

WISHA ADVISORY COMMITTEE
Meeting Summary June 15, 2017

Topic	Discussion	Action/Informational Items
Welcome & Introductions	<p>Members Present: Mike Fallon, Claude Golden, Eric Gonzales, Ed Wood, Jr., and Linda Williams</p> <p>Members Absent: Tammie Hetrick, Pamela Tabert , and Lee Newgent</p> <p>L&I Staff Present: Anne Soiza, Alan Lundeen, Lezlie Perrin, Dave Bonauto, Jenifer Jellison, Anar Imin, Caprice Catalano, Lou Flores, Kelly Hillman, Jeff Killip and Diane Westmoreland (Recorder)</p> <p>Members of the Public Present: Steve Heist, Approach Management Services; Scott Dilley, Washington State Dairy Federation; Marty Cohen, University of Washington; Viona Latschaw, WA State Labor Council/Project Help; Michael Sorenson, Vigilant; Rick Means, Washington Retail Association, Corwyn Fischer, WA Farm Bureau; Mandi Kime, AGC; Chuck Ahrens, WA On-site Sewage Association; John Thomas, WA On-site Sewage Association; Andrea Dodson, WA On-site Sewage Association; Sherry Baron, King County; Steve Cant, IBEW Local 77; Rich Baldwin, PCL Construction; and Jonathan Burr, Flynn Law Group</p>	
Opening Remarks	<p>Anne Soiza , DOSH Assistant Director, SOIZ235@Lni.wa.gov welcomed everyone and around the room introductions were made.</p>	
Legislative Update	<p>Alan Lundeen, Senior Program Manager for DOSH Standards, Technical and Laboratory Services, LUND235@Lni.wa.gov, provided a handout and gave an update on the legislative bills that affected DOSH during the 2017 legislative session:</p> <p>(1) House Bill 1953 and Senate Bill 5743: Responding to federal changes by increasing maximum safety and health penalties. The bills passed through the House, but were not voted on in the Senate.</p> <p>(2) House Bill 1629 and Senate Bill 5460: Extending timeline for Safety and Health appeals where a settlement may be possible. The bills were passed by both the House and Senate and signed into law on April 4, 2017, and effective January 1, 2018.</p>	<p>Claude Golden, WISHA Advisory Committee member, asked to put the WISHA Advisory Committee on record as being in support of the penalty maximum legislation (when the full committee is available)</p> <p>Mike Fallon, WISHA Advisory Committee member, asked for data comparing the current and proposed penalty amounts for review and discussion at the September meeting.</p>

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	<p>(See the 2017 Agency-Request Bills Summary handout for specific details about the bills).</p> <p>Anne added that our budget proposal requesting funding to move the DOSH Lab and to get 16 new FTEs for the field looked promising; however, the Legislature would have to approve it.</p>	
Rules Updates	<p>Alan Lundeen reviewed the information on the DOSH Rulemaking Summary handout and provided a detailed update on each:</p> <ul style="list-style-type: none"> • Construction confined spaces – the filing date for the proposed rule is scheduled for August 2017 • Telecommunications – public hearings have been completed and staff are reviewing comments; adoption is scheduled for July, with an effective date of September 2017. L&I received a lot of attention on this rulemaking with both employer and employee groups and a lot of support from the national association of cell tower workers • Worker Protection Safety (WPS) – this rulemaking was initiated by the EPA; L&I is working with WA State Department of Agriculture; still working on language in a few areas • Exposure to Crystalline Silica – rulemaking has been delayed due to information in the appendix concerning what medical providers do to employees who have been exposed (TB) that is being addressed by L&I’s Dr. Reul, along with staff from the Department of Health and stakeholder groups • Beryllium – no new updates • Lead – We told the Legislature that we would have a draft rule completed by the end of June; draft is nearly complete and a meeting with stakeholders is scheduled for June 29th in Tukwila to review the draft rule. Information about the June 29th meeting has been sent out on the ListServ; follow-up meetings are planned with stakeholders • Logging – Rule adoption date is 8/1/17; rule effective date is 9/1/17 and includes language that certain chaps must be used to prevent chain shot • Hyperbaric/Compressed Air (Tunneling) – We hope to have a draft rule ready by Fall 2017 	

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	<ul style="list-style-type: none"> • Recordkeeping and Reporting – this is an OSHA rule; has gone back and forth; we do plan to have stakeholder meetings once we know what’s done at the federal level • CAS/CAC Training Requirements – this has to do with asbestos; L&I staff have brought forward issues with people getting asbestos cards that do not have much experience; this is also a public safety issue for construction and asbestos contractors; planning to implement a listserv • Process Safety Management (PSM) – a lot of discussion has taken place and continues with the stakeholder group; the state of California has a new PSM rule and we will be looking at it in addition to information from the Chemical Safety Board and American Petroleum Association; we do have a listserv set up to share information • Fall Protection – includes walking and working surfaces; this rulemaking is being done as a unified approach and will address work being done in all industries; we are continuing stakeholder meetings to see if there is support of a unified rule • Chapter 45 (Electrical Power Generation, Transmission, and Distribution) – We missed one reference to hard hats when we did rulemaking on this, which we will fix; working with EUSAC and sub-committee • DOSH Appeals E-Filing – adding language for employers to file appeals electronically; we want to do expedited rulemaking • Trolley Lines – working under electrical lines; still waiting on a response from OSHA to determine if the proposed rule, WAC 296-155-428 and DOSH Directive 18.70, are at least as effective as federal OSHA requirements. NOTE: A response was received from OSHA in early July and information will be shared at the September WISHA Advisory Committee meeting • Standards Improvement Project – this is not changes to rule requirements; just housekeeping (typographical errors) • eRules – have been a bit delayed due to other rule priorities 	

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DOSH Risk Management, Consultation, and Safety Through Achieving Recognition Together (START)	<p>Lou Flores, Statewide Consultation Manager, FLOS235@Lni.wa.gov, provided handouts for risk management, consultation, and START. Lou reminded everyone about the services offered by DOSH risk management and consultation services and gave background information and description of the START program. Lou introduced Teri Neely in her new role as the DOSH Consultation Operations Manager.</p>	
SHIP Updates	<p>Jenifer Jellison, SHIP Program Manager, JELJ235@Lni.wa.gov shared with the group that 19 grants had been funded this biennium (2015-2017). We are waiting to find out how much grant funds the Legislature will allot for the 2017-2019 biennium.</p> <p>Jenifer introduced John Thomas and Chuck Ahrens from the Washington On-site Sewage Association, who gave a presentation about two grant projects their association completed using SHIP grant funds. One of the grant projects addressed hazard assessment, mitigation and training for workers exposed to residential sewage and the other addressed confined space entry training for decentralized wastewater workers in Washington. More information about these grant projects and the SHIP program can be found at : http://www.lni.wa.gov/safety/GrantsPartnerships/SHIP/default.asp</p>	
SHARP Updates	<p>Dave Bonauto, SHARP Program, BONE235@Lni.wa.gov, briefly described the following handouts from the SHARP Program brought to today's meeting:</p> <ul style="list-style-type: none"> • A draft logging hazard brief, <i>Road builders can create hazards for loggers and cutters</i>, was introduced; this is a new type of hazard brief the SHARP program prepared and Dave asked everyone to review the format and content and provide feedback and comments. • SHARP Stats, <i>Construction Falls Claims and Costs</i> (SHARP Publication: 76-04-2017) 	

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	<ul style="list-style-type: none"> • SHARP Stats, <i>Suicide by Occupation</i> – prepared in partnership with the Department of Health (SHARP Publication 76-05-2017) • Research Findings - <i>Work-Related Injury and Illness</i>, (SHARP Publication 75-25-2017) • FACE Fatality Narrative, <i>Carpenter Falls 60 Feet from Bridge Concrete Form</i> (SHARP Report No.: 71-158-2017) • FACE Fatality Narrative, <i>Pipelayer Dies when Trench Wall Collapses</i> (SHARP Report No.: 71-156-2017) • FACE Fatality Narrative, <i>Truck Driver Hauling Grain Dies When Truck Crashes</i> (SHARP Report No.: 71-157-2017) • FACE Investigation Report, <i>Orchard Tractor Operator Dies When Run Over by Rotary Mower After Falling From Tractor</i> (SHARP Report: 52-40-2017) • FACE Report, <i>2016 Work-Related Fatalities in Washington State</i> (Publication No. 93-02-2017) <p>Additional information provided by the SHARP Program can be found at: http://www.lni.wa.gov/Safety/Research/?F=SHPN</p>	
<p>WISHA Advisory Committee Advice</p> <p>DOSH/OSHA Updates</p>	<p>Anne asked the Committee to take some time to think about and help identify future work or activity gaps they see regarding occupational safety and health that should be addressed.</p> <p>Anne mentioned the handout that was provided at the meeting prepared by SHARP for the national Safety Stand-Down to Prevent Falls at Washington State’s Construction sites that was held May 8-12, that shows fatality data regarding falls in the construction industry.</p> <p>DOSH continues to work on solutions to the recruitment and retention concerns. Waiting on budget decisions from the Legislature as well.</p>	

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Review of action items and future agenda topics	<ul style="list-style-type: none"> • Continue SHIP updates for status of grants; continue to have grantees share information about their grant projects • Request for data comparing the current and proposed penalty amounts for review and discussion at the September meeting • Committee members to identify gaps and offer advice and suggestions for how to address them. Diane will send an email reminder prior to the September meeting for Committee members to come prepared to discuss 	
Next WAC Meetings	<p style="text-align: center;"><u>2017 WAC Meeting Schedule:</u> Thursday, September 7th, 9:00-Noon, L&I --S117 Thursday, December 7th, 9:00-Noon, L&I – S117</p>	