

FOR CONTRACTORS

CAL/OSHA EMERGENCY WILDFIRE SMOKE REGULATIONS Effective July 29, 2019

SCOPE

THIS REGULATION APPLIES TO SPECIFIED WORKPLACES

The current Air Quality Index (AQI) for the pollutant PM 2.5 (particulate matter) is at least 151, and the employer should reasonably anticipate that employees may be exposed to wildfire smoke.

The following workplaces are **EXEMPT** from this regulation:

- Enclosed buildings or structures with filtered air by a mechanical ventilation system and the employer ensures that windows, bays, other openings are kept closed
- Enclosed vehicles with filtered air where windows, doors, other openings are kept closed
- **The employer demonstrates that the concentration of PM 2.5 in the air does not exceed an AQI of 151 by conducting worksite measurements**
- **Employees exposed to an AQI for PM 2.5 of 151 or greater for a total of one hour or less during a shift**
- Firefighters engaged in wildland firefighting

EMPLOYER RESPONSIBILITIES

IDENTIFICATION OF HARMFUL EXPOSURES

Determine employee exposure to PM 2.5 before each shift and periodically thereafter as needed by checking the AQI forecasts from any of the following websites. Employers may also obtain AQI forecasts and information directly from these agencies via telephone, email or text.

- **AirNow** - *This site provides: a search by your zip code; under "Local Air Quality Resources" it provides a city-by-city breakdown of your identified region; and provides links to the 35 Air Pollution Control Districts.*
- **BreatheWell (CARB)** - *On this site you can Set Your Location by zip code and search other locations to determine AQI.*
- **California Air Resources Board**
- **Local Air Pollution Control District CARB** - *This site provides contact/website information for all 35 Air Pollution Districts in CA.*
- **US Forest Service Wildland Air Quality Response Program** - *Scroll down to "Monitoring" and click on any denoted areas.*

Or, employers may measure PM 2.5 at the worksite with a direct-reading particulate matter monitor – this option must be executed consistent with Appendix A "Measuring PM 2.5 Levels at the Worksite," of the regulation which provides guidance on the process. [Appendix A: Pages 5-6 of Regulation link below]

COMMUNICATION

Employers must establish and implement a system for communicating wildfire smoke hazards in a form readily understandable by all affected employees.

- Communication must include the current AQI for PM 2.5 and protective measures available to employees to reduce their exposure.
- Employers shall encourage employees to inform their employer of worsening air quality, and any adverse symptoms that may result from exposure to wildfire smoke such as asthma attacks, difficulty breathing, chest pain – employees must not suffer retribution or reprisal for such action.

TRAINING and INSTRUCTION

The employer shall provide employees with effective training and instruction consistent with Appendix B, “Information to be Provided to Employees (Mandatory).” [Appendix B: Pages 7-11 of Regulation link below]

Training must address:

- Health effects of wildfire smoke
- The right to obtain medical treatment without fear of reprisal
- How employees can obtain the current AQI for PM 2.5
- The requirements of the regulation
- The employer’s two-way communication system
- The employer’s methods to protect employees from wildfire smoke
- The importance, limitations, benefits and proper use of respirators for smoke exposures

CONTROL by RESPIRATORY PROTECTIVE EQUIPMENT

- **VOLUNTARY USE**

Employers must provide respirators, such as N95 filtering facepiece respirators, for voluntary use when the AQI reaches 151. [Voluntary use does not require fit-testing.](#)

- **MANDATORY USE**

When the AQI for PM 2.5 exceeds 500, respirator use is mandatory and subject to the requirements of General Industry Safety Order §5144, [including fit-testing.](#)

CONTROL of HARMFUL EXPOSURES TO EMPLOYEES

- Control harmful exposures with engineering controls, administrative controls, and voluntary respirator use.
- Engineering controls – include providing enclosed buildings, structures or vehicles where the air is filtered. These are considered the first order of protection.
- Administrative controls – can include relocating workers to a safe area, changing work schedules, reducing work intensity or providing additional rest periods.

EMERGENCY OPERATIONS

- Certain emergency operations – such as work to restore utilities and communications, and medical operations – are not subject to the engineering and administrative controls, but follow the respirator provisions.

CALIFORNIA CODE OF REGULATIONS TITLE 8, §5141.1 – PROTECTION FROM WILDFIRE SMOKE

[EMERGENCY REGULATION – English](#)

[EMERGENCY REGULATION - Spanish](#)

*Sourced: Christopher Lee, Christopher Lee Consulting, LLC
Mr. Lee is the Safety Consultant for PDCC and our members.*