

From: [Pyke, Chris \(LNI\)](#)
To: [Ireland, Cynthia D. \(LNI\)](#)
Subject: FW: [EXTERNAL] RE: Technical questions about the proposed rules WAC 296-62-085 Wildfire Smoke
Date: Wednesday, November 2, 2022 2:52:33 PM

FYI

Chris Pyke, M.S. (*he/him*)
Division of Occupational Safety & Health
Asbestos Program & Technical Services
Industrial Hygienist

From: Justin Fox-Bailey [WA] <jfox-bailey@washingtonea.org>
Sent: Friday, October 28, 2022 17:52
To: Pyke, Chris (LNI) <chris.pyke@lni.wa.gov>
Subject: Re: [EXTERNAL] RE: Technical questions about the proposed rules WAC 296-62-085 Wildfire Smoke

External Email

Chris,

Thank you so much for the responses; I appreciate it and they make sense.

I'm a big fan of these new rules as school districts have been responding, and in generally a good way, but without definitive and uniform reference to standards we could all point to.

And your email was sent at 5:01 on a Friday. I hope you are done for the week soon. Maybe go get a burger, or a beverage.

Justin

From: Pyke, Chris (LNI) <chris.pyke@lni.wa.gov>
Sent: Friday, October 28, 2022 5:01 PM
To: Justin Fox-Bailey [WA] <jfox-bailey@washingtonea.org>
Subject: [EXTERNAL] RE: Technical questions about the proposed rules WAC 296-62-085 Wildfire Smoke

CAUTION: This email originated from outside of the organization. Do not reply, click links, or open attachments unless you recognize the sender and know the content is safe.

Justin,
Thank you for reaching out, and I apologize for the delayed response.

I want to first reference the Washington Department of Health (DOH) school closures guidance.

<https://doh.wa.gov/sites/default/files/legacy/Documents/4300/334-431-WildfireSmokeSCHOOLSummary.pdf>

Under the current draft, between PM_{2.5} exposures of 35.5 µg/m³ and 250.5 µg/m³ (AQI 101 – 301), school employees who spend any amount of time outdoors will need to have wildfire smoke training, and be provided N95 filtering facepiece respirators. The employees can elect to wear them or not.

The 15 minute exemption just means that employees who spend 15 minutes or less outdoors at 250.5 µg/m³ (AQI 301), are exempt from required use of respirators, but will still need to be provided respirators for voluntary use.

I want to point out that based on the DOH wildfire smoke guidance, at a PM_{2.5} of 150.5 µg/m³ (AQI 201) school guidance is to cancel outdoor activities.

The current draft of the rule for workers who spend more than 15 minutes outdoors requires respirators at either 150.5 µg/m³ or 250.5 µg/m³ (AQI 201 or 301. The final decision has not been made). And At a PM_{2.5} of 500.4 µg/m³ (AQI 500) a full respiratory protection program would be required including fit-test and medical evaluation.

Chris Pyke, M.S. (*he/him*)
Division of Occupational Safety & Health
Asbestos Program & Technical Services
Industrial Hygienist

From: Justin Fox-Bailey [WA] <jfox-bailey@washingtonea.org>

Sent: Thursday, October 20, 2022 10:43

To: Pyke, Chris (LNI) <chris.pyke@lni.wa.gov>; Reul, Nicholas K (LNI) <reni235@LNI.WA.GOV>

Subject: Technical questions about the proposed rules WAC 296-62-085 Wildfire Smoke

External Email

Good morning,

I am reaching out as a regional and local union leader with the Washington Education Association.

I'm reviewing the proposed rules for "WAC 296-62-085 Wildfire Smoke" and had some questions about their application to schools.

The proposed rules provide exemptions:

This standard applies to workplaces where the employer should reasonably anticipate that employees may be exposed to a pm_{2.5} concentration of 20.5 µg/m³ (Air Quality Index 69) or

more.

(2) The following workplaces and operations are exempt from this section:

(a) Enclosed buildings or structures in which the employer ensures that windows, doors, bays, and other exterior openings are kept closed, except when it is necessary to briefly open doors to enter and exit.

(b) Enclosed vehicles in which the air is filtered by a properly maintained cabin air filter and the employer ensures that windows, doors, and other openings are kept closed except when it is necessary to briefly open doors to enter or exit.

(c) Work within the scope of chapter 296-305 wac, Safety standards for firefighters.

(3) The following workplaces and operations are exempt from the requirements in 296-62-08580 (4), requiring the use of filtering facepiece respirators:

(a) Employees exposed to a pm2.5 concentration of less than 250.5 $\mu\text{g}/\text{m}^3$ 21 (Air Quality Index 301) for a total of one hour or less during a 24-hour period.

(b) Employees exposed to a pm2.5 concentration of 250.5 $\mu\text{g}/\text{m}^3$ (Air 24 Quality Index 301) or more for a total of 15 minutes or less during a 24-hour period.

As this might apply to exemptions and schools:

While most of the day is spent inside of enclosed structures, it is a daily occurrence that some staff will spend 15 minutes out of doors monitoring children at lunch or recess. Further, many staff spend 15 minutes or more daily monitoring students as they enter and exit busses at the opening and closing of the day. Would that behavior not be exempt? Would the rules need to apply for that outside behavior?

Given the space restrictions, many of our staff who teach PE, who coach, and who transport students, spend more than 15 minutes a day and often more than an hour a day, out of doors. How would these rules apply?

Thank you for your responses and thank you for your work on this critical issue.

Justin Fox-Bailey
Pilchuck UniServ Council, President
360-348-3062