

February 21, 2019

Nazir Fazli, CUSP  
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Los Angeles Department of Water and Power (LADWP)  
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Sent Via email to [aneidhardt@dir.ca.gov](mailto:aneidhardt@dir.ca.gov)

Amalia Neidhardt, MPH, CSP, CIP  
Research and Standards  
Division of Occupational Safety and Health  
California Department of Industrial Relations  
1515 Clay St.  
Oakland, CA 94612

Dear Ms. Neidhardt:

LADWP appreciates the opportunity to provide input and recommendations to the proposed Indoor Heat Illness Prevention in places of employment. Specific comments and recommendations to the latest draft of the proposed regulation are included below.

The LADWP is proposing indoor spaces at an electrical utility be exempt from the assessment subsection only that is (e)(1)(A) through (e)(1)(D) of the proposed regulation. Within these spaces are electrical equipment that radiates heat. The heat radiated is based on the electrical load, the number of equipment, type of equipment, condition of equipment, and the ambient temperatures. The same

space can be measured the exact same time every year and the temperatures may be different each time. So the history of the indoor space is not always indicative of future indoor temperatures. The DWP is instead proposing that when working within these indoor spaces our employees will work as if the temperature is 87° f or greater. In this proposal, all the requirements of the Indoor Heat Stress regulation with the exceptions outlined above will be utilized regardless of the temperature. This includes the following:

- Provision of Water
- Access to Cool-Down Areas
- Control Measures
- Emergency Response Procedures
- Close Observation during Acclimatization
- Training
- Heat Illness Prevention Plan

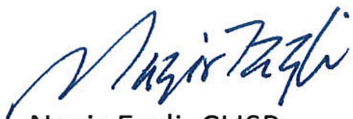
**“EXCEPTION: For areas where the installation of conductors, equipment, and associated enclosures subject to the jurisdiction of the California Public Utilities Commission, that are owned and operated by an electrical utility if it is subject to the conditions listed in subsection (a)(2), the employer is not required to comply with subsections (e)(1)(A) through (e)(1)(D). Under this provision, the employer assumes that the indoor space is at or above 87° f. However, the employer is subject to all other provisions of this standard.”**

There is precedence in the General Industry Safety Orders (GISO) for assuming there is a hazard whether it is real or not. It is located in the asbestos standard, GISO 5208 whereby the employer can assume a material contains asbestos (Presumed Asbestos Containing Material-PACM) without conducting any material testing to verify it is asbestos containing material. In this scenario, the employer assumes a material contains asbestos and handles it as such with employee training, personal protective equipment, work procedures, etc. This is very similar to the provisions presented in this proposed exception to the Indoor Heat Illness Prevention Draft.

Visits are frequently short in duration often completed within 30 minutes or less. The effort and time it takes to assess and document temperature readings do not provide any meaningful employee protection from indoor heat stress. Instead, the time and effort to procure equipment, measure temperatures, and record data is burdensome. We believe this effort and time can best be used to comply with the other elements of the Indoor Heat Stress regulations as listed above. It is compliance with all the other elements that provide protection from indoor heat illness.

Thank you for allowing us to submit our recommendations. Please contact me at 818-771-4814 or [nazir.fazli@ladwp.com](mailto:nazir.fazli@ladwp.com) if you have any questions regarding the above comments.

Thank you,

A handwritten signature in blue ink that reads "Nazir Fazli". The signature is fluid and cursive, with the first name "Nazir" being larger and more prominent than the last name "Fazli".

Nazir Fazli, CUSP

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