



CALIFORNIA
ASSOCIATION
of WINEGRAPE
GROWERS

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RE: Emergency Regulation re Wildfire Smoke Protections – Additional Comments

Thank you for hosting the stakeholder meeting earlier this week and accepting additional comments through today. We appreciate your efforts and this letter is following up on testimony I provided at the meeting.

The California Association of Winegrape Growers (CAWG) and our members are committed to the safety of those who work in vineyards. Our growers have effective injury and illness prevention plans in place and monitor workplace safety on an ongoing basis.

CAWG concurs with the recommendations submitted today by Robert Moutrie with the California Chamber of Commerce. We also have additional recommendations which are discussed below:

Recommendation #1

(a) Scope.

(1) This section applies to workplaces where **a wildfire smoke advisory has been issued by the regional air quality management district and the district reports the Air Quality Index (AQI) for PM2.5 is greater than 150.**
~~regardless of the AQI for other pollutants, and~~



~~(A) A wildfire smoke advisory has been issued by a local, regional, state, or federal government Agency; or
(B) There is a realistic possibility that employees may be exposed to wildfire smoke.~~

This recommendation is intended to provide much-needed clarity. Air quality management districts (AQMDs) routinely issue smoke advisories. These advisories provide information on the source of the smoke, the air quality for the area, and the areas that are subject to the smoke. (Please see attached example.) This regulation is intended to have a system in place to respond to the emergency of wildfire smoke. In such a situation, the AQMD will always issue an advisory. Therefore, the AQMD advisory should be the trigger for when this regulation would be applied.

Recommendation #2

(d) Communication. The employer shall establish and implement a system for communicating wildfire smoke hazards, as required by section 3203, in a form readily understandable by all affected employees without fear of reprisal. The system shall include effective procedures for:

(1) Informing employees of:

(A) The current **AQI for PM2.5 as reported by the regional air quality management district. PM2.5 levels;**

(B) **Changes-Information from the wildfire smoke advisory issued by the regional air quality management district relative to changes** in conditions that may lead to a worsening of air quality, such as changing wind patterns or temperature inversions; **and**

(C) Protective measures available to employees to reduce their wildfire smoke exposures; **and**

(D) **Information contained in a form provided by the Department of Industrial Relations listing any adverse symptoms likely resulting from wildfire smoke exposure such as asthma attacks, difficulty breathing, and chest pain.**

(2) Encouraging employees to inform the employer of:

(A) Worsening of air quality;

(B) Changes in conditions that may lead to a worsening of air quality, such as changing wind patterns; and

(C) Any adverse symptoms likely resulting from wildfire smoke exposure such as asthma attacks, difficulty breathing, and chest pain.

This recommendation will create consistency in communication by providing current and accurate information from the AQMD and DIR and reduce subjectivity in how worker safety information is effectively communicated to the worker.



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Recommendation #3

(f) (3) (A) Where the AQI exceeds 150 and is less than 301, the employer shall provide respirators to all employees for voluntary use in accordance with section 5144 ~~and encourage employees to use respirators~~. Respirators shall be NIOSH-approved devices that effectively protect the wearers from inhalation of PM2.5 (such as N95 filtering facepiece respirators). Respirators shall be cleaned, stored, and maintained so that they do not present a health hazard to users. Employers shall use Appendix A to this section in lieu of Appendix D to section 5144 for training regarding voluntary use of respirators

The above recommendation is in addition to the changes requested in the letter from Robert Moutrie of the California Chamber of Commerce. With all the information being provided in (e) and (d) as well as in Appendix A, workers are essentially being encouraged by the information itself to voluntarily use a respirator. However, to then go further and additionally require the employer to encourage the voluntary use of the respirator may create the situation where a worker may inadvertently feel pressured into using the respirator.

CAWG also awaits a draft of Appendix A and is hopeful that the draft will address other concerns relative to (e). Our objective here is to provide uniformity and consistency in accomplishing the goals of this provision.

Thank you for your consideration of our recommendations and please feel free to call on me any time.

Sincerely,

Michael Miiller
Director of Government Relations
California Association of Winegrape Growers

Attachment: [Wildfire Smoke Advisory](#), Mendocino County AQMD, November, 2018

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**MENDOCINO COUNTY
AIR QUALITY MANAGEMENT DISTRICT**

**ADVISORIES FOR MENDOCINO COUNTY AIR QUALITY
AND PUBLIC HEALTH**

Tuesday through Monday , November 20-26, 2018

November 20, 2018 11:00 a.m. Firefighters continue to make good progress on the Camp Fire in Butte County, with containment up to 70% from 66%, and emissions remaining in the low range. Overall smoke emissions will likely continue to be in this low range until Wednesday's rain comes in. The smoke in Mendocino County will likely persist one more day today, improving late afternoon ahead of tomorrow's rain. Smoke should completely clear out with substantial rain, but could persist at reduced levels if the rainfall is light.

Currently air monitors show particulate matter concentrations in the "Unhealthy for Sensitive Groups" to "Unhealthy" range in Ukiah and Willits. Other areas of inland Mendocino County are expected to have periods of "Unhealthy for Sensitive Groups" to "Unhealthy" conditions depending on wind. The Mendocino Coast is currently experiencing "Good" to "Moderate" concentrations. Air quality is expected to improve after Wednesday. Please see the accompanying Public Health Advisory for recommendations of personal protection for sensitive groups, as well as everyone during "Unhealthy" or more severe, air quality conditions.

Mendocino County Air Quality Management District continuously monitors the air quality, reporting particulate matter and ozone concentrations hourly to our website: www.mendoair.org and AirNow.gov. In the sidebar on the right of our webpage (scroll down if using a mobile device), under "**Air Quality for Mendocino**"--**Click Here** for current conditions, forecast, and email alerts. For additional information, click on an air quality index range, or the colored tabs below the map.

For more air quality information visit: <https://airnow.gov> the District's preferred online source of certified, accurate regulatory air quality data. Other networks that provide air quality data are still under evaluation and may provide unverified data.

To sign up for air quality notifications visit: <http://www.enviroflash.info/signup.cfm>



Mendocino County Health & Human Services Agency

Healthy People, Healthy Communities

Tammy Moss Chandler, Director
Anne Molgaard, Chief Operations Officer



Barbara Howe, Public Health Director
Gary Pace, M.D., Public Health Officer

When the Mendocino Air Quality Management District advises that the air quality is “unhealthy” or “hazardous:”

1. A primary concern is that “high-risk groups” --people over 65, under 12, pregnant women, and those people with pre-existing lung disease (such as asthma, bronchitis, COPD) or heart problems-- are at particular risk from breathing this air and should take extra precautions. Leave the smoky area, if possible, or at least stay indoors and limit physical activity.
 - a) People with pre-existing illnesses should carefully adhere to their medical treatment plans and maintain at least a five-day supply of prescribed medications.
2. Clearly, everyone is a risk when the air quality is in the “unhealthy” or “hazardous” range. If it is not possible to leave the area where smoke is present, recommendations are to limit outdoor activity and unnecessary physical exertion.
3. Smoke from wildfires contains chemicals, gases, and fine particles that can harm health. The greatest hazard comes from breathing fine particles, which can reduce lung function, worsen asthma and other existing heart and lung conditions, and cause coughing, wheezing and difficulty breathing.
4. Wearing a protective mask may offer some protection. N-95 masks can reduce contact with some of the harmful particulate matter, but they also increase the work of breathing and they don’t keep the smoke out, so they are not terribly effective as a general protective measure. It is much better to avoid the smoky air, if possible.
 - a) There are not effective masks for children.
 - b) If you would like N95 masks, they can be obtained for free at the libraries, and at Public Health.
 - c) Dust masks (different from N95) are not protective and really should not be used.
5. If you have air conditioning, turn it to interior recirculation or turn off and use fans. This prevents the intake of the outside, smoky air. Avoid vacuuming (which stirs up the dust) or increasing smoke in the house (for example burning candles or incense, or smoking cigarettes).
6. If you, or someone with you, begins to experience significant symptoms, such as dizziness, shortness of breath, or chest discomfort, get them out of the smoke and have them rest. If symptoms continue, seek medical attention.
7. Getting enough rest and drinking plenty of fluids may be helpful.