

CAHNRS SAFETY MEETING MINUTES

May 13, 2008
Clark 122; 11:10 a.m.

Attended by: Sheila Brooks	Ag Research Center
Bruce Davitt	Natural Resource Sciences
Karen Hansen	USDA/ARS
Rich Villa	AS
Mike Costa	IBC
Lisa Knowles	Hort/LA
Lorraine McConnell	Office of Research Assurance
Jon Mathison	CSS
Jerry Weber	AS
Sheri McGrew	USDA/ARS
Dennis Gransbery	USDA/ARS

Unable to Attend: Martin Chilvers

Rich Villa, Chair called the meeting to order at 11:10.

The April 8, 2008 minutes were approved.

Current Business:

1. Lorraine McConnell was invited to answer the committee's questions on the topic of Hazardous Materials in terms of the Export Administration Regulations. The first topic of discussion was a request for clarification as to whether the recently jailed Tennessee Researcher was involved in shipping of biohazardous agents out of the country. Ms. McConnell responded that his situation was not involved with these types of activities. The committee then asked what the particulars of the situation were. She explained that his research involved satellite technology (generally controlled by ITAR [International Traffic in Arms Regulations] and that this situation is still under investigation. She further explained that it is her understanding that the alleged violations involve deemed export and contractual agreements related to export control regulations.

Ms. McConnell emphasized that the majority of university activities do not require export control review as they are exempted or excluded by either the Fundamental Research Exemption, the Education Exclusion, or other

exemptions and exclusions such as tools of the trade and accompanied baggage. She also explained that Universities post 9/11 have become more cognizant of the requirements and potential results of violating these regulations. She indicated that Export Control violation carry a potential fine of up to one million dollars and imprisonment for up to 10 year. For more information about Export Control information and resources you may visit the following WSU web site:

<http://www.research-compliance.wsu.edu/ExportControls/information.asp>.

The question was asked as to what types of activities present potential export control risks. Ms. McConnell explained that activities involving the transfer of any item out of the country whether it be by email, post office, carried on your person, etc. is not covered by the Fundamental Research Exemption and therefore requires an export control review. Items that are high tech items such as laptops, GPS, prototypes, and some infectious agents are likely to require licenses. Most items will fall into a catch all category called EAR-99 and generally will not require a license. But it is always best to perform due diligence by completing a review. This review process includes gathering information about the item, the country the item will be transferred to, the person receiving the item, as well as the end use for the item. She explained that there are various resources including the Stanford Decision Tree on the link provided above to assist you with this process. Additionally the ORA (Office of Research Assurances) office can assist with reviews as requested and there is an export control review form that can be used to submit a review request to the ORA office on the above listed web site. You may also call with questions to the ORA office 335-4462.

The committee was interested in more information regarding high risk activities. Ms. McConnell explained that OGRD assists in ensuring that the contractual language with DOE, DOD and other grants maintains the Fundamental Research Exemption. She then recommended that people traveling to sanctioned and embargoed countries should be aware of activities that are prohibited or might require a license. The OFAC (Office of Foreign Assets Control) link: <http://www.treas.gov/offices/enforcement/ofac/> provides a current listing of sanctions to assist travelers. Sanctions and embargoes are country specific. They also change; therefore the recommendation was to verify adherence to current policies before traveling to or engaging in activities with sanctioned countries. She also indicated that deemed export, i.e. the sharing of controlled information with foreign nationals in the US, can require export licenses. She then explained that it can take up to 6 months to obtain a license from the State Department for ITAR controlled items and from OFAC (Office of Foreign Assets Control) and 2-3 months to obtain a license from BIS for dual use items. So it was important to plan ahead when involved in activities that might require a license.

2. Nominations for next year's chair: There were no nominations at this time. Ralph Cavalieri will designate someone before next fall.
3. Open discussion: Jon Mathison inquired about AED's. The University Health and Safety committee has repeatedly tried to get funding for AED's to no avail. Please note that if your department is considering purchasing an AED, contact Chris Tapfer first as a doctor's prescription is needed. The doctor wants to regulate what kind of AED is obtained as there are upgrades that are necessary from time to time, and not all AED's are compatible with the city fire department. Attached is a sample proposal for an example for future reference.

An update on the Johnson stairwell; there is now a permanent sign not allowing children in those stairwells. Per Ed Havey FacOps has done a prototype for a model and hope to have the stairwell fixed by mid June. There will be no opening larger than 4 inches on either side of the stairwell. Patty Bergstedt is working on it and if you have any questions feel free to call her.

The meeting was adjourned at 12:05.