

Demolition Safety Stakeholder Group Meeting:
12806 Gateway Drive S, Tukwila, WA; June 21, 2018 9:00-11:00 am

Meeting Summary

Organizations represented (in no particular order):

NW Laborers Employers Training Trust (NWLETT)
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Associated General Contractors of Washington (AGC)
Venture General Contracting (Venture GC)
JR Hayes Corporation
NW Laborers
Department of Labor and Industries

Welcome/Introductions:

A Division of Occupational Safety and Health (DOSH) Representative called the meeting to order at 9:05am. All attendees were asked to introduce themselves.

DOSH began the meeting with a safety tip regarding heat related illness.

Discussion:

The DOSH representative informed the group The Division of Occupational Safety and Health (DOSH) intends to conduct rulemaking to update the requirements in Chapter 296-155 WAC, Standards for Construction Work, Part S, Demolition.

The DOSH representative informed the group DOSH is initiating this change to remove confusing and unnecessary language as well as add clarification where necessary throughout the rule to improve safety.

Some rule sections that may be updated include: preparatory operations; stairs, passageways, and ladders; chutes; removal of materials through floor openings; removal of walls, masonry sections, and chimneys; catch platforms; removal of steel constructions; and, mechanical demolition.

During the meeting, The DOSH representative reviewed the WAC as currently written; and, presented the changes proposed by the agency. Each of the proposed changes was discussed among attendees. Suggestions contributed by attendees were discussed; and, documented for further discussion at future stakeholder meetings.

**Detailed Review of WAC 296-155 Part S Demolition:
WAC 296-155-775 Preparatory operations**

WAC 296-155-775 (1) The DOSH representative reviewed the WAC as currently written; and, shared with attendees the proposed changes to this section.

Stakeholder(s) questions/comments: Does the National Demolition Association Website requires membership and/or fee to use Survey?

DOSH Response: Electronic version of Survey available on Internet for free.

Stakeholder(s) questions/comments: Asked what definition of “demolition” is being used.

DOSH Response: Definition of “demolition” is from ANSI Standard – same definition OSHA uses.

Stakeholder(s) questions/comments: Asked whether “adjacent” was the most appropriate word; or, should “affected” be used?”

DOSH and attendees further discussed concerns and suggestions identified by stakeholders.

Stakeholder(s) questions/comments: As asbestos has separate rule; why not just reference the standard?

DOSH and attendees further discussed concerns and suggestions identified by stakeholders.

Stakeholder(s) questions/comments: Definitions in first part of that 1.5 page 155 Part A are applied to entire chapter, stakeholder feels definitions should be in each section so you don’t have to go back and forth, especially on a mobile phone.

DOSH and attendees further discussed concerns and suggestions identified by stakeholders.

WAC 296-155-775(2) The DOSH representative reviewed the WAC as currently written; and, shared with attendees the proposed changes to this section. The proposed changes include incorporating the safety recommendations from the engineering survey at each stage of the demolition process. The plan is identify and document hazards in the demolition plan; and, implement the recommendations to protect employees and public from hazards.

Stakeholder(s) questions/comments: Why not submit the work-plan to Labor and Industries to have on file, just in case.

DOSH and attendees further discussed concerns and suggestions identified by stakeholders.

Stakeholder(s) questions/comments: General discussion about use of; and, meaning of competent versus qualified.

Stakeholder(s) questions/comments: With regards to Survey, competent implies person can identify existing hazards.

Stakeholder(s) questions/comments: Referenced definition of “qualified” in asbestos standard.

DOSH Response: The expectation is the survey be conducted, hazards identified; and, a plan developed and implemented to protect employee(s) from hazards identified in the plan. A competent person is one who has authority to take measures. The Plan is to be available on site; not sent to Labor and Industries. However, must be able to produce if Labor and Industries visits the site.

WAC 296-155-775(3) The DOSH representative reviewed the WAC as currently written; and, shared with attendees the proposed changes to this section. The only proposed change is to remove “as specified in other parts of this chapter.”

Stakeholder(s) questions/comments: No comments or questions noted.

WAC 296-155-775(5) The DOSH representative reviewed the WAC as currently written; and, shared with attendees the proposed changes to this section. Proposed changes include separating into two sub-sections.

WAC 296-155-775 (5)(a)

Stakeholder(s) questions/comments: “competent supervision,” site may have several competent persons are not supervisors, but they do have the authority, knowledge and training. Suggested to be “Competent person authorized by employer.” This is qualified a person, has authority and takes the “supervisor” out.

Stakeholder(s) questions/comments: May represent many individuals. “Under supervision of qualified person.”

DOSH and attendees further discussed concerns and suggestions identified by stakeholders.

WAC 296-155-775 (5)(b)

Stakeholder(s) questions/comments: Re “safe” – not happy with use of this word. Came out of 800 – use 155.040.3 “you must ...hazardous to employee.” Suggest using wording from WAC 296-155-040-1 which reads: “(1) You must furnish to each employee a place of employment free from recognized hazards that are causing or likely to cause serious injury or death to employees.”

Stakeholder(s) questions/comments: Also referenced 800 series in reference to the use of the word “safe.” “Don’t add loopholes.”

Stakeholder(s) questions/comments: Wording from 296-155-040-3, recommend adding “You must not require any employee to go or be in any employment or place of employment which is hazardous to the employee.”

Stakeholder(s) questions/comments: A stakeholder pointed out that environment may include materials containing lead and asbestos, so, you couldn’t allow employees in if above wording used. Demolition, by nature, may include exposing employees to hazards; however, protective measures are taken.

DOSH and attendees further discussed concerns and suggestions identified by stakeholders.

WAC 296-155-775(9)

The DOSH representative reviewed the WAC as currently written; and, shared with attendees the proposed changes to this section. Proposed changes include separating into two sub-sections.

WAC 296-155-775(9)(a)

Stakeholder(s) questions/comments: Suggest keeping reference to Chapter 296-62 WAC and Chapter 296-65 WAC as proposed, pinpoint the “good faith” survey. Link directly to asbestos – specific reference “and the requirements within Chapter 296-62 WAC and Chapter 296-65 WAC with specific sections.”

Stakeholder(s) questions/comments: Suggest referring back to engineering Survey in WAC 296-155-775 WAC instead of referencing Chapter 296-62 WAC.

Stakeholder(s) questions/comments: “gotta have.”

Stakeholder(s) questions/comments: Comments about negatively about “clumping regulations.” Suggested the following: “...in accordance with the engineering survey and written demolition plan required in WAC 296-62, 296-65; and, in accordance with

DOSH and attendees further discussed concerns and suggestions identified by stakeholders.

WAC 296-155-775(9)(b)

Stakeholder(s) questions/comments: Concern with “any other applicable federal, state, or local regulations, laws, or rules” as “Seattle alone has countless...”

DOSH and attendees further discussed concerns and suggestions identified by stakeholders.

WAC 296-155-775(10)

The DOSH representative reviewed the WAC as currently written; and, shared with attendees the proposed changes to this section. The single proposed change is to add “prior to starting demolition.”

Stakeholder(s) questions/comments: No comments or questions noted.

WAC 296-155-775(11)

The DOSH representative reviewed the WAC as currently written; and, shared with attendees the proposed changes to this section. The single proposed change is to “height of 39 to 45 inches.” The DOSH representative explained OSHA requires height of 42 +/- 3 inches. Proposed change is to make clearer, states the same thing, doesn’t require math.

Stakeholder(s) questions/comments: Add unified fall protection changes coming from Chapter 296-155, Section C-1, wall openings.

Stakeholder(s) questions/comments: Instead of providing height in inches, instead insert “used in accordance with Chapter 296-155 WAC, Part C1.”

DOSH and attendees further discussed concerns and suggestions identified by stakeholders.

WAC 296-155-775(13)

The DOSH representative reviewed the WAC as currently written; and, shared with attendees the proposed changes to this section.

Stakeholder(s) questions/comments: Suggest matching current fall protection language, Chapter 296-155 Part C-1.

Stakeholder(s) questions/comments: Fall protection has rulemaking in process; may change to 800 Rules.

Stakeholder(s) questions/comments: If fall protection includes changes, would update strength.

Stakeholder(s) questions/comments: WAC states must use.

Stakeholder(s) questions/comments: Suggest using “or fall protection in accordance with ...” (guarding of walls from Chapter 296-155, Part C-1).

Stakeholder(s) questions/comments: Does 800 lbs include the 200lbs? Or, 800 lbs or max potential load? Should it read “four times the potential load?”

DOSH Response: People fall through the cover.

DOSH and attendees further discussed concerns and suggestions identified by stakeholders.

WAC 296-155-780 Stairs, passageways, and ladders.

WAC 296-155-780(2) The DOSH representative reviewed the WAC as currently written; and, shared with attendees the proposed changes to this section.

Stakeholder(s) questions/comments: No comments or questions noted.

WAC 296-155-780(4)

The DOSH representative reviewed the WAC as currently written; and, shared with attendees the proposed changes to this section.

Stakeholder(s) questions/comments: No comments or questions noted.

WAC 296-155-785 Chutes.

WAC 296-155-785(1) The DOSH representative reviewed the WAC as currently written; and, shared with attendees the proposed changes to this section.

Stakeholder(s) questions/comments: No comments or questions noted.

WAC 296-155-785(7) The DOSH representative reviewed the WAC as currently written; and, shared with attendees the proposed changes to this section.

Stakeholder(s) questions/comments: No comments or questions noted.

WAC 296-155-790 Removal of materials through floor openings.

WAC 296-155-795(9) The DOSH representative reviewed the WAC as currently written; and, shared with attendees the proposed changes to this section.

Stakeholder(s) questions/comments: No comments or questions noted.

WAC 296-155-810 Catch Platforms

WAC 296-155-810(4) The DOSH representative reviewed the WAC as currently written; and, shared with attendees the proposed changes to this section.

Stakeholder(s) questions/comments: Catch platform-Chapter 296-155 C-1 allows. OSHA considers scaffold and would have to meet scaffold standards.

Stakeholder(s) questions/comments: 200 lbs safety factor of 4 changed to 800 lbs-should be 800 lbs everywhere, much easier to understand.

DOSH and attendees further discussed concerns and suggestions identified by stakeholders.

WAC 296-155-820 Removal of steel construction:

WAC 296-155-820(1) The DOSH representative reviewed the WAC as currently written; and, shared with attendees the proposed changes to this section.

Stakeholder(s) questions/comments: okay with changing “razing” to “demolishing.”

Additional comments:

Stakeholder(s) questions/comments: RE: Chapter 296-62 WAC, Section 07721 #1 general industry, #2 construction. Part 1b – checklist is just a template, is it proprietary? Commissions? Maybe DOSH should create a fillable basic template to assist employers; and, include basic drop downs and, employers pay to use template.

Stakeholder(s) questions/comments: Stakeholder suggested requiring strengths of planks. Or, reference scaffold and walking working surfaces plans.

Stakeholder(s) questions/comments: Stakeholder asked about exposure control plans (lead/asbestos).

DOSH Response: Note upcoming effective date of Silica.

DOSH and attendees further discussed concerns and suggestions identified by stakeholders.

Recap:

DOSH staff and attendees discussed the changes being proposed by Labor and Industries; and, the concerns and suggestions provided by stakeholders.

Prior to adjourning the meeting, attendees were encouraged to provide additional thoughts and/or suggestions via email to discuss at future stakeholder meetings as well. It was requested suggestions and/or comments be submitted by close of business June 28, 2018 in order to process and have available at the next stakeholder meeting.

Next meetings:

The dates and locations of upcoming stakeholder meetings was provided:

Date: Wednesday, July 25, 2018

Time: 9:00-12:00; 8:30 sign in

Location: Labor and Industries, Moses Lake

3001 W. Broadway Ave

Moses Lake, WA

98837-2907

Date: Friday, August 24, 2018

Time: 9:00-12:00; 8:30 sign in

Location: Labor and Industries, Tukwila

12806 Gateway Drive South

Tukwila, WA

98168

Documents available for attendees at the start of the meeting:

- Agenda
- Chapter 296-155 WAC, Standards for Construction Work, Part S Demolition
- Changes proposed by agency to Chapter 296-155 WAC, Standards for Construction Work, Part S Demolition
- National Demolition Association Project Pre-Start Survey

Submitted after the meeting:

- Changes proposed by a representative of NW Laborers Employers Training Trust (NWLETT), received June 28, 2018.