



Sacramento Municipal Utility District
6301 S Street
Sacramento, CA 95817

April 26, 2019

Amalia Neidhardt
California Occupational Safety and Health Administration
2424 Arden Way, Suite 165
Sacramento, CA 95825

Subject: SMUD comments on Draft Regulatory Text for Discussion
5141.1. Protection from Wildfire Smoke

Dear Ms. Neidhardt:

The Sacramento Municipal Utility District (SMUD) is committed to partnering with the Division of Occupational Safety and Health and the Occupational Safety and Health Standards Board on improvements in workplace safety. SMUD welcomes the opportunity to comment on the discussion draft of proposed regulation 5141.1, Protection from Wildfire Smoke.

SMUD generally supports the Standards Board's effort to provide direction regarding protection of employees in the workplace from wildfire smoke. To ensure that SMUD and other utility employers can continue to provide safe and reliable electric service required to respond to wildfire events in a manner that protects the safety and health of our employees, we urge the Standards Board to consider clarifications to the draft regulation outlined in the following comments.

SECTION: (a) Scope (1) (A)

The scope of the exemption provided for workplaces that are "[e]nclosed buildings or structures where the air is filtered by mechanical ventilation system and employee exposure to outdoor or unfiltered air is effectively limited" is not clear. In this context limited exposure would appear to be distinguished from "effective filtration" but it is not clear what parameters are assumed to define "limited" exposure. Clarification is required to ensure that properly filtrated office buildings with personnel entrances are exempt from the requirements of section (f).

If this is not the intent, then SMUD would urge certain refinement to the controls outlined in the draft regulation language, as follows:



(f) (1) Engineering controls – Employee exposures to PM2.5 corresponding to an AQI exceeding 150 shall be prevented by engineering controls whenever practical, such as providing enclosed structures or vehicles with effective filtration of PM2.5 for employees to work in.

(f) (3) Control by Respiratory Protective Equipment.

Add Note 3: Respiratory protection for employees working inside buildings or structures meeting the definitions of Section (a) (1) (A) will not be required.

SECTION: (a) Scope (1) (E)

SMUD would also urge clarification to the exemption offered for “[e]mergency response personnel performing lifesaving emergency rescue and evacuation.” Utility work is very often a critical component of allowing emergency response personnel to access and perform their critical activities, whether it is securing down power lines, restoring electric power, or other collaborative activities that are fundamental to emergency services. Thus, SMUD would also request consideration of a new Note 1 to this section that clarifies utility personnel performing work supporting lifesaving rescue and evacuation activities are included in the emergency response personnel exemption covered in (E).

SMUD appreciates the opportunity to provide comments on the proposed Emergency regulation. If you have further questions, please contact me at (916) 732-6327.

Sincerely,

A handwritten signature in blue ink, appearing to read "Patrick Durham", is written over a large, light blue circular scribble.

Patrick Durham
Director, Environmental, Safety & Real Estate Services
Sacramento Municipal Utility District

cc

Bruce Zike
Dan Driscoll
Joy Mastache
Laura Lewis
Frankie McDermott
Gary King
Timothy Tutt

Ross Gould
Terry Hicks
Casey Fallon
Laurie Rodriguez
Steve Lins
Attila Miszti
Mike Deis