

# Chapter 296-155 WAC, Part N Excavation, Trenching, and Shoring Preliminary Draft Rule Updates

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Washington State Department of  
**Labor & Industries**

Includes:  
Chapter 296-155-650 through 296-155-655

# Agenda

- Introductions/Rulemaking Process
- Overview of Recent Progress
- Discuss Updates to the Trenching, Excavation, and Shoring Rules
  - High-Level Summary (State initiated – why?)
  - Detailed Changes
- Q&A
- Next Steps and Timeline
- Contact Info

# Rulemaking Process

- Administrative Procedure Act (APA)
  - Chapter 34.05 RCW
- Regulatory Fairness Act (RFA)
  - Chapter 19.85 RCW
- Initiated by L&I



# Background ~ Need for Rulemaking

- Troubling spike in trenching fatalities and injuries both nationally and here in Washington.
- Evidence suggests these tragedies are preventable with planning and adherence to existing regulations.
- Rulemaking initiated in June 2021 (CR-101).
- L&I held 5 public stakeholder meetings and multiple drafts were sent via GovDelivery requesting public feedback.

# Overview of Recent Progress

- L&I convened a small workgroup comprised of business and labor representatives.
- This workgroup focused the scope of this rulemaking less on “trench rescue” as was previously shared, and more on gaining compliance with current regulations.
- This “new focus” brought the language we are sharing with you today, as well as a “Trenching & Excavation Work Plan.”

# High-Level Summary of Changes

## **State-initiated changes:**

- Added definition for “work plan”.
- Added requirement for a competent person to remain onsite anytime trenching and excavation work is being performed.
- Added requirement for a written work plan to be completed by a competent person that includes both an evaluation of the site as well as a safe work plan.
- Work plan must be available on-site for inspection by L&I.
- Employee training.

# RULEMAKING CHANGES

- WAC 296-155-655 General protection requirements.
- (13) Trench excavations. (b) The employer must complete a written work plan for any trench excavation into which an employee may enter and where a protective system is required under WAC 296-155-657 (1)(a). Employers who have created an industry specific work plan which contains the information below may continue to use their own form or use the form available on the L&I website at [www.Lni.wa.gov](http://www.Lni.wa.gov) .

# RULEMAKING CHANGES

- WAC 296-155-655 General protection requirements.
- (13) Trench excavations.
- (b) The work plan must:
  - (i) Identify all trench excavations where a protective system is required;
  - (ii) Identify the classification of soil and rock deposits;
  - (iii) Identify underground installations by using a line locate service such as 811;
  - (iv) Describe the method of protecting underground installations when the trench excavation is open;

# RULEMAKING CHANGES

- WAC 296-155-655 General protection requirements.
- (13) Trench excavations.
- (b) The work plan must:
  - (v) Describe the method of protection from surface encumbrances;
  - (vi) Describe the method of stabilizing adjacent structures;
  - (vii) Identify potentially hazardous atmospheres;
  - (viii) Describe the type of protective system to be provided;
  - (ix) Describe the procedure for the installation and removal of the protective system that protects employees from cave-ins, structural collapses, or from being struck by members of the protective system;
  - (x) Describe the frequency of inspections of trench excavations, the adjacent areas, and protective system for evidence of a situation that could result in possible cave-ins, indications of failure of protective systems, hazardous atmospheres, or other hazardous conditions;

# RULEMAKING CHANGES

- WAC 296-155-655 General protection requirements.
- (13) Trench excavations.
- (b) The work plan must:
  - (xi) Describe the method of protection for employees from cave-ins when entering or existing the areas protected by shields;
  - (xii) Describe the method of protecting workers in a trench excavation from loose soil, rock, or equipment that could pose a hazard by falling or rolling into the excavation;
  - (xiii) Describe the method of protection from hazards associated with water accumulation;
  - (xiv) Describe the safe means of egress from trench excavations;
  - (xv) Be available on-site for inspection by the department.

# RULEMAKING CHANGES

- WAC 296-155-655 General protection requirements.
- (13) Trench excavations.
- (b) The work plan must:
  - (d) Training. Prior to permitting employees into any trench excavation where a protective system is required, the employer must ensure employees are trained and instructed on the items described in (b)(i) through (xv) of this subsection.

# RULEMAKING CHANGES

## TRENCHING & EXCAVATION EVALUATION & WORK PLAN

Employer's Name: \_\_\_\_\_ Date: \_\_\_\_\_

Jobsite Name/Address: \_\_\_\_\_

Name of a competent person remaining onsite during the excavation? \_\_\_\_\_

*(If there is more than one competent person on the jobsite, you may use the back of this form to list.)*

	YES	NO*
Do you have training or knowledge in soils classification for Class A, B, C, and stable rock?	<input type="checkbox"/>	<input type="checkbox"/>
Do you have training or knowledge in use of protective systems such as shoring, benching, shielding, sloping and engineering?	<input type="checkbox"/>	<input type="checkbox"/>
Do you have training or knowledge in the requirements of Chapter 296-155 WAC, Part N, Excavation, Trenching and Shoring?	<input type="checkbox"/>	<input type="checkbox"/>
Did you obtain line locates for the area of the excavation?	<input type="checkbox"/>	<input type="checkbox"/>
Do you have authority to stop work until hazards are corrected, eliminated or controlled and to remove employees from the hazardous area until proper systems are in place?	<input type="checkbox"/>	<input type="checkbox"/>

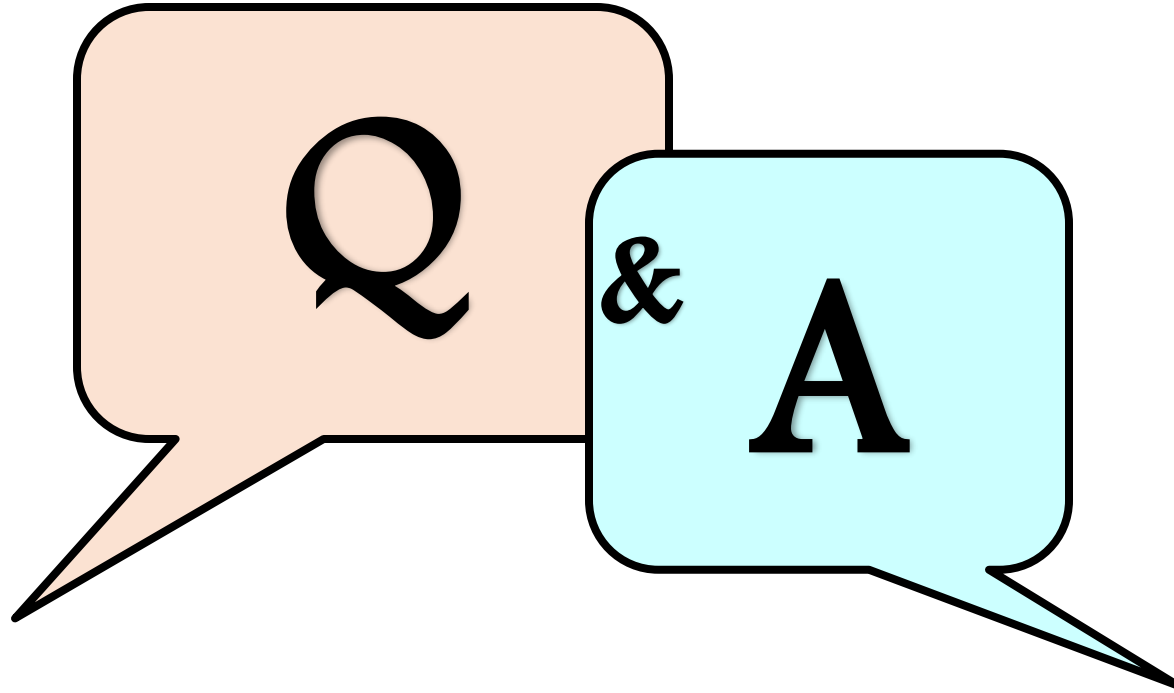
*\*If any of the questions above are marked as "NO" ~ you must stop here. This document must be completed by the COMPETENT PERSON, as described in Chapter 296-155-650 WAC, Part N, Excavation, Trenching and Shoring.*

# RULEMAKING CHANGES

<b>Equipment Used:</b>	<input type="checkbox"/> Hydraulic shoring installed per MFG requirements. MFR: _____ Serial #: _____ <input type="checkbox"/> Trench box <input type="checkbox"/> Engineered System Name of engineer: _____
<b>Conditions:</b>	<b>Soil Classification:</b> <input type="checkbox"/> Class A <input type="checkbox"/> Class B <input type="checkbox"/> Class C <input type="checkbox"/> Stable Rock <b>Underground Installations:</b> <input type="checkbox"/> Gas <input type="checkbox"/> Water <input type="checkbox"/> Sewer <input type="checkbox"/> Electric <input type="checkbox"/> Communications <input type="checkbox"/> Other: _____ How will underground installations be protected when the trench is open? _____  <b>Hazardous Atmospheres</b> <input type="checkbox"/> Continuous monitoring for Oxygen, H2S, CO and LEL <input type="checkbox"/> Ventilations fans <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other: _____
<b>Surface:</b>	Describe the method of protection from surface encumbrances:  Describe the method of stabilizing adjacent structures:
<b>Hazard Protection:</b>	Describe the method of protection from water accumulation, loose soil, rock, or equipment that could pose a hazard by falling or rolling into the excavation:
<b>Access &amp; Exiting Trench:</b>	<b>Trench access / egress:</b> <input type="checkbox"/> Ladder placed every 25' <input type="checkbox"/> Taper or slope suitable for walk-out every 25' Please describe the method of protecting employees from cave-ins when entering or exiting the areas protected by shields:
<b>Shoring Plan:</b>	Please describe system(s) used and its installation, removal, and protective measures:  Note: Excavations greater than 20' require a RPE stamped drawing. Soils engineer indicating trench work is safe.
<b>Inspections:</b>	Please describe the frequency of inspections of trench excavations:

THE WORK PLAN MUST BE KEPT ON THE JOBSITE  
AND MADE AVAILABLE TO THE DEPARTMENT IMMEDIATELY UPON REQUEST.

# Questions?



# Next Steps

## ■ Public Hearings

- February 10, 2026, 1:30 pm – Dept. of Labor & Industries, Tukwila
- February 11, 2026, 1:30 pm – CenterPlace Event Center, Spokane Valley
- February 12, 2026, 1:30 pm – Virtual via Teams

A pre-hearing overview will begin at 1:00 p.m. The formal hearing will start at 1:30 p.m. and continue until all comments are received.

## ■ Public Comment Period

- The draft rule language is available on L&I's website <https://lni.wa.gov/safety-health/safety-rules/rulemaking-stakeholder-information/trenching>
- Written comments must be received by 5:00 p.m. February 20, 2026. Please send your comments to [Carmyn.Shute@lni.wa.gov](mailto:Carmyn.Shute@lni.wa.gov)

# *Rulemaking Timeline*

- June 22, 2021: Filed/CR-101
- July & August, 2025: Input & Feedback/Stakeholder Meetings
- January 6, 2026: File/CR-102
- February 10-12, 2026: Virtual/In-Person Public Hearings
- February 20, 2026: Comment period ends 5:00 p.m.
- March 17, 2026: CR-103 Rule adoption
- May 1, 2026: Rule update effective

# Contact Information

- For technical questions, please contact:
  - Teri Neely, Technical Services Safety Program Manager
  - [Teri.Neely@Lni.wa.gov](mailto:Teri.Neely@Lni.wa.gov), (360) 490-3487
  
- To submit feedback, or for questions related to the rulemaking, please contact:
  - Carmyn Shute, Project Manager & Administrative Regulations Analyst
  - [Carmyn.Shute@Lni.wa.gov](mailto:Carmyn.Shute@Lni.wa.gov) , (360) 870-4525