

Chapter 296-840 Respirable Crystalline Silica
L&I Tukwila Office 12806 Gateway Dr. S Tukwila, WA 98168
Stakeholder Meeting 6/8/2017

Division of Occupational Safety and Health (DOSH) Staff:

Larry Gore – Technical Specialist

Chris Miller- Standards Program Manager

Josefina Magana – Project Manager (ARA)

Dr. Nicholas Reul- Office of Medical Director Department of Labor and Industries

Attendees:

Spencer Snope- Cascade Capital

Lee Pyfrom- MacMiller

Jiho Bryson- Everett Clinic

Mandi Kime-AGC of Washington

Jamie Stuart-NECA Seattle

Bruce McGaw-Mortenson Construction

Paul Huston-Northwest Laborers

Anthony O'Brian- Northwest Laborers

Jason Anderson- PABCO roofing products

Andy Williams-PABCO roofing products

John Corbett- PABCO roofing products

Guadalupe Montes-Vigilant

Marcus Kuizenga- James Hardie Building Products

Pria Motz-UW

Debbie Cherry-UW

Mark Gauger- GYL Construction

Doug Buman- Liuna

Barb Braid- L&I

Rosa Connell- Lakeside Industries

Matt Rolf- Foushee and Associates Co., Inc

Tessa Carpenter- AGC of Washington

Adrian Galeon- Boral

Brian Van- Atkinson

Gary Fasso- PNWRCC

Lana Kaytyer- DOH

Megan Munn- City of Everett

Randy Picket- Archbright

Introductions:

- Standards Program Manager welcomes everyone and introduces Labor and Industries staff.
- This meeting is to present a highlight of the rule and explain the incorporation of a tuberculosis risk assessment tool into the rule.

Tuberculosis Discussion:

- Silica exposure can increase the likelihood of tuberculosis.
- Treatment diminishes risk of exposure.
- The tuberculosis risk assessment is a guidance tool, not to substitute for sound medical judgement.

Rulemaking Tentative Timeline:

- Preproposal CR-101-June 21, 2017.
- Proposal CR-102- Filed in the summer.
- Hold public hearings- Early in the fall.
- Adoption CR103- Early in the winter.
- Effective Date- End of the year.

Highlight of Rule:

- Differences
 - Table 1
 - For construction but general industry/maritime can use if appropriate.
 - Competent person
 - Construction requirement
 - Employee notification assessment
 - General industry/maritime- within 15 working days after completing exposure assessment.
 - Construction- within 5 working days after completing an exposure assessment.
- Regulated area
 - Where exposure can reasonably be expected to exceed the PEL
 - Demarcation
 - Post signs at entrances
 - Limit Access
 - Provide appropriate respirators
 - Not required for construction work
- Respiratory Protection
 - As specified in table 1.
 - Where exposure exceeds the PEL.
 - When employees are in a regulated area.
- Written exposure control plan
 - A written plan that applies to both general/maritime with description of tasks that involve exposure to silica, engineering control work practices and respiratory protection.
 - Plan indicates employer should have written plan available to each employee.
 - Language for construction that requires procedures used to restrict access to work areas.
 - Language for competent person.
- Medical surveillance
 - Requires medical surveillance to be available.
 - Medical surveillance includes an initial examination, periodic examinations, and where needed examinations by a specialist.
 - Add tuberculosis form to help ensure tuberculosis assessment is thorough.
- Communication of respirable crystalline silica hazards to employees
 - Must be included to comply with the HazCom standard (296-901)
 - General industry/maritime - Signs – shall be posted at all entrances to regulated areas. Specific language required.
 - Construction – identity of the competent person

Comments/Questions:

- What do regular and frequent inspections mean for the competent person?
- Will the Department have an example of a written exposure control plan down the road?
 - Answer: There's currently no examples of a written exposure control plans, this doesn't mean it can't be available in the future.
- Is it required to use the specific sign language that is in the rule or just parts of it?

Conclusion:

- Send any comments or concerns to Larry Gore gore235@lni.wa.gov or Josefina Magana magk235@lni.wa.gov