



Oregon Water Resources Congress



September 1, 2021

Michael Wood, Administrator Oregon OSHA
C/O Technical Section (tech.web@oregon.gov)
350 Winter St NE, 3rd Floor
PO Box 14480
Salem, OR 97309

RE: Protection from Wildfire Smoke Rulemaking

Dear Administrator Wood,

We respectfully request that you accept this letter as public comment in the permanent rulemaking process for protection from wildfire smoke.

The Special Districts Association of Oregon (SDAO) serves over 950 local governments in the state of Oregon representing 37 types of special districts. These districts are diverse in function and provide services to the citizens of Oregon including airports, domestic water and sewer, drainage and irrigation, health services, library, mass transit, parks and recreation, people's utility districts, public safety, roads, soil, and water conservation, and more. SDAO administers the Special Districts Insurance Services (SDIS) insurance pool which provides all lines of insurance coverage to the members of SDAO. Our member districts serve the entire population of the state and provide many essential services.

SDAO members are very supportive in protecting their workers and we feel confident that our membership was already doing the right thing by their employees when it comes to wildfire smoke exposures. Many of our members are also struggling with how to afford to implement these measures along with other new requirements such as your new heat illness prevention rule and vaccination requirements that are placing additional workload and financial challenges on our districts. It is also worth noting that special districts were completely left out of the American Rescue Plan (ARP) funding.

Conclusion

In conclusion and considering all the above, we request OR-OSHA replace the temporary rule with a rule that provides effective protection to Oregon workers and can be easily implemented by Oregon employers. We feel this could be accomplished by a standard that requires employers to educate employees on the potential hazards of wildfire smoke and makes those employers responsible to provide respirators for voluntary use when wildfire smoke is present.

By utilizing this approach to the protection from wildfire smoke rulemaking it would:

- Provide employees with the knowledge, tools and resources to protect themselves, while not creating an undue burden on employers.
- Solve the problem of trying to use the AQI as a tool it was never intended to be, as this approach would trigger whenever wildfire smoke is present.
- Eliminate the concern that OR-OSHA is setting a PEL for wildfire smoke without data to support it.

In partnership with the following associations, we respectfully thank you for your time in reviewing our concerns.

Oregon Water Resources Congress
Oregon Public Ports Association
Oregon People's Utility District Association
Oregon Recreation & Park Association
Oregon Safety and Health Section OFCA
Oregon Association of Conservation Districts

Sincerely,



Frank Stratton

SDAO Executive Director