



PREPROPOSAL STATEMENT OF INQUIRY

CR-101 (June 2004)
(Implements RCW 34.05.310)
Do NOT use for expedited rule making

Agency: Department of Labor and Industries

Subject of possible rule making:
Chapter 296-32 WAC, Safety Standards for Telecommunications

Statutes authorizing the agency to adopt rules on this subject:
RCW 49.17.010, RCW 49.17.040, RCW 49.17.050, RCW 49.17.060

Reasons why rules on this subject may be needed and what they might accomplish:
Safety Standards for Telecommunications, Chapter 296-32, were originally created in 1975. Although there have been partial rule changes over the years (1976 through 2002), a full review of this chapter, in its entirety, has not taken place.

Since inception of Chapter 296-32 approximately 35 years ago, technology in the area of telecommunications has rapidly advanced. Our telecommunications rules have not kept pace with that advancement. Safety has been compromised for our communication tower workers, as no specific standards currently exist for their industry. Training requirements in the current rule are generalized and not specific to the critical work skills necessary to perform telecommunication tasks in a safe and effective manner. Radio frequency radiation (RFR) training, and a requirement for rescue training are extremely important areas of worker safety in this industry, and neither are currently addressed in this chapter.

Additionally, safety standards for directional boring machinery usage, which has become a constant in telecommunications work, should be included in Chapter 296-32. Aside from the manufacturer's safety manuals for the specific type of boring machinery being used, our workers have no other safety standard to follow at this time.

There has been a significant increase in injuries including fatalities since the rule was adopted 35 years ago, particularly since cell phone technology has appeared and evolved. Therefore, it is recommended that L&I move forward with this important rulemaking effort. In addition, references may also be updated throughout our chapters.

Identify other federal and state agencies that regulate this subject and the process coordinating the rule with these agencies:
No other state or federal agencies (other than OSHA) are known to regulate worker safety and health for this subject.

Process for developing new rule (check all that apply):

- Negotiated rule making
- Pilot rule making
- Agency study
- Other (describe)

Parties interested in the formulation of these rules for proposal may contact the individual listed below. The public may also participate by commenting after amendments are proposed by providing written comments or giving oral testimony during the public hearing process.

How interested parties can participate in the decision to adopt the new rule and formulation of the proposed rule before publication:

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DATE
August 6, 2013

NAME
Joel Sacks

SIGNATURE

TITLE
Director

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STATE OF WASHINGTON
FILED

DATE: August 06, 2013

TIME: 10:17 AM

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