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Subject: Wildfire smoke rulemaking
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External Email

Good morning,

Unfortunately I missed the last wildfire smoke stakeholder meeting and I've had some questions come in from clients about the regulation. Are you done with stakeholder meetings and is this going to be a permanent rule next year? I have some questions that I received and am hoping you can address them for me and I'll forward the reply to my clients. Thank you.

- Many see this proposed wildfire smoke ruling as WA/L&I/DOSH as taking another step away from reasonable and common sense occupational health protections. Has DOSH leadership considered the additional loss in credibility from industry, especially small businesses who are the backbone of our communities and state economy?
- How is it tenable and reasonable for a state agency to expect all employers in a region to significantly limit or suspend operations based on an Act of God such as a wildfire?
- How can an index, such as the AQI (Air Quality Index), be an enforceable standard since indexes are advisory indicators at best?
 - <https://www.airnow.gov/aqi/aqi-basics/>
- How can the community-wide-based AQI, developed by an environmental regulatory body, be used for occupational health policy that applies to specific people within specific organizations?
 - For example, the EPA intends for the AQI to advise and inform citizens (private activities), not to be used to penalize businesses.
- If employers choose to measure PM_{2.5} as a more accurate method of assessing the potential hazard wildfire smoke may pose, what occupational exposure limit (OEL) has been established for this? Is there a consensus among occ health research groups (NIOSH, ACGIH, etc.)? What is the primarily cited peer-reviewed research to support this OEL?
- What particle counters are considered acceptable to measure against the established OEL? Here are two examples with widely different price tags:
 - <https://tsi.com/products/cleanroom-particle-counters/handheld-particle-counters/aerotrak-handheld-particle-counter-9303/>
 - <https://www.triplett.com/products/particle-counter-pm2-5-pm10-co2-hcho-tvoc-rh-temp-epc175>
- Most vehicle cabin air filtration systems are not designed or effective at removing respirable particles, such as those found in regional/transient wildfire smoke. How can this be considered a reasonable protection required by regulatory enforcement?
- What does it mean to “monitor employees displaying adverse symptoms of wildfire smoke exposure to determine whether medical attention is necessary”? Could you provide a few

examples to help employers understand?

- Please provide a few examples of what it looks like to have “effective provisions made in advance for prompt medical treatment”.
- What is considered “adequate” filtration? Is there a range of MERV ratings that are considered adequate? Does the system need to be able to reduce the indoor concentration of PM2.5 to a certain level under ambient conditions? How long does the system have to accomplish the desired concentration?

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Don't forget to schedule your annual safety consultation!