



VENTURA COUNTY OFFICE OF EDUCATION

Stanley C. Mantooth, County Superintendent of Schools

April 23, 2019

Electronic Submission

Eric Berg

Deputy Chief of Health

eberg@dir.ca.gov

Subject: Comments on CalOSHA Draft Regulatory Text: Protection from Wildfire Smoke

Dear Deputy Chief Berg:

I am writing you today on behalf of the Ventura County Office of Education in order to submit the following comments on the California Occupational Safety and Health Administration's (CalOSHA's) *Draft Regulatory Text on Section 5141.1, Protection from Wildfire Smoke*.

We are concerned that there are unintended impacts of these regulations on our schools which may not have been thoroughly considered.

Unfortunately, wildfire smoke has become a reality for employees and employers in California and your efforts to insure their safety during a hazardous smoke event are both critical and commendable. That said, some of the requirements contained in the draft regulations may cause our schools to close at times when they may – ironically – be the safest place for children during a hazardous smoke event. In the case of our most vulnerable children, schools may actually provide access to much cleaner air than they would experience at home or elsewhere.

The proposed regulations also incorporate a migration to the use of upgraded air filters. Many of our local school districts have informed us of the difficulty to upgrade because their existing systems lack the capacity for the new filters. In order to meet these requirements, they would need to completely overhaul and/or replace these systems; requiring both time and money better spent on our children's education. If this proposed regulation becomes reality, will funding be provided to upgrade these systems?

We also have concerns about new requirements relative to both indoor and outdoor air monitoring. Although the regulations describe an exemption for employers demonstrating a concentration of indoor air below an AQI of 150, we are not aware that any accurate method currently exists to monitor air quality in this manner. If such a device exists, the regulations should specifically identify it and how it is to be used in order to avoid inaccuracies which could lead to a false sense of security or false alarms. With regard to outdoor air, not all areas are well covered by government monitors that measure PM2.5. How will these things be adequately addressed in the regulations?

Comments on CalOSHA Draft Regulatory Text: Protection from Wildfire Smoke
Page 2

Lastly, we have been advised by Public Health and air quality experts that N95 respirators are not recommended for children because the masks are not designed for them; i.e., they can give a false sense of security and in some cases can cause deeper inhalation of toxic air. Even for adult staff, we have been advised that all masks need to be properly fit tested in order to be effective. If masks are handed out to students and staff when the outdoor AQI exceeds 150, how will we realistically protect our children?

In summary, the draft regulations are a worthwhile effort to insure health and safety during wildfire events. However, moving forward with these regulations in their current form presents challenges that need deeper and more careful consideration. As currently proposed, these regulations could have the consequence of closing schools for unnecessarily long periods of time and leave vulnerable children without access to cleaner air. Please consider phasing these regulations in over time and with appropriate modifications that enable us to best serve and protect our children and employees.

Thank you in advance for your attention and consideration.

Sincerely,



Stan Mantooth
Ventura County Superintendent of Schools

CC: Misty Key, Associate Superintendent, Ventura County Office of Education

Elizabeth Atiliano, Executive Director, Ventura County Schools Self-Funding Authority