

Safety & Health Rules Update | December 1, 2017

- **Confined Spaces**
 - Rule moving, main point to note is that we are going away from “non-permit” classified spaces and focusing on whether permit required or alternate entry.
- **OSHA- Recordkeeping/ Reporting**
 - Delayed indefinitely and waiting on new OSHA administration to sort it out. In the meantime, please continue doing your logs as usual. OSHA website finally went live and then crashed, is live again but it indicates that WA employers are not required to report electronically at this time.
- **OSHA- Silica**
 - ENFORCEMENT BEGAN SEPTEMBER 23rd, with a 30 day enforcement “hold” in OSHA jurisdiction. Stay tuned, as AGC of America is still fighting this rule in the courts. This rule is aiming for a new PEL of 50 micrograms or follow the guidelines in Table 1 of the rule. See AGC Silica Resource Guide on our website for more info on what to expect in WA.
 - We are adopting OSHA identical language with the exception of some stuff on Tuberculosis. Our rule should be adopted by year end or early January, and into effect (enforceable) by end of January. Construction is part of a phased-in compliance roll-out, and will be enforceable in fall of 2018.
 - See AGC website for our FREE Silica Training dates- Jan 24
 - Stakeholder meeting December 15, Tumwater 9 am
- **Lead**
 - A stakeholder meeting recently occurred and the Department said it is “unknown” when a draft will be ready. AGC maintains the position that most lead over exposures come from a deference to the rules in general and would not be greatly impacted by a PEL change, but rather better enforcement and outreach on existing rules. .
 - <http://www.lni.wa.gov/Safety/Rules/WhatsNew/LeadSafety/default.asp>
- **Trolley Lines**
 - . A directive was issued on March 25th 2016 that dictates working rules under trolley lines. Department has received resistance from IBEW that has asked Federal OSHA to look into our directive despite a favorable response from Region 10 office. Meeting on January 5, Tukwila 9 am. Last stakeholder meeting was poorly attended, so we need members to be at this next meeting.
 - <http://www.lni.wa.gov/safety/rules/policies/pdfs/dd1870.pdf>
- **Dig Law Stakeholder**
 - Small refinements to the dig law promulgated in 2012. Key areas of focus are: Positive response, tolerance zones, large project clauses, definition of excavation, un-locatable utilities.
 - Next Meeting December 18, 9am, UTC Headquarters
- **Fall Protection**
 - <http://www.lni.wa.gov/Safety/Rules/WhatsNew/Proposed.asp>
 - Most notable change would be changing all items from a 10 foot trigger height down to 4 feet.
 - **SEPARATE** Rulemaking effort- Unified Fall protection rule- Statewide stakeholder meetings
- **Cone Setting-**
 - Meeting held December 1. No progress had been made since the April 25th meeting, stakeholders shared concerns and requests again. . Industry stakeholders provided considerable feedback to the department to consider in redrafting the directive. Draft directive language avail, contact Mandi Kime or Doug Stiffarm for a copy.
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For more information on these and other Safety & Health Rule issues, please contact Mandi Kime (mkime@agcwa.com or 206-786-6517)