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*Making Conservation
a California Way of Life.*

May 13, 2019

Ms. Amalia Neidhardt
Research and Standards
Division of Occupational Safety and Health
California Department of Industrial Relations
1515 Clay Street
Oakland, CA 94612

Dear Ms. Neidhardt:

The California Department of Transportation (Caltrans) appreciates the opportunity to provide comment to the proposed emergency rule on Protection from Wildfire Smoke

The following are questions and/or comments based on the current draft dated April 12, 2019.

- **(a) Scope:**
 - (1) The Air Quality Index for PM 2.5 is greater than 150 should NOT be set at lower minimum.
 - (2)(C): How is an employer to demonstrate that the PM 2.5 in the air does not exceed an AQI of 150?
 - (2)(E): Emergency response personnel needs to be defined in the definition and should include the Caltrans personnel. Caltrans is considered a first responder in emergency situations and in the most recent Northern California wildfire, Caltrans personnel were on the front lines directing traffic and closing roads to ensure public safety.
 - Will DIR be issuing alerts as they do currently for hot weather events?
- **(b) Definitions:**
 - Recommend removing language regarding enclosed buildings, structures, or vehicles and focus on outdoor employees.
- **(c) Identification of harmful exposures:**
 - What are employers/employees to do if no AQI's are available for a specific work area?
 - What is the definition of periodic? Twice daily? Every two hours?
- **(d) Communication:**

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- In a work environment that is changing rapidly and has limited access to electronic information, what is Cal/OSHA's expectation on how employers are expected to communicate the current PM Levels and changes in air quality?
- **(e) Training:**
 - What is the expected timeline for compliance with training?
 - Will employees need this training on an annual basis?
 - (4) Employees may not have access to computers or smart phones to check the AQI.
 - (9) Recommend removing this as it is covered under another regulation.
- **(f) Control of harmful exposures to employees**
 - (3)(A): suggest striking "and encourage employees to use respirators."
 - (3)(A): where the AQI exceeds 150 and is less than 301, employer shall provide for voluntary use. If voluntary, no fit test or medical required, but what about facial hair? N95 and P100 dust masks are disposable so we wouldn't clean them. They would be discarded at the end of the shift or as necessary throughout the shift.
 - (3)(A): Is there a Time Weighted Average (TWA) for daily exposure?
 - (3)(B): How are employers to prepare for AQI's of 301 or greater? As there is no way to pre-plan this exposure level, would all employees who work in the field required to have fit tests, medical evaluations and shaving of facial hair?
- **NOTE 1 for subsection (f)(3)(A).** Respirator use is not required when the AQI is less than 301? So not required if air quality is Very Unhealthy or Unhealthy?

Sincerely,

Shanna Everts

SHANNA EVERTS
Office Chief
Office of Health and Safety
Division of Safety and Management Services