

# **L&I Emergency Wildfire Smoke Rules**

## **What you need to know as an employer**

The new rules apply mainly to workers that are not in environments with filtered air (offices, vehicles, etc.)

So, the rules are likely to apply to construction industry employers and workers since most of the work is outdoors/in an unfiltered environment.

Q: As an employer, how do I know when the Wildfire Smoke rules apply?

A: This standard applies to workplaces where the employer “should reasonably anticipate” that employees may be exposed to wildfire smoke

Q: As an employer, once I “reasonably anticipate” employee exposure, how can I verify that there is actual exposure?

A: There are several websites and mobile apps available for employers to check air quality:

(a) NowCast PM2.5, available at:

- U.S. Forest Service AirFire website <https://portal.airfire.org>; or
- Other online sources.

(b) NowCast AQI, available at:

- U.S. EPA AirNow website <https://www.airnow.gov/>;
- "EPA AirNow" mobile app (free);

or:

- EPA Enviroflash.info <http://www.enviroflash.info/>;

- Other online sources; or

- Directly from the U.S. EPA or local clean air agency by telephone, email, text, or other effective method.

(c) NowCast WAQA is available at:

- Washington Air Monitoring Network website <https://enviwa.ecology.wa.gov/home/map>;
- "AirQualityWA" mobile app (free);

- Washington Smoke Information website <https://wasmoke.blogspot.com/>

Or:

- Directly from the Washington state department of ecology, or local clean air agency by telephone, email, text, or other effective method.

Q: At what air quality levels do I as an employer have to take action?

A: There are two measurement standards: **WAQA** and **AQI**

Under an **WAQA level of 101 or an AQI level of 69**, the following actions are required:

1. The employer must provide all workers effective information and training regarding wildfire smoke before work that exposes the worker to PM2.5 (particulate matter) levels of: **(WAQA 101/ AQI 69)** or more, and at least annually thereafter (see link to **Appendix B** below for training requirements)
2. At this exposure level, employers are encouraged to implement exposure controls. Such controls include:
  - (a) Providing enclosed buildings, structures, or vehicles where the air is adequately filtered;
  - (b) Providing portable HEPA filters in enclosed areas;
  - (c) Relocating work to a location with a lower ambient air concentration of PM2.5;
  - (d) Changing work schedules to a time with a lower ambient air concentration of PM2.5;
  - (e) Reducing work intensity;
  - (f) Providing additional rest periods.

In addition, at **WAQA 101/AQI 69**, the employer is encouraged to provide respirators at no cost to employees upon request. Alternatively, workers may request to provide and wear their own respiratory protection voluntarily.

Under **WAQA level of 173/AQI level of 151** or more, the employer must implement exposure controls (see (a)-(f) above) whenever feasible.

In addition, at **WAQA 173/AQI 151**, the employer must provide respirators at no cost to all employees, and encourage employees to use respirators.

Q: Are there any training materials available for employers to use?

A: Yes – go to the link below and Appendix B is a complete set of Wildfire Smoke Training Requirements for employers – fill in the blanks and use it to train employees and supervisors.

**\*\*Use this as a template for your training/documentation of training\*\***

<https://lni.wa.gov/rulemaking-activity/AO21-26/2126CR103EAdoption.pdf>