

Respirable Crystalline Silica Rulemaking Stakeholder Meeting 10.4.16
L&I Tukwila Office
WAC 296-840

Division of Occupational Safety and Health (DOSH) Staff:

Anne Soiza-Assistant Director DOSH
Jeff Killip – IH Technical Policy & Lab Manager
Chris Miller- Standards Program Manager
Josefina Magana – Project Manager (ARA)
Larry Gore – Industrial Hygienist

Attendees:

Kevin McDonald- Labor Union	Chris Shepard- Clark Construction	Tim Carter- City of Seattle
Todd Carter- Pacific Rim Environmental	Rosa Connell- Lakeside Industries	Cal Beyer- Lakeside Industries
Jason Anderson- Pabco Roofing	Angela Todd-Orion Energy Systems	Steve Heist- Approach Management
Andy Williams- Pabco Roofing	Nick Cordell- Mortenson Construction	Rick Cole- City of Tacoma
Mandi Kime-AGC	Matt Uhrich- Legacy Telecommunications	Lindsey Neville- Quartz Countertops
Brandon Gimper- Romac	Claude Golden- Boeing	Guadalupe Montes
Melissa Winch- Skanska Construction	Meghan Munro- City of Everett	Mark Paulsness
Gary Fasso- NW Carpenters	Paul Huston- Labor Union	David Gerry
Randy Picket- Archbright	Nicholas Reul- Department of Labor and Industries	June Naiem
Dominique Damian-WSFB		Cynthia Cozza
		Desiree Ropel
		Doug Buman

Introductions:

- The purpose of today's meeting is to discuss the proposed standard for Respirable Crystalline Silica
- If there are any questions or comments, feel free to voice them as well as send them in writing

Brief Description of the rulemaking process:

- **CR 101-** This form was filed on 7/19/2016
- **CR102-** Most likely to be filed towards the end of the year
- **CR103-** Date to be determined
- **Effective Date-** November 2017

Differences:

- **Table 1** – construction however general industry/maritime can use is appropriate
- **Competent person** – construction requirement but not a bad idea for general industry/maritime
- **Employee notification of assessment results**
 - General industry/maritime – within 15 working days after completing an exposure assessment
 - Construction - within 5 working days after completing an exposure assessment
- **Regulated area** – general industry/maritime
 - Demarcation
 - Access
 - Provision of respirators
- **Respiratory protection**
 - Construction – as specified in Table 1
 - General industry/maritime – when employees are in a regulated area
- **Written exposure control plan**
 - Construction
 - Description of the procedures used to restrict access to work area, when necessary, to minimize the number of employees exposed to respirable crystalline silica and their level of exposure, including exposures generated by other employers or sole proprietors.
 - Competent person designated to make frequent and regular inspections of the job sites, materials, and equipment to implement the written exposure control plan.
- **Medical surveillance**
 - General industry/maritime – required when an employee is exposed at or above the action level for 30 or more days per year
 - Construction – required for employees required to use a respirator 30 or more days per year
- **Communication of respirable crystalline silica hazards to employees** (Hazard communication)
 - General industry/maritime - Signs – shall be posted at all entrances to regulated areas. Specific language required.
 - Construction – identity of the competent person

Questions/Comments from audience:

- What is the definition of regulated area?
- Competent person needs to be well defined
- Legal action with federal OSHA
- Exposure Control Plan- L&I has placed this on the website in the past
- Personnel change is ambiguous make sure to clarify this part
- Is there concern that would fall outside of the information provided on table 1?
- Table 1 has some concerns- make it more clear (Something about the hours)
- Monitoring could be written like the construction standard
- Is negative exposure assessment a possibility?
 - Anne Soiza- Yes it is a possibility (Separate from rulemaking process)
- Don't exceed OSHA standards just meet them.
- Anne Soiza: Our intent with the Silica standard is to be the same as OSHA. We must be at least as effective to retain our State Plan status.

Conclusion:

- Send any comments or concerns to Larry Gore: GORE235@LNI.WA.GOV or Josefina Magana magk235@lni.wa.gov
 - The deadline for submissions is October 25, 2016

Next Meeting:

To be determined