traceability Compliance Tech, has resigned from Animal Health Division on July 20, 2016. By providing data entry of exported animal identification into the computer system, this position was critical in complying with federal animal traceability requirements, and facilitating more efficient disease investigations.</p> <p>This position entered animal information from 4,582 paper health certificates into the Animal Health Division USAHerds database in 2015. This work comprised 49% of the total of 9,288 cattle export health certificates with the remainder being primarily from electronic sources that did not require hand entry.</p> <p>There is no staff available to perform this duty until this position is filled.</p> <p>This position was advertised at \$13.07 to \$13.56 per hour. This position is funded by the federal traceability cooperative agreement.</p>			
Time needed: 10 MIN	Attachments:	No	Board vote required? YES

Department of Livestock

**1) Division**  
Animal Health**2) Employees Traveling**Dr. Marty Zaluski  
Dr. Tahnee Szymanski  
Dr. Eric Liska**3) Justification**

Animal Health is requesting travel authorizations for three veterinarians to attend the United States Animal Health Association meeting in Greensboro, NC (October 13-19, 2016). This animal meeting is the single most critical meeting for discussing animal health programs, preparedness and timely issues relating to animal health with other state animal health officials and federal counterparts.

Costs of attendance are expected to be primarily covered by federal cooperative agreements (Zaluski, Szymanski) and General Fund (Liska) Estimate budget is below:

Travel: \$2100 (Estimated)  
Hotel: \$960 (Zaluski); \$800 (Szymanski); \$600 (Liska) = \$2360  
Per Diem: \$320 (Zaluski); \$276 (Szymanski); \$230 (Liska) = \$826

TOTAL: \$5286-\$1530 (GF) = \$3756 covered by CA funds

**4) Itinerary****5) Submitted By**Requested By  
Dr. Marty ZaluskiTitle  
MT State VeterinarianDate  
8/15/2016**Approval - to be Completed by Agency Authorized Personnel**

Date Approved by Board

Board Chair / EO

Date

**NOTE: A travel expense voucher form must be filed within three months after incurring the travel expenses, otherwise the right to reimbursement will be waived.**



# Board of Livestock Meeting

## Agenda Request Form

From: Chad Lee		Division/Program: Milk Control Bureau			Meeting Date: <b>August 15, 2016</b>		
<b><u>Agenda Item:</u> Milk Control Bureau Update</b>							
Background Info: General update and report on out-of-state travel to International Association of Milk Control Agencies conference.							
Recommendation: None							
Time needed: 15 min.	Attachments:	Yes	<b>No X</b>	Board vote required?	Yes	<b>No X</b>	
<b><u>Agenda Item:</u></b>							
Background Info:							
Recommendation:							
Time needed:	Attachments:	Yes	No	Board vote required	Yes	No	
<b><u>Agenda Item:</u></b>							
Background Info:							
Recommendation:							
Time needed:	Attachments:	Yes	No	Board vote required:	Yes	No	
<b><u>Agenda Item:</u></b>							
Background Info:							
Recommendation:							
Time needed:	Attachments:	Yes	No	Board vote required:	Yes	No	
<b><u>Agenda Item:</u></b>							
Background Info:							
Recommendation:							
Time needed:	Attachments:	Yes	No	Board vote required:	Yes	No	