



San Francisco Department of Public Health

Barbara A. Garcia, MPA
Director of Health

City and County of San Francisco
Edwin M. Lee
Mayor

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Steve Smith
Amalia Neidhardt
Cal/OSHA Research & Standards Unit
Elihu Harris State Building
1515 Clay Street
Oakland, CA 94612
ssmith@dir.ca.gov
qneidhardt@dir.ca.gov

Re: Comments on the May 25, 2017 draft of the Heat Illness Prevention in Indoor Places of Employment regulation

(a) Scope and Application

As written the current scope is unclear and will be overly burdensome to many employers where protection from heat illness is not needed. It is not clear if the temperature trigger of 85 F is the outside temperature or the temperature inside the facility. If it is an inside temperature, the scope should clarify if this is the average temperature or the highest temperature at any location within the facility. It is also not clear how this standard would apply to employees who do not have a fixed work location, such as Home Health staff who work in many different private homes each day.

The current scope will be overly burdensome to many employers with places of employment located in areas where the outside temperature rarely exceeds 85 F and there is no significant source of heat in the workplace. For example, the City and County of San Francisco operates many facilities in San Francisco that do not have air conditioning. Examples include office buildings, medical clinics, libraries, police stations, fire stations, etc. In 2016, the outside temperature in San Francisco exceeded 85 F on only 9 days. The current scope doesn't have any limitations on the number of days, hours or minutes, where the temperature might exceed 85 F dry bulb. As written, any measurement at a place of employment that has a measured 85 F temperature would fall under this Section. Facilities with only brief or intermittent temperatures at or above 85 F would have to meet the requirements. This is costly to employers in areas where protection from heat illness is not needed.

The San Francisco Department of Public Health has approximately 8,000 employees at 89 facilities. Not all of these facilities are air conditioned. A review of our OSHA 300 logs for the last 10 years does not show any reports of heat illness.

An office building, where the indoor temperatures are normally controlled below 85 F, and with no radiant heat sources, would be required to meet the requirements of this Standard if the temperature in the building increased to 85 F while the air conditioning system is under repair or is down due to maintenance.

- (i) This Standard should exempt those facilities without significant radiant heat sources, where there is normally a functioning HVAC system that is designed to control the indoor temperature below 85 F (dry bulb) and where the HVAC system may be shut down for intermittent repair or maintenance for a limited period of time. In such cases, the IIPP can address short term increases in indoor temperature.
- (ii) This Standard should also exempt facilities without air conditioning systems, where there is no significant radiant heat source, where the controlling factor for indoor temperature is outside temperature and where the outdoor temperature at the location does not usually equal or exceed 85 F for more than 20 days a year. Alternatively, the trigger temperature for such facilities could be increased to 90 F.
- For both (i) and (ii) above any potential hazard from heat illness should be addressed in the Injury and Illness Prevention Program.

(b) Definitions

Heat Index: Use of indoor Heat Index rather than using dry bulb temperature creates additional burden to the employer since it requires the ability to accurately measure relative humidity (RH). For Employers with multiple locations, this requires the employer to install measuring equipment at every facility. This is particularly important in cities such as San Francisco where the relative humidity at the coast can be significantly different than inland locations just a few miles away.

- Recommend eliminating the Heat Index and using dry bulb and work activity level to assess exposure. Employees with sedentary work tasks have less exposure risk than moderate or high activity jobs.

Note: The Heat Index Table provided in Appendix only goes down to RH 40%.

Cool Down: This Section requires a Cool Down area when the Heat Index is 80 F or above.

- Recommend removing the requirement for a cool down area for locations without radiant heat sources, where the source of heat load is from outside temperatures. In large office buildings, it would be impossible to provide a large cool down area within the building for all staff.

Heat Wave: Calculating whether a Heat Wave is present will require each of our facilities to separately measure the outside temperature at their locations. In San

Francisco, there can be a wide variation between coastal and inland locations so each location will need to have measurement equipment. Facilities will need to add automated temperature reading instruments for locations where the facility is closed during any of the 5 preceding days (which may fall over a weekend). This requirement is burdensome and does not provide protection for employees.

(d) Assessment of Heat Illness Risk

It's unclear how we would determine where heat exposure is at or near the highest levels in locations where the primary source of indoor heat comes from the outdoor temperature. As written, we would need to reassess each facility every time the exposure might exceed the last, highest, exposure which could be triggered by a small change in RH or temperature. For facilities that don't have radiant heat sources and where the temperatures are normally controlled by air conditioning system or where the ambient temperatures are normally below 85 F for most of the year, this requirement would be burdensome and costly.

- We recommend removing this assessment requirement if the facility meets the criteria listed in our comments under Scope and Application

Posting an assessment of heat index (HI) measurements at all locations will be burdensome. In addition, some locations have, floors, rooms or other areas that may have different Heat Index measurements. This will trigger multiple measurements per location and multiple posting requirements.

The assessment requires the ability to accurately measure temperature and relative humidity at every location where an employee may be assigned. For Public Health Nurses who perform work tasks within a client's private home or Environmental Health Inspectors who routinely visit private business, it would be impossible for the Employer to meet the requirement of measuring each of these locations.

Annual assessment of heat illness risk is too burdensome for facilities that meet the criteria we described earlier in our comments.

- We recommend allowing facilities to use HVAC system data to comply with meeting the temperature measurement requirement.

(e) Rest and Hydration

There needs to be some established threshold for employees to take preventive cool-down breaks. As written, the standard applies to any place of employment when the temperature is 85 F, but this section doesn't require that any measured temperature at the employees work location be the criteria/threshold of when these breaks are allowed.

(h) Control Measures

The requirement for Employer to conduct a pre-shift meetings before commencement of work to review the heat plan should only apply to facilities where there has been a documented heat illness, where there are radiant heat sources, where the employees have moderate to high activity work tasks and where the indoor dry bulb temperatures exceed 85 F.

(i) Training

- Recommend removing the annual training requirement for employers who have not had a reported case of heat illness in the preceding 5 years and where the facility does not have radiant heat sources and workers are primarily working in sedentary jobs.

(j) Recordkeeping.

Employees should not be allowed to bring personal mercury containing thermometers into the workplace to measure indoor temperature.

Thank you for the opportunity to provide these comments on this important proposal.

Sincerely,



Vickie L. Wells
Director, Occupational Safety and Health
City and County of San Francisco Department of Public Health
101 Grove St, Room 217
San Francisco, CA 94102
Vickie.Wells@sfdph.org
415-554-2797