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To: [Ireland, Cynthia D. \(LNI\)](#)
Cc: [Steve Hunter](#); [Troy Berglund](#)
Subject: WAC 296-62-085 Wildfire Smoke Stakeholder Feedback
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External Email

Thank you Cynthia for taking these comments. I was present at the Oct. 6th stakeholder meeting in Yakima for the Wildfire Smoke rulemaking. Representing the Electric Utility industry, my comments reflect the concerns and the unique challenges associated with high voltage work, emergency response, outage restoration and other conditions that are found to be demanding in our industry. The emergency rules that were effective 6/15/2022 until 9/29/2022 were straightforward and were followed without protest. But with the permanent and more stringent rules being suggested in the draft, and with the collective bargaining agreements we have in place that dictate working conditions, we believe the Electric Utility industry should be exempt from this rule. There has never been any intention, and never will be, to send our men and women into a hazardous situation where the hazards of the environment will have any adverse health effects to our employees. With that said, the following are my comments,

- We would like to see the emergency rules stay in place. That is
 - AQI 69- Provide training to employees, suggest providing respirators and encourage their use.
 - AQI 101-Employers must provide and encourage their use
 - AQI 555-Beyond AQI, More protective respirator threshold.

The change, to my understanding, is that at an AQI of (201 or 301) the employer must provide **AND REQUIRE** a N95 filtering facepiece respirator to be worn (Line 231 of Draft Document). We currently train in the use of and provide the N95 filtering facepiece respirators. By *requiring* their use we fail to take into account the situational anomalies that a line crew may encounter, such as arc flash associated with high voltage work, or the need for critical communication which is necessary during this very hazardous work. Critical Communication, which was established as a reason for exemption from wearing face masks during the COVID -19 pandemic, applied to the Electric Utility industry. This makes sense to both Electric Utility employers and workers. Training and Voluntary use engages the employee to use the protection that is required to be provided and allows them to judge, by the hazards they encounter, whether the protection should be worn or if it potentially poses a larger health risk in using it.

- At AQI of 500, Provide respirators, and enroll workers in a complete required use respiratory protection program. (Line 403 of Draft Document)
 - There should be clarification on this. It is stated that during emergency response, required use of respirators must be implemented to the

extent feasible. If an employer never expects to have work performed at 500 AQI or above; but due to the nature of emergency work, this may happen in extreme circumstances, then does the employer need to implement a respiratory protection program? I am not aware of this happening in our industry, but this is an onerous burden to place on an employer that has never to our knowledge placed their employees in this situation nor ever expects to place their employees in this situation

This is my feedback and I am able to clarify further if need be, my contact information is below. Thank you for engaging the stakeholders in this process and working with us to improve workers' safety. Public Power has a long history of prioritizing worker and public safety and we take this process very seriously.

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