



COMMONWEALTH of VIRGINIA
DEPARTMENT OF LABOR AND INDUSTRY

Gary G. Pan

Main Street Centre
600 East Main Street, Suite 207
Richmond, Virginia 23219

DRAFT AGENDA

SAFETY AND HEALTH CODES BOARD MEETING

In person location:

**600 East Main Street
Virginia Lottery Boardroom, 12th Floor
Richmond, Virginia 23219**

Virtual Access for public participation:

**Refer to the Third Page of the Agenda for Instructions
on Registering to Make Public Comment and Meeting Access Information**

**November 14, 2022
10:00 AM**

1. Call to Order
2. Approval of Agenda
3. Approval of Minutes for Board Meetings held on February 16, 2021 and March 21, 2022
4. Election of Officers
5. Opportunity for the Public to Address the Board on issues pending before the Board today, as well as any other topics that may be of concern to the Board and within its scope of authority.

This will be the only opportunity for public comment at this meeting. Please limit remarks to 5 minutes in consideration of others wishing to address the Board.

6. Old Business

(a) Report on Periodic Reviews of Certain Regulations

1. **16 VAC 25-20:** Regulation Concerning Licensed Asbestos Contractor Notification, Asbestos Project Permits, and Permit Fees
2. **16 VAC 25-30:** Regulations for Asbestos Emissions Standards for Demolition and Renovation Construction Activities and the Disposal of Asbestos-Containing Construction Wastes – Incorporation by Reference 40 CFR 61.140 through 61.156
3. **16 VAC 25-40:** Standard for Boiler and Pressure Vessel Operator Certification
4. **16 VAC 25-70:** Virginia Confined Space Standard for the Telecommunications Industry
5. **16 VAC 25-97:** Reverse Signal Procedures – General Industry – Vehicles/Equipment Not Covered by Existing Standards
6. **16 VAC 25-160:** Construction Industry Standard for Sanitation

Presenter – Jay Withrow

7. New Business

(a) Notice of Periodic Reviews for 2022

1. **16 VAC 25-50:** Boiler and Pressure Vessel Regulation
2. **16 VAC 25-60:** Administrative Regulation for the Virginia Occupational Safety and Health Program
3. **16 VAC 25-145:** Safety Standards for Fall Protection in Steel Erection, Construction Industry
4. **16 VAC 25-200** : Virginia Voluntary Protection Program (VPP)

Presenter - Princy Doss

8. Items of Interest from the Department of Labor and Industry

(a) OSHA Standards Update

Presenter – Jay Withrow

9. Items of Interest from Members of the Board

10. Meeting Adjournment

PUBLIC PARTICIPATION

This meeting will be held *in person with the option for the public to attend virtually*.

Members of the public may register to attend in person or listen to the meeting via Microsoft Teams platform by using the weblink below.

If you wish to make an Oral Public Comment during the “Opportunity for the Public to Address the Board” period of this meeting, you must follow the instructions below:

- Oral public comments will be received from those persons who have submitted an email to **Princy.Doss@doli.virginia.gov** no later than **12:00 PM (NOON)** on **November 10 , 2022**. indicating that they wish to offer either in person or electronic oral comments. Comments may be offered by these individuals when their name is announced by Ms. Doss. Oral comments will be **restricted to 5 minutes** each.
- **For oral comments received electronically:**
 - When logging onto Microsoft Teams each person must register prior to the meeting.
 - If you wish to make an oral comment and will be utilizing the “audio conference only” option to witness the hearing, ***you must provide the phone number you will be calling in from in your email to Ms. Doss*** so that the administrator will know whom to unmute at the appropriate time.
 - Other important information:
 - All parties will be muted until Ms. Doss announces the name of the person who is next to provide an oral comment.
 - All public participation connections will be muted following the public comment periods.
 - Please login from a location without background noise.

Individuals who offer both in person and virtual comments during the Safety and Health Codes Board Meeting on **November 14, 2022** are encouraged to submit a written version of any comments by email to **Princy.Doss@doli.virginia.gov** no later than **5:00 PM** on **November 15, 2022**.

INSTRUCTIONS FOR ATTENDING THE SHCB MEETING VIRTUALLY:

Event registration for attendee: <https://bit.ly/3hxy1Jm>

FOIA Council Electronic Meetings Public Comment form for submitting feedback on this electronic meeting may be accessed at:

<http://foiacouncil.dls.virginia.gov/sample%20letters/welcome.htm>

DRAFT

SAFETY AND HEALTH CODES BOARD
PUBLIC MEETING MINUTES
Monday, March 21, 2022

On March 21, 2022, the Safety and Health Codes Board (“Board”) held a public meeting at the Patrick Henry State Building in Richmond, Virginia. The Board held a hybrid in person meeting with the option for the public to attend virtually, however the board members were required to attend in-person with a quorum.

Notice of the public meeting was provided to the public as required by VA Code §2.2-3708.2 and Executive Order 14 (2018). The notice invited the public to witness the meeting remotely via WebEx. Notice was provided on the Virginia Regulatory Town Hall’s website here:
<https://townhall.virginia.gov/L/ViewMeeting.cfm?meetingid=34943>

A recording of the meeting in its entirety is available here:
<https://www.doli.virginia.gov/wp-content/uploads/2022/03/Safety-and-Health-Codes-Board-Meeting-March-21-2022.mp4>

BOARD MEMBERS PARTICIPATING:

Mr. Chuck Stiff, Acting Vice-Chair
Mr. Robert Buchler
Ms. Kelly Bundy
Mr. John Fulton
Dr. Colin Greene
Ms. Elizabeth (Beth) Lohman

BOARD MEMBERS ABSENT:

Mr. Jay Abbott
Mr. Lou Cernak
Mr. Michael Luce
Ms. Luthera Smith
Mr. Travis Parsons
Mr. Thomas Thurston

STAFF PRESENT:

Mr. Gary Pan, Commissioner of Dept. of Labor & Industry
Mr. Jay Withrow, Director, Legal Support, BLS, VPP, ORA, & OWB
Ms. Princy R. Doss, Director, Policy, Planning, & Public Information
Mr. Richard White, IT Project Manager
Ms. Cristin Bernhardt, Regulatory Coordinator
Ms. Diane Duell, Director of Litigation
Mr. Alex West, Senior Staff Attorney
Ms. Marta Fernandes, Director of VOSH Safety Compliance
Mr. Ron Graham, Director of VOSH Health Compliance
Ms. Zahra Qarni, Policy & Planning Specialist
Ms. Kaitlin Hopingardner, Staff Attorney

OTHERS PARTICIPATING:

Mr. Joshua Laws, Assistant Attorney General
Ms. Lisa Wright, Court Reporter, Chandler & Halasz

CALL TO ORDER

Vice-Chair Stiff called the meeting to order at 10:00 AM. A quorum was present. Vice-Chair Stiff made opening remarks informing the public that this meeting was being held in person for the participating board members with virtual attendance available for the public via WebEx.

BOARD MEMBER ROLE CALL

BOARD MEMBER	Present	Absent			
Mr. Jay Abbott		x			
Mr. Robert Buchler	x				
Ms. Kelly Bundy	x				
Mr. Louis (Lou) Cernak		x			
Mr. John Fulton	x				
Dr. Colin Greene	x				
VACANT	-	-			
Ms. Elizabeth (Beth) Lohman	x				
Mr. Michael Luce		x			
Mr. Travis Parsons		x			
VACANT	-	-			
Ms. Lutheria Smith		x			
Mr. Charles ("Chuck") Stiff	x				
Mr. Thomas Thurston		x			
TOTALS	6	6			

APPROVAL OF AGENDA

Vice-Chair Stiff asked the Board if there was any discussion on the agenda. There was none. Vice-Chair Stiff asked if there was a motion to approve the agenda. The motion was made, properly seconded and the roll call vote was conducted. The motion carried.

TIME STAMP OF RECORDING: 00:01:45

Motion #1: Approval of Agenda	Yea	Nay	Abstain	Absent	Other
Mr. Jay Abbott				1	
Mr. Robert Buchler	1				
Ms. Kelly Bundy	1				
Mr. Louis (Lou) Cernak				1	
Mr. John Fulton	1				
Dr. Colin Greene	1				
VACANT	-	-	-	-	
Ms. Elizabeth (Beth) Lohman	1				
Mr. Michael Luce				1	
Mr. Travis Parsons				1	
VACANT	-	-	-	-	
Ms. Lutheria Smith				1	
Mr. Charles ("Chuck") Stiff	1				
Mr. Thomas Thurston				1	
TOTALS	6	0	0	6	

APPROVAL OF MEETING MINUTES

Vice-Chair Stiff then called for discussion and motion for approval of the February 16, 2022 Meeting minutes. Vice-Chair Stiff asked the Board if there was any discussion on the February 16, 2022 minutes. There was none. There was a request for a motion to approve the minutes. The motion was made, properly seconded and the roll call vote was conducted. The motion carried.

TIME STAMP OF RECORDING: 00:02:45

Motion #2: Approval of SHCB February 16, 2022 Meeting Minutes	Yea	Nay	Abstain	Absent	Other
Mr. Jay Abbott				1	
Mr. Robert Buchler	1				
Ms. Kelly Bundy			1		
Mr. Louis (Lou) Cernak				1	
Mr. John Fulton	1				
Dr. Colin Greene	1				
VACANT	-	-	-	-	
Ms. Elizabeth (Beth) Lohman	1				
Mr. Michael Luce				1	
Mr. Travis Parsons				1	
VACANT	-	-	-	-	
Ms. Lutheria Smith				1	
Mr. Charles ("Chuck") Stiff	1				
Mr. Thomas Thurston				1	
TOTALS	5	0	1	6	

Vice-Chair Stiff then called for discussion and motion for approval of the March 14, 2022 Public Hearing minutes. Vice-Chair Stiff asked the Board if there was any discussion on March 14, 2022 Public Hearing minutes. There was none. There was a request for a motion to approve the minutes. The motion was made, properly seconded and the roll call vote was conducted. The motion carried.

TIME STAMP OF RECORDING: 00:04:00

Motion #3: Approval of SHCB March 14, 2022 Public Hearing Minutes	Yea	Nay	Abstain	Absent	Other
Mr. Jay Abbott				1	
Mr. Robert Buchler	1				
Ms. Kelly Bundy	1				
Mr. Louis (Lou) Cernak				1	
Mr. John Fulton	1				
Dr. Colin Greene	1				
VACANT	-	-	-	-	
Ms. Elizabeth (Beth) Lohman	1				
Mr. Michael Luce				1	
Mr. Travis Parsons				1	
VACANT					
Ms. Lutheria Smith				1	

Mr. Charles ("Chuck") Stiff	1				
Mr. Thomas Thurston				1	
TOTALS	6	0	0	6	

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Vice-Chair Stiff called the next item on the agenda, which was the opportunity for the public to address the Board. No members of the public registered to speak virtually using WebEx to address the Board on the revocation of the Virginia Standard for Infectious Disease Prevention of the SARS-CoV-2 Virus that Causes COVID19, 16VAC25-220 ("Virginia Standard") that will be presented to the Board under Old Business. Two speakers came to the meeting and signed up to speak in person to the Board.

IN PERSON SPEAKERS:

- Ben Traynham (Attorney, on behalf of Virginia Wholesalers Association)
- Robert Melvin (Virginia Restaurant, Lodging & Travel Association)

Vice-Chair Stiff moved to the next item on the agenda, which was Old Business. He introduced Jay Withrow, Director of Legal Services for the Department of Labor & Industry, to address the Board.

OLD BUSINESS

Mr. Withrow presented the recommended actions before the Board today. The VOSH Program recommends that the Safety and Health Codes Board ("Board") make a final finding that the SARS-Cov-2 virus no longer poses a "grave danger" to employees under Va. Code §40.1-22(6a) and consider final revocation of the Virginia Standard for Infectious Disease Prevention of the SARS-CoV-2 Virus That Causes COVID-19, 16VAC25-220 (Virginia Standard) to become immediately effective upon publication in a newspaper of general circulation published in the city of Richmond, Virginia. The proposed effective date is March 23, 2022.

Mr. Withrow began presenting the briefing package to provide information that has been updated since the February 16, 2022 meeting when the Board adopted the proposal of the revocation of the VA Standard. He discussed Attachment P Guidance Document for Employers to Mitigate the Risk of COVID-19 to Workers dated March 1, 2022. He explained the publication in the *Virginia Register* will be in the March 28, 2022 issue with a Town Hall public comment forum opening 3/28/22 and ending 4/27/2022. He expressed that although this guidance document requires this publication and 30 day public comment period, employers may rely on this guidance document as of March 23, 2022 should the revocation of the VA Standard be adopted today by the Board. No Board action is necessary for the Guidance Document process.

Mr. Withrow explained the Town Hall public comment forum for the proposed revocation of the VA Standard was opened from February 17, 2022 through March 19, 2022. There were over 1300 comment received and overwhelming number of comments came within the first 15 days of the comment period. The Board was given a summary of the public comments received for the first 15 days of the comment period at the beginning of March and the updated summary with all comments after the public comment forum ended March 19, 2022. Mr. Withrow went through the main topics that were raised by the public comments and the VOSH responses to those comments. The 400 page summary is included in the agenda document posted to Town Hall for this meeting.

Mr. Withrow discussed recent updates on the status of the COVID-19 virus and variants that have been discovered since the last Board meeting when the proposed revocation was adopted. He discussed the February 25, 2022 CDC updated mask guidance based on new metrics of hospitalization and related factors. He outlined the low, medium and high community levels and the CDC recommendations for mask wearing based on those levels.

Mr. Withrow continued with briefing the Board on the current national, state and specific Virginia COVID studies, trends and statistics. Virginia vaccination and hospitalization demographic statistics and trends along with other various COVID metrics and modeling were presented to the Board. Mr. Withrow advised the Board that they that the ability to develop a COVID regulation to be adopted through the APA process without the existence of “grave danger” that would involve the 18-24 month regulatory process if they felt that would be necessary in the future. Current VOSH workplace statistics regarding Virginia workplace inspections, penalties, fatalities and injuries were also provided to the Board.

Mr. Withrow explained that there will remain legal protections for employees in Virginia if the Virginia Standard were to be revoked and went through the mandatory VOSH standards that protect workers from infections. In addition, he discussed the discrimination protections in place for employees who wish to continue with COVID protocols to protect themselves. He also discussed the guidance document: “Protecting Workers, Guidance on Mitigating and Preventing the Spread of Covid-19 in the Workplace” (Attachment P discussed earlier) that was developed in the event of revocation of the Virginia Standard.

Mr. Withrow discussed the federal OSHA Healthcare Standard that is being worked on at the federal level and the requirement that Virginia adopt a standard “at least as effective as” the federal standard. The Board will have the choice to either adopt the federal Healthcare Standard or promulgate their own healthcare standard that is “at least as effective as” the federal OSHA standard that is eventually adopted.

Mr. Withrow asked if the Board members had any questions about the presentation. With no more questions from the Board, Mr. Withrow presented the Board with the Department’s recommendations below.

Staff of the Department of Labor and Industry recommend that the Virginia Safety and Health Codes Board make a final finding that there is no longer a continued need for the Virginia Standard for Infectious Disease Prevention of the SARS-CoV-2 Virus that Causes COVID-19, 16VAC25-220, based on scientific and medical evidence that the current widespread variants of the virus no longer constitute a grave danger to employees in the workplace under Va. Code §40.1-22(6a), and as discussed in the U. S. Supreme Court’s decision in National Federation of Independent Businesses, et al., Applicants v. Department of Labor, Occupational Safety and Health Administration, et al.

Vice-Chair Stiff asked if there was any discussion on the recommendation that was presented. There was none. Vice-Chair Stiff asked if there was a motion to accept Recommendation 1 of the Department. The motion was made, properly seconded and the roll call vote was conducted. The motion carried.

TIME STAMP OF RECORDING: 1:25:00

Motion #4: Approve the Department Recommendation (1) Final finding that there is no longer a continued need for the Virginia Standard	Yea	Nay	Abstain	Absent	Other
Mr. Jay Abbott				1	
Mr. Robert Buchler	1				
Ms. Kelly Bundy	1				
Mr. Louis (Lou) Cernak				1	
Mr. John Fulton	1				
Dr. Colin Greene	1				
VACANT	-	-	-	-	
Ms. Elizabeth (Beth) Lohman	1				
Mr. Michael Luce				1	
Mr. Travis Parsons				1	
VACANT					
Ms. Lutheria Smith				1	
Mr. Charles (“Chuck”) Stiff	1				
Mr. Thomas Thurston				1	
TOTALS	6	0	0	6	

Mr. Withrow presented the Board with the Department’s Recommendation 2 if Recommendation 1 (above) was adopted.

If the Board finds that there is no longer a continued need for the standard, Staff of the Department of Labor and Industry recommend that the Virginia Safety and Health Codes Board adopt a final revocation of the Virginia Standard for Infectious Disease Prevention of the SARS-CoV-2 Virus that Causes COVID-19, 16VAC25-220, to become immediately effective upon publication in a newspaper of general circulation published in the city of Richmond, Virginia. The proposed effective date is March 23, 2022.

The Department also recommends that the Board state in any motion it may make to revoke this regulation that it will receive, consider and respond to petitions by any interested person at any time with respect to reconsideration or revision of this or any other regulation.

Vice-Chair Stiff asked if there was discussion on the matter. There was none. Vice-Chair Stiff asked if there was a motion to accept the Recommendation 2 of the Department. The motion was made, properly seconded and the roll call vote was conducted. The motion carried.

TIME STAMP OF RECORDING: 1:26:00

Motion #5: Approve the Department Recommendation (2) to adopt a final revocation of the Virginia Standard.	Yea	Nay	Abstain	Absent	Other
Mr. Jay Abbott				1	

Mr. Robert Buchler	1				
Ms. Kelly Bundy	1				
Mr. Louis (Lou) Cernak				1	
Mr. John Fulton	1				
Dr. Colin Greene	1				
VACANT					
Ms. Elizabeth (Beth) Lohman	1				
Mr. Michael Luce				1	
Mr. Travis Parsons				1	
VACANT					
Ms. Lutheria Smith				1	
Mr. Charles ("Chuck") Stiff	1				
Mr. Thomas Thurston				1	
TOTALS	6	0	0	6	

NEW BUSINESS

There were no items of new business.

ITEMS OF INTEREST FROM THE DEPARTMENT OF LABOR AND INDUSTRY

Vice-Chair Stiff asked for items of interest from the Department of Labor and Industry. Commissioner Gary Pan addressed the Board and thanked them for their service to the Safety & Health Codes Board. He also thanked the public for their input and interest in the safety of the workplace in Virginia.

ITEMS OF INTEREST FROM MEMBERS OF THE BOARD

Vice-Chair Stiff asked for items of interest from the Members of the Board. There were none. Vice-Chair Stiff thanked the Department staff for all their hard work preparing for the SHCB meeting and for compiling the impressive briefing package. Vice-Chair Stiff addressed the Board and thanked them for their time and service to the Board and for bringing their expertise to the Board and the decision making process.

Meeting Adjournment

Vice-Chair Stiff adjourned the meeting at 11:35 am.

Mr. Jay Abbott <i>Representative for Agricultural Employers</i>
Mr. Robert Buchler <i>Industrial Representative Knowledgeable in Chemical and Toxic Substances</i>
Ms. Kelly Bundy <i>Representative from Construction Industry Employers</i>
Mr. Louis (Lou) Cernak <i>Representative from Labor in the Construction Industry</i>
Mr. John Fulton <i>Employer Representative of the Boiler and Pressure Vessel Industry</i>
Dr. Colin Greene <i>Virginia Department of Health</i>
VACANT <i>Representative for Agricultural Employees</i>
Ms. Elizabeth (Beth) Lohman <i>Environmental Specialist II Department of Environmental Quality</i>
Mr. Michael Luce <i>Representative of an Insurance Company</i>
Mr. Travis Parsons <i>Representative from Labor in the Construction Industry</i>
VACANT <i>Labor Representative Knowledgeable in Chemical and Toxic Substances</i>
Ms. Lutheria Smith <i>Representative for the General Public</i>
Mr. Charles L. (Chuck) Stiff <i>Representative for Industrial Employers</i>
Mr. Thomas Thurston <i>Representative for Labor in the Manufacturing Industry</i>



COMMONWEALTH of VIRGINIA
DEPARTMENT OF LABOR AND INDUSTRY

C. Ray Davenport

Main Street Centre

VIRGINIA SAFETY AND HEALTH CODES BOARD

600 East Main Street, Suite 207

Richmond, Virginia 23219

BRIEFING PACKAGE

FOR NOVEMBER 14, 2022

**Report of Periodic Review of Certain Existing Regulations
Departmental Review and Action Needed**

I. Background and Basis

The Administrative Process Act ([Va. Code § 2.2-4017](#)), [Executive Order 19 \(2022\)](#), “Development and Review of State Agency Regulations,” and the Office of Regulatory Management (ORM) [Procedures for the Review of State Agency Regulations](#) govern the periodic review of existing regulations. Six (6) regulations of the Safety and Health Codes Board (Board) were identified for review in 2021:

(b) Periodic Reviews

1. **16 VAC 25-20:** Regulation Concerning Licensed Asbestos Contractor Notification, Asbestos Project Permits, and Permit Fees
2. **16 VAC 25-30:** Regulations for Asbestos Emissions Standards for Demolition and Renovation Construction Activities and the Disposal of Asbestos-Containing Construction Wastes – Incorporation by Reference 40 CFR 61.140 through 61.156
3. **16 VAC 25-40:** Standard for Boiler and Pressure Vessel Operator Certification
4. **16 VAC 25-70:** Virginia Confined Space Standard for the Telecommunications Industry
5. **16 VAC 25-97:** Reverse Signal Procedures – General Industry – Vehicles/Equipment Not Covered by Existing Standards

6. **16 VAC 25-160:** Construction Industry Standard for Sanitation

(c) [Va. Code § 2.2-4017](#). **Periodic review of regulations:**

Each Governor shall mandate through executive order a procedure for periodic review during that Governor's administration of regulations of agencies within the executive branch of state government. The procedure shall include (i) a review by the Attorney General to ensure statutory authority for regulations and (ii) a determination by the Governor whether the regulations are (a) necessary for the protection of public health, safety and welfare and (b) clearly written and easily understandable.

The Governor may require each agency (i) to review all regulations promulgated by that agency to determine whether new regulations should be adopted and old regulations amended or repealed, and (ii) to prepare a written report summarizing the agency's findings about its regulations, its reasons for its findings and any proposed course of action.

(d) **Office of Regulatory Management (ORM) [Procedures for the Review of State Agency Regulations](#)** issued:

Periodic Review of Existing Regulations

All existing state regulations promulgated by executive branch agencies, including those promulgated pursuant to an exemption from the APA, shall be reviewed every four years to determine whether they should be continued without change or be amended or repealed, consistent with the stated objectives of applicable law, to minimize the economic impact on small businesses in a manner consistent with the stated objectives of applicable law, as regarding [§ 2.2-4007.1 of the Code of Virginia](#).

The periodic review shall include: (1) the continued need for the regulation; (2) the nature and complaints or comments received concerning the regulation from the public; (3) the complexity of the regulation; (4) the extent to which the regulation overlaps, duplicates or conflicts with federal or state law or regulation; (5) an economic analysis including benefit-cost analysis (**see ATTACHMENT A**), local government impact analysis, economic impacts on families, and the count of regulatory requirements embedded in the regulation;

and (6) the length of time since the regulation has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the regulation.¹

II. Current Status and Process

The Safety and Health Codes Board authorized the Department of Labor and Industry (Department) to begin reviewing the above-noted regulations at its December 3, 2021 meeting. On May 23, 2022, in accordance with Va. Code §§ [2.2-4006](#) through [2.2-4017](#), the Department filed Notices of Periodic Review in the *Virginia Register*.

The Office of the Attorney General (OAG) certified the statutory authority for the six regulations on May 13, 2022. A public comment period of 21 days began on May 23, 2022 and closed on June 13, 2022. **The Department received no comments on any of the standards and regulations.** Following the comment period, the Department staff reviewed the regulations and prepared recommendations for the Board's consideration at this meeting.

NOTE: Until recently it was not clear that the [Procedures for the Review of State Agency Regulations](#) were applicable to periodic reviews initiated prior to the adoption of the new Procedures. DOLI was informed by the Department of Planning and Budget (DPB) on November 3, 2022 that the new Procedures apply to any periodic reviews that had not been submitted to the Office of the Governor for review prior to July 30, 2022. For periodic reviews, agencies will have to complete Tables 2, 3 and 4 addressing Direct and Indirect Costs and Benefits based on quantitative factors to Local Partners, Families and Small Businesses (**see ATTACHMENT A**). The Department estimates that considerable time and potentially some costs associated with securing outside consultants may be necessary in order to complete Tables 2, 3 and 4 required by the new Procedures.

III. Review and Analysis

Pursuant to [Va. Code § 2.2-4007.1 D and E](#), a periodic review of an existing regulation shall consider the following factors:

D. In addition to other requirements of [Va. Code § 2.2-4017](#), all regulations shall be reviewed every four years to determine whether they should be continued without change or be amended or repealed, consistent with the stated objectives of applicable law, to minimize the economic impact on small businesses in a manner consistent with the stated objectives of applicable law....

¹ Page 13, <https://townhall.virginia.gov/ORM-Procedures-Memo-v2.pdf>

E. The regulatory review required by this section shall include consideration of:

1. The continued need for the rule;
2. The nature of complaints or comments received concerning the regulation from the public;
3. The complexity of the regulation;
4. The extent to which the regulation overlaps, duplicates, or conflicts with federal or state law or regulation; and
5. The length of time since the regulation has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the regulation.

1. **Regulation Concerning Licensed Asbestos Contractor Notification, Asbestos Project Permits, and Permit Fees, [16 VAC 25-20](#)**

The Department last completed a Periodic Review of this regulation in 2017.

With regard to Asbestos and Lead Licensing standards and regulations, [Va. Code § 40.1-51.20.B](#) provides that:

"A licensed asbestos contractor or certified lead contractor shall obtain an asbestos or lead project permit from the Department of Labor and Industry prior to commencing each asbestos or lead project in accordance with this chapter and shall pay directly to the Commissioner a fee as **established by the Safety and Health Codes Board** pursuant to the Administrative Process Act (§ 2.2-4000 et seq.). The fees shall be sufficient but not excessive to cover the cost of administering the program." (Emphasis added).

[Va. Code § 40.1-51.20](#) mandates that all licensed asbestos contractors notify the Department at least twenty days prior to commencement of each asbestos project (the Department has the authority to waive all or any part of the twenty-day notice). The contractor is required to obtain an asbestos project permit and pay the appropriate fee in accordance with this Code section. At least once a year, during an actual project, the Department of Labor and Industry is required "to conduct an on-site unannounced inspection of each licensed asbestos contractor's...procedures in regard to installing, removing and encapsulating asbestos....."²

² <https://law.lis.virginia.gov/vacode/title40.1/chapter3.2/section40.1-51.21/>

The regulation lists the notification requirements for certain asbestos projects conducted by licensed asbestos contractors and provides for the payment of permit fees based on the size of the asbestos project.

The purpose of the regulation, which is mandated by statute, is to reduce the incidence of material impairment of the health of Virginians due to exposure to asbestos in the workplace or as an environmental pollutant.

A public comment period of 21 days began on May 23, 2022 and closed on June 13, 2022. The Department received no comments. The regulation is not overly complex and does not overlap, duplicate, or conflict with federal or state law or regulation.

At this time, the Department tentatively believes there is a continued need for the regulation to set and collect sufficient notification fees to support the statutory requirement for the Department "to conduct an on-site unannounced inspection of each licensed asbestos contractor's...procedures in regard to installing, removing and encapsulating asbestos...."³ However, additional research is needed on the economic impact of the regulation, before a final recommendation can be presented to the Board.

Action Needed

According to the Office of Regulatory Management's [Procedures for the Review of State Agency Regulations](#), the Department must prepare an economic analysis including benefit-cost analysis (see ATTACHMENT A), local government impact analysis, and economic impacts on families. Upon completion of the economic analysis, the Department will present its final recommendation to the Board for review and consideration.

2. Regulations for Asbestos Emissions Standards for Demolition and Renovation Construction Activities and the Disposal of Asbestos-Containing Construction Wastes – Incorporation by Reference 40 CFR 61.140 through 40 CFR 61.156, 16 VAC 25-30

The Department last completed a Periodic Review of this regulation in 2017.

With regard to Asbestos-related NESHAP (National Emissions Standards for Hazardous Air Pollutants) requirements, [Va. Code § 40.1-51.25](#) provides:

A. **The Board** is authorized to formulate definitions, rules, regulations and standards which shall be designed to ensure the proper demolition and renovation of asbestos facilities and effect compliance with the asbestos NESHAP requirements of the federal Environmental Protection Agency. Such standards shall be at least as stringent as the asbestos regulations passed pursuant to § 112 of the Clean Air Act. The regulations shall not promote or encourage any substantial degradation of present air quality in

³ <https://law.lis.virginia.gov/vacode/title40.1/chapter3.2/section40.1-51.21/>

any air basin or region which has an air quality superior to that stipulated in the regulations of the Department of Air Pollution Control. Any regulations adopted by the Board to have general effect in part or all of the Commonwealth shall be filed in accordance with the Virginia Register Act (§ 2.2-4100 et seq.).

B. The Board in making regulations and in approving variances, and the courts in granting injunctive relief under the provisions of this chapter, shall consider facts and circumstances relevant to the reasonableness of the activity involved and the regulations proposed to control it, including:

1. The character and degree of injury to, or interference with, safety, health, or the reasonable use of property which is caused or threatened to be caused;
2. The social and economic value of the activity involved;
3. The suitability of the activity to the area in which it is located; and
4. The scientific and economic practicality of reducing or eliminating the discharge resulting from such activity.
(Emphasis added).

This regulation adopts and incorporates by reference for state use the federal Environmental Protection Agency's (EPA) NESHAP regulations that address human exposure to asbestos as a result of air emissions from demolition and renovation, disposal of asbestos containing waste.

The purpose of the regulation, which is required so that Virginia regulations can "be at least as stringent as the asbestos regulations passed pursuant to [§ 112 of the Clean Air Act](#),"⁴ is to reduce the incidence of material impairment of the health of Virginians due to exposure to asbestos in the workplace or as an environmental pollutant.

The Department is authorized by [Va. Code § 40.1-26\(5\)](#) to "Investigate any violations of this chapter and regulations." In enforcing the asbestos NESHAP regulations in Virginia, the Department stands in the place of the Virginia Department of Environmental Quality (DEQ) and the federal Environmental Protection Agency (EPA), either of which would otherwise be responsible for conducting the asbestos NESHAP inspections.

A public comment period of 21 days began on May 23, 2022 and closed on June 13, 2022. The Department received no comments. The regulation is not overly complex and does not overlap, duplicate, or conflict with federal or state law or regulation.

At this time, the Department tentatively believes there is a continued need for the regulation so the Department can fulfill its statutory obligation to "Investigate any

⁴ <https://law.lis.virginia.gov/vacode/title40.1/chapter3.3/section40.1-51.25/>

violations of this chapter and regulations."⁵ However, additional research is needed on the economic impact of the regulation, before a final recommendation can be prepared.

Action Needed

According to the Office of Regulatory Management's [Procedures for the Review of State Agency Regulations](#), the Department must prepare an economic analysis including benefit-cost analysis (see ATTACHMENT A), local government impact analysis, and economic impacts on families. Upon completion of the economic analysis, the Department will present its final recommendation to the Board for review and consideration.

3. Standard for Boiler and Pressure Vessel Operator Certification, 16 VAC 25-40

The Department last completed a Periodic Review of the regulation in 2017.

With regard to Boiler and Pressure Vessel Safety standards and regulations, [Va. Code § 40.1-51.6](#) states that:

"A. **The Board** is authorized to formulate definitions, rules, regulations and standards which shall be designed for the protection of human life and property from the unsafe or dangerous construction, installation, inspection, operation, maintenance and repair of boilers and pressure vessels in this Commonwealth.

In promulgating such rules, regulations and standards, the Board shall consider any or all of the following:

1. Standards, formulae and practices generally accepted by recognized engineering and safety authorities and bodies.
2. Previous experiences based upon inspections, performance, maintenance and operation.
3. Location of the boiler or pressure vessel relative to persons.
4. Provisions for operational controls and safety devices.
5. Interrelation between other operations outside the scope of this chapter and those covered by this chapter.
6. Level of competency required of persons installing, constructing, maintaining or operating any equipment covered under this chapter or auxiliary equipment.

⁵ <https://law.lis.virginia.gov/vacode/40.1-51.26/>

7. Federal laws, rules, regulations and standards.
(Emphasis added).

[Va. Code § 15.2-910](#) authorizes a local government, at its option, to require boiler pressure vessel operators to obtain a certification from the locality before engaging in the operation and maintenance of boiler and pressure vessels in its jurisdiction.

The purpose of the regulation, which is mandated by statute, is to ensure statewide uniformity in the determination of the ability, proficiency and qualifications of boiler and pressure vessel operators certified under a local government ordinance. The regulation identifies a list of core competencies to be verified through written examination and establishes two classes of boiler operator certifications depending on the experience and education of the applicant.

A public comment period of 21 days began on May 23, 2022 and closed on June 13, 2022. The Department received no comments. The regulation is not overly complex and does not overlap, duplicate, or conflict with federal or state law or regulation.

To the Department's knowledge no locality has chosen to adopt an ordinance, and as noted above, the regulation is mandated by statute, [Va. Code § 15.2-910](#). The Department is reviewing whether it will seek repeal of the statute and regulation since they are not being used by localities.

Action Needed

According to the Office of Regulatory Management's [Procedures for the Review of State Agency Regulations](#), the Department must prepare an economic analysis including benefit-cost analysis (see ATTACHMENT A), local government impact analysis, and economic impacts on families. Upon completion of the economic analysis, the Department will present its final recommendation to the Board for review and consideration.

4. Virginia Confined Space Standard for the Telecommunications Industry, 16VAC25-70

The Department last completed a Periodic Review of this regulation in 2017.

With regard to VOSH standards and regulations, [Va. Code § 40.1-22\(5\)](#) states that:

“...**the Board** shall adopt the standard which most adequately assures, to the extent feasible, on the basis of the best available evidence, that no employee will suffer material impairment of health or functional capacity. However, such standards shall be at least as stringent as the standards promulgated by the Federal Occupational Safety and Health Act of 1970 (P.L. 91-596).

In making such rules and regulations to protect the occupational safety and health of employees, the Board shall adopt the standard which most adequately assures, to the extent feasible, on the basis of the best available evidence that no employee will suffer material impairment of health or functional capacity. However, such standards shall be at least as stringent as the standards promulgated by the federal OSH Act of 1970 (P.L.91-596). In addition to the attainment of the highest degree of health and safety protection for the employee, other considerations shall be the latest available scientific data in the field, the feasibility of the standards, and experiences gained under this and other health and safety laws.” (Emphasis added).

This regulation establishes the minimum protection for telecommunication workers against exposure to hazardous chemicals and hazardous atmospheres when working in areas defined as confined spaces (manholes, etc.). The standard prescribes basic mandatory practices and procedures which employers must establish and use for employee entry into and work within confined spaces, such as requiring atmospheric testing of confined spaces prior to entry, the use of personal protective equipment where necessary, and ventilation of the space to prevent lack of oxygen or accumulation of toxic atmospheres.

The Virginia Confined Space Standard for the Telecommunications Industry regulation has three goals:

- Reduce the incidence of material impairment of the health of Virginia workers due to workplace exposure to known hazards.
- Provide protection to telecommunication workers equal to that provided to workers in other industries.
- Protect the public’s health, safety and welfare with the least possible cost and intrusiveness to the citizens and businesses of the Commonwealth.

Promulgation History

On March 23, 1987, the Safety and Health Codes Board adopted the unique Virginia standard which regulated entry into confined spaces in General Industry and Construction Industry, as well as in the Telecommunications Industry. During the same meeting, the Board decided to split the proposed standard into two separate standards - one for General Industry and the Construction Industry and the other for the Telecommunications Industry. The decision to divide the Confined Space Standard resulted from written and oral comments received during the sixty-day comment period and public hearing. On June 29, 1987, amendments to the standards for the construction and telecommunications industries were adopted.

On June 21, 1993, the Safety and Health Codes Board adopted the new federal OSHA identical Permit-Required Confined Spaces Standard, [1910.146](#) (58 Fed. Reg. 4462,

January 14, 1993). This new standard addressed confined space hazards in General Industry only. As a result of this adoption of the federal-identical General Industry Confined Spaces standard, the Board also was required to amend the state unique Virginia Confined Space Standards for General and Construction Industry to deleted its' General Industry component and renamed the resulting standard as the "Virginia Confined Space Standard for the Construction Industry, CNSP.146". The Virginia unique standards for confined spaces remained in effect for only two industries: Construction and Telecommunications.

On October 29, 2015, the Safety and Health Codes Board adopted the new federal-identical Confined Space Standard for Construction, [1926.1200](#), et seq. as well as the pre-existing related federal-identical standards for both Excavation - 1926.650; and Underground Construction – 1926.800. (80 Fed. Reg. 25365, May 04, 2015). As a result the Board repealed the related three unique standards: Virginia Confined Space for Construction, Excavation, and Underground Construction. This resulted in leaving only the Virginia unique standard for Telecommunications, 16VAC25-70, as the sole Virginia unique regulation dealing with confined spaces.

Federal OSHA has had for many years a standard a Telecommunications Standard at [1910.268\(o\)](#) that regulates entry into telecommunications confined spaces, although it is not as extensive or detailed in protective measures for employees as the Virginia standard (NOTE: The Virginia standard is considered more stringent than the federal standard.).

OSHA has issued interpretations⁶ that state that where confined space hazards in a telecommunications setting are addressed by [1910.268\(o\)](#), the requirements of that standard, and not either [1910.146](#) or [1926.1200](#), will apply in federal jurisdictions.

However, when confined space hazards in a telecommunications setting are not addressed by [1910.268\(o\)](#), the requirements of either [1910.146](#) or [1926.1200](#) will apply in federal jurisdictions depending on whether the type of work involved is construction or general industry-related (e.g., "For example, a manhole or vault could contain a toxic atmosphere that could not be made safe before entry as required by the Telecommunications standard. In such cases, work involving hazards not addressed by the Telecommunications standard would be subject to citation under any applicable OSHA standard or regulation, which could include the Confined Spaces in Construction standard."⁷

A public comment period of 21 days began on May 23, 2022 and closed on June 13, 2022. The Department received no comments. The standard is not overly complex. The regulation does duplicate in part federal OSHA's standards for the Telecommunications

⁶ <https://www.osha.gov/laws-regs/standardinterpretations/1993-05-19>

⁷ <https://www.osha.gov/laws-regs/isa/telecommunications-industry-04032016>

industry, but provides more stringent protections in certain respects. The standard does not overlap, duplicate, or conflict with state law or regulation.

The Department is reviewing whether it will seek repeal of the standard in light of the above-referenced OSHA interpretations. The Virginia standard also references in [16VAC25-70-40.C](#) the "Bell System Practices for Testing and Ventilating Manholes [§ 620-140-501 (4.01-7.05) (1976)]" and provides that when continuous mechanical ventilation conforms to the "Bell System Practices," "monitoring for oxygen concentrations in the confined space shall not be required." The Department is under the understanding the "Bell System Practices" are no longer available for use, but needs to verify the information.

Action Needed

According to the Office of Regulatory Management's [Procedures for the Review of State Agency Regulations](#), the Department must prepare an economic analysis including benefit-cost analysis (see **ATTACHMENT A**), local government impact analysis, and economic impacts on families. Upon completion of the economic analysis, the Department will present its final recommendation to the Board for review and consideration.

5. Reverse Signal Operation Safety Requirements for Motor Vehicles, Machinery and Equipment in General Industry and the Construction Industry, [16VAC25-97](#)

The Department last completed a Periodic Review of this regulation in 2017.

With regard to VOSH standards and regulations, [Va. Code § 40.1-22\(5\)](#) states that:

“...**the Board** shall adopt the standard which most adequately assures, to the extent feasible, on the basis of the best available evidence, that no employee will suffer material impairment of health or functional capacity. However, such standards shall be at least as stringent as the standards promulgated by the Federal Occupational Safety and Health Act of 1970 (P.L. 91-596).

In making such rules and regulations to protect the occupational safety and health of employees, the Board shall adopt the standard which most adequately assures, to the extent feasible, on the basis of the best available evidence that no employee will suffer material impairment of health or functional capacity. However, such standards shall be at least as stringent as the standards promulgated by the federal OSH Act of 1970 (P.L.91-596). In addition to the attainment of the highest degree of health and safety protection for the employee, other considerations shall be the latest available scientific data in the field, the feasibility of the standards, and experiences gained under this and other health and safety laws.” (Emphasis added).

This regulation establishes requirements for the use of construction and general industry vehicles, machinery, and equipment capable of operating in reverse with an obstructed view, such as requiring that vehicles are generally equipped with reverse signal alarms, procedures for the use of a designated observer or ground guide in certain situations, establishing guidelines for drivers and other employees, and requiring employers provide training to employees.

The Reverse Signal Procedures regulation has two goals:

- Reduce the incidence of injuries and fatalities of Virginia workers and the public due to the operation of vehicles, machinery, and equipment in reverse.
- Protect the public's health, safety and welfare with the least possible cost and intrusiveness to the citizens and businesses of the Commonwealth.

Federal OSHA has no comparable comprehensive regulation applicable in general industry construction, but does have the following regulations which are very limited in scope and employee protections:

The following boxes highlight the differences between the existing regulations on this issue which primarily only require the use of reverse signal alarms:

[Applicable only to "vehicles that operate within an off-highway jobsite, not open to public traffic."]

[1926.601\(b\)\(4\)](#): "No employer shall use any motor vehicle equipment having an obstructed view to the rear unless:

(i)The vehicle has a reverse signal alarm audible above the surrounding noise level or

[Applicable only to "to the following types of earthmoving equipment: scrapers, loaders, crawler or wheel tractors, bulldozers, off-highway trucks, graders, agricultural and industrial tractors, and similar equipment."]

[1926.602\(a\)\(9\)\(ii\)](#): "No employer shall permit earthmoving or compacting equipment which has an obstructed view to the rear to be used in reverse gear unless the equipment has in operation a reverse signal alarm distinguishable from the surrounding noise level or an employee signals that it is safe to do so."

[Applicable only to logging machines]

[1910.266\(f\)\(2\)\(v\)](#) requires operators of logging machines to determine that no employee is in the path of the machine before starting or moving the machine

[Applicable only to vehicles or earthmoving or compacting equipment at electric power generation, transmission, and distribution facility off-highway jobsites.

[1910.269\(p\)\(1\)\(ii\)](#): “No motor vehicle or earthmoving or compacting equipment having an obstructed view to the rear may be operated on off-highway jobsites where any employee is exposed to the hazards created by the moving vehicle, unless:

(i)The vehicle has a reverse signal alarm audible above the surrounding noise level, or;

The Reverse Signal Operations Standard provides a comprehensive safety, health and welfare approach to employees exposed to the same back-up hazard across construction and general industries. At the time of its adoption, Virginia was averaging two back-up fatal accidents per year. In the years following adoption of the regulation in 2012, Virginia experienced a 50% reduction in fatal back-up accidents.

A public comment period of 21 days began on May 23, 2022 and closed on June 13, 2022. The Department received no comments. The regulation is not overly complex. The regulation does duplicate in small part federal OSHA's very limited construction and general industry standards addressing back-up hazards on off-road worksites only, but provides more stringent protections in other respects. The standard does not overlap, duplicate, or conflict with state law or regulation.

At this time, the Department tentatively believes there is a continued need for the standard because of its history in lowering fatal accident rates and because of the lack of a comprehensive federal OSHA standard applicable across effected industries. However, additional research is needed on the economic impact of the regulation, before a final recommendation can be prepared.

Action Needed

According to the Office of Regulatory Management's [Procedures for the Review of State Agency Regulations](#), the Department must prepare an economic analysis including benefit-cost analysis (see **ATTACHMENT A**), local government impact analysis, and economic impacts on families. Upon completion of the economic analysis, the Department will present its final recommendation to the Board for review and consideration.

6. Construction Industry Standard for Sanitation, 16 VAC 25-160

The Department last completed a Periodic Review of this regulation in 2017.

With regard to VOSH standards and regulations, [Va. Code § 40.1-22\(5\)](#) states that:

“...**the Board** shall adopt the standard which most adequately assures, to the extent feasible, on the basis of the best available evidence, that no employee will suffer material impairment of health or functional capacity. However, such standards shall be at least as stringent as the standards promulgated by the Federal Occupational Safety and Health Act of 1970 (P.L. 91-596).

In making such rules and regulations to protect the occupational safety and health of employees, the Board shall adopt the standard which most adequately assures, to the extent feasible, on the basis of the best available evidence that no employee will suffer material impairment of health or functional capacity. However, such standards

shall be at least as stringent as the standards promulgated by the federal OSH Act of 1970 (P.L.91-596). In addition to the attainment of the highest degree of health and safety protection for the employee, other considerations shall be the latest available scientific data in the field, the feasibility of the standards, and experiences gained under this and other health and safety laws.” (Emphasis added).

The regulation requires construction employers to provide potable drinking water, handwashing facilities, and toilet facilities that meet more stringent requirements than those set forth by the federal OSHA regulation, [1926.51](#).

The Construction Sanitation regulation has three goals:

- Reduce the incidence of material impairment of the health of Virginia workers due to workplace exposure to known hygiene and water quality hazards.
- Require sanitary facilities for construction workers equal to those required for agricultural workers.
- Protect the public’s health, safety and welfare with the least possible cost and intrusiveness to the citizens and businesses of the Commonwealth.

Provision of sanitary facilities and potable drinking water serve to reduce or eliminate the following major categories of occupational diseases: heat-related illnesses, communicable diseases, and urinary tract infections. This regulation is designed to address health hazards associated with poor sanitation conditions at construction sites, such as, insufficient potable water, insufficient hand washing facilities, inadequate toilet facilities, and the physical harm which may occur due to retention of urine and feces over long periods of time.

The Virginia standard was originally based on the federal OSHA's Field Sanitation Standard, 1928.110, which provided more stringent safety and health protections for agricultural field workers than was provided for construction workers, and in some areas still does (e.g., [16 VAC 25-160](#) requires one toilet facility for every 20 employees regardless of the number of employees. [1926.51](#) requires one toilet facility for the first 20 employees; one toilet and one urinal per 40 employees for sites with 21-200 employees; and one toilet and one urinal per 50 employees for sites of more than 200 employees).

Since the original adoption the Virginia standard, federal OSHA has revised its standard which now contains some provisions that are not in [16 VAC 25-160](#) (e.g., specific provisions for employee showers when required elsewhere in the construction standards). Both standards also share some identical provisions.

A public comment period of 21 days began on May 23, 2022 and closed on June 13, 2022. The Department received no comments. The regulation is not overly complex The

regulation does duplicate in some part federal OSHA's standard, but provides more stringent protections in other respects. The standard does not overlap, duplicate, or conflict with state law or regulation.

At this time, the Department tentatively believes there is a continued need for the standard, but is evaluating whether amendments should be considered to streamline the unique portion of the standard, consider adoption of federal identical provisions which are currently not addressed by the Virginia standard, while also maintaining certain safety and health requirements that would assure that construction workers are protected at the same level as other Virginia workers (e.g., agricultural field workers). However, additional research is needed on the economic impact of the regulation, before a final recommendation can be prepared.

Action Needed

According to the Office of Regulatory Management's [Procedures for the Review of State Agency Regulations](#), the Department must prepare an economic analysis including benefit-cost analysis (see **ATTACHMENT A**), local government impact analysis, and economic impacts on families. Upon completion of the economic analysis, the Department will present its final recommendation to the Board for review and consideration.

Contact Person(s):

Cristin Bernhardt
Regulatory Coordinator
804-786-2392
cristin.bernhardt@doli.virginia.gov

Princy R. Doss
Director of Policy, Planning, and Public Information
804-786-4300
princy.doss@doli.virginia.gov

ATTACHMENT A

INTERIM (July 28, 2022)
Office of Regulatory Management
Economic Review Form

Agency name	
Virginia Administrative Code (VAC) Chapter citation(s)	_ VAC __-__
VAC Chapter title(s)	
Action title	
Date this document prepared	

Cost Benefit Analysis

Table 1a must be completed for all actions. Tables 1b and 1c must be completed for actions (or portions thereof) where the agency is exercising discretion, including those where some of the changes are mandated by state or federal law or regulation. Tables 1b and 1c are not needed if **all** changes are mandated, and the agency is not exercising any discretion. In that case, enter a statement to that effect.

- (1) Direct Costs & Benefits: Identify all specific, direct economic impacts (costs and/or benefits), anticipated to result from the regulatory change. (A direct impact is one that affects entities regulated by the agency and which directly results from the regulatory change itself, without any intervening steps or effects. For example, the direct impact of a regulatory fee change is the change in costs for these regulated entities.) When describing a particular economic impact, specify which new requirement or change in requirement creates the anticipated economic impact. Keep in mind that this is the proposed change versus the status quo. One bullet has been provided, add additional bullets as needed.
- (2) Quantitative Factors:
 - (a) Enter estimated dollar value of total (overall) direct costs described above.
 - (b) Enter estimated dollar value of total (overall) direct benefits described above.
 - (c) Enter the present value of the direct costs based on the worksheet.
 - (d) Enter the present value of the direct benefits based on the worksheet.
- (3) Benefits-Costs Ratio: Calculate d divided by c OR enter it from the worksheet.
- (4) Net Benefit: Calculate d minus c OR enter it from the worksheet.
- (5) Indirect Costs & Benefits: Identify all specific, indirect economic impacts (costs and/or benefits), anticipated to result from the regulatory change. (An indirect impact is one that results from responses to the regulatory change, but which are not directly required by the regulation. Indirect impacts of a regulatory fee change on regulated entities could include a change in the prices they charge, changes in their operating procedures or employment levels, or decisions to enter or exit the regulated profession or market. Indirect impacts also include responses by other entities that have close economic ties to the regulated entities, such as suppliers or partners.) If there are no indirect costs or benefits, include a specific statement to that effect.
- (6) Information Sources: Describe the sources of information used to determine the benefits and costs, including the source of the Quantitative Factors. If dollar amounts are not available, indicate why they are not.

(7) Optional: Use this space to add any further information regarding the data provided in this table, including calculations, qualitative assessments, etc.

Table 1a: Costs and Benefits of the Proposed Changes (Primary Option)

(1) Direct Costs & Benefits	<ul style="list-style-type: none"> • Describe first proposed impactful change here. <p>Direct Costs: Describe the direct costs of this proposed change here.</p> <p>Direct Benefits: Describe the direct benefits of this proposed change here.</p> <ul style="list-style-type: none"> • Use additional bullets as needed 		
(2) Quantitative Factors	Estimated Dollar Amount	Present Value	
Direct Costs	(a)	(c)	
Direct Benefits	(b)	(d)	
(3) Benefits-Costs Ratio		(4) Net Benefit	
(5) Indirect Costs & Benefits			
(6) Information Sources			
(7) Optional			

Table 1b: Costs and Benefits under the Status Quo (No change to the regulation)

This table addresses current requirements and the implications of not making any changes. In other words, describe the costs and benefits of maintaining the current regulatory requirements as is.

(1) Direct Costs & Benefits	<ul style="list-style-type: none"> • Describe the current requirement associated with the first proposed impactful change described in Table 1a here. <p>Direct Costs: Describe the direct cost of maintaining the current requirement</p> <p>Direct Benefits: Describe the direct benefits of maintaining the current requirement</p> <ul style="list-style-type: none"> • Use additional bullets as needed 		
(2) Quantitative Factors	Estimated Dollar Amount	Present Value	
Direct Costs	(a)	(c)	
Direct Benefits	(b)	(d)	
(3) Benefits-Costs Ratio		(4) Net Benefit	
(5) Indirect Costs & Benefits			
(6) Information Sources			
(7) Optional			

Table 1c: Costs and Benefits under an Alternative Approach

This table addresses an alternative approach to accomplishing the objectives with different requirements. These alternative approaches may include the use of reasonably available alternatives in lieu of regulation, or information disclosure requirements or performance standards instead of regulatory mandates.

(1) Direct Costs & Benefits	<ul style="list-style-type: none"> • Describe first alternative proposed impactful change here. <p>Direct Costs: Describe the direct costs of this proposed change here.</p> <p>Direct Benefits: Describe the direct benefits of this proposed change here.</p> <ul style="list-style-type: none"> • Use additional bullets as needed 		
(2) Quantitative Factors	Estimated Dollar Amount	Present Value	
Direct Costs	(a)	(c)	
Direct Benefits	(b)	(d)	
(3) Benefits-Costs Ratio			(4) Net Benefit
(5) Indirect Costs & Benefits			
(6) Information Sources			
(7) Optional			

Impact on Local Partners

- (1) Describe the direct costs and benefits (as defined on page 1) for local partners in terms of real monetary costs and FTEs. Local partners include local or tribal governments, school divisions, or other local or regional authorities, boards, or commissions. If local partners are not affected, include a specific statement to that effect and a brief explanation of the rationale.
- (2) Quantitative Factors:

- (a) Enter estimated dollar value of total (overall) direct costs described above.
- (b) Enter estimated dollar value of total (overall) direct benefits described above.
- (3) Indirect Costs & Benefits: Describe any indirect benefits and costs (as defined on page 1) for local partners that are associated with all significant changes. If there are no indirect costs or benefits, include a specific statement to that effect.
- (4) Information Sources: describe the sources of information used to determine the benefits and costs, including the source of the Quantitative Factors. If dollar amounts are not available, indicate why they are not.
- (5) Assistance: Identify the amount and source of assistance provided for compliance in both funding and training or other technical implementation assistance.
- (6) Optional: Use this space to add any further information regarding the data provided in this table, including calculations, qualitative assessments, etc.

Note: If any of the above information was included in Table 1, use the same information here.

Table 2: Impact on Local Partners

(1) Direct Costs & Benefits	
(2) Quantitative Factors	Estimated Dollar Amount
Direct Costs	(a)
Direct Benefits	(b)
(3) Indirect Costs & Benefits	
(4) Information Sources	
(5) Assistance	
(6) Optional	

Economic Impacts on Families

- (1) Describe the direct costs and benefits (as defined on page 1) to a typical family of three (average family size in Virginia according to the U. S. Census) arising from any proposed regulatory changes that would affect the costs of food, energy, housing, transportation, healthcare, and education. If families are not affected, include a specific statement to that effect and a brief explanation of the rationale.
- (2) Quantitative Factors:
 - (a) Enter estimated dollar value of direct costs.
 - (b) Enter estimated dollar value of direct benefits.
- (3) Indirect Costs & Benefits: Describe any indirect costs and benefits (as defined on page 1) to a typical family of three that are most likely to result from the proposed changes.
- (4) Information Sources: describe the sources of information used to determine the benefits and costs, including the source of the Quantitative Factors. If dollar amounts are not available, indicate why not.
- (5) Optional: Use this space to add any further information regarding the data provided in this table, including calculations, qualitative assessments, etc.

Note: If any of the above information was included in Table 1, use the same information here.

Table 3: Impact on Families

(1) Direct Costs & Benefits	
(2) Quantitative Factors	Estimated Dollar Amount
Direct Costs	(a)
Direct Benefits	(b)
(3) Indirect Costs & Benefits	
(4) Information Sources	
(5) Optional	

Impacts on Small Businesses

- (1) Describe the direct costs and benefits (as defined on page 1) for small businesses. For purposes of this analysis, “small business” means the same as that term is defined in § 2.2-4007.1. If small businesses are not affected, include a specific statement to that effect and a brief explanation of the rationale.
- (2) Quantitative Factors:
 - (a) Enter estimated dollar value of direct costs.
 - (b) Enter estimated dollar value of direct benefits.
- (3) Indirect Costs & Benefits: Describe the indirect benefits and costs (as defined on page 1) for small businesses that are most likely to result from the proposed changes.
- (4) Alternatives: Add a qualitative discussion of any equally effective alternatives that would make the regulatory burden on small business more equitable compared to other affected business sectors, and how those alternatives were identified.
- (5) Information Sources: describe the sources of information used to determine the benefits and costs, including the source of the Quantitative Factors. If dollar amounts are not available, indicate why not.
- (6) Optional: Use this space to add any further information regarding the data provided in this table, including calculations, qualitative assessments, etc.

Note: If any of the above information was included in Table 1, use the same information here.

Table 4: Impact on Small Businesses

(1) Direct Costs & Benefits	
(2) Quantitative Factors	Estimated Dollar Amount
Direct Costs	(a)
Direct Benefits	(b)
(3) Indirect Costs & Benefits	
(4) Alternatives	
(5) Information Sources	

(6) Optional	
---------------------	--

Changes to Number of Regulatory Requirements

For each individual VAC Chapter amended, repealed, or promulgated by this regulatory action, list (a) the initial requirement count, (b) the count of requirements that this regulatory package is adding, (c) the count of requirements that this regulatory package is reducing, (d) the net change in the number of requirements. This count should be based upon the text as written when this stage was presented for executive branch review. Five rows have been provided, add or delete rows as needed.

Table 5: Total Number of Requirements

	Number of Requirements			
Chapter number	Initial Count	Additions	Subtractions	Net Change



COMMONWEALTH of VIRGINIA
DEPARTMENT OF LABOR AND INDUSTRY

Gary G. Pan

Main Street Centre

VIRGINIA SAFETY AND HEALTH CODES BOARD

600 East Main Street, Suite 207

Richmond, Virginia 23219

BRIEFING PACKAGE

FOR NOVEMBER 14, 2022

Notice of Periodic Review of Certain Existing Regulations

I. Action Requested

The Department requests the permission of the Board to proceed with the periodic review process of the Board's regulations listed in Section II, below.

II. Background and Basis

The Administrative Process Act ([Va. Code § 2.2-4017](#)), [Executive Order 19 \(2022\)](#), "Development and Review of State Agency Regulations," and the Office of Regulatory Management (ORM) [Procedures for the Review of State Agency Regulations](#) govern the periodic review of existing regulations. Four regulations of the Safety and Health Codes Board have been identified for review in 2022. They are as follows:

(e) Notice of Periodic Reviews for 2022

5. [16VAC25-50](#): Boiler and Pressure Vessel Regulation
6. [16VAC25-60](#): Administrative Regulation for the Virginia Occupational Safety and Health Program
7. [16VAC25-145](#): Safety Standards for Fall Protection in Steel Erection, Construction Industry
8. [16VAC25-200](#): Virginia Voluntary Protection Program (VPP)

(f) [Va. Code § 2.2-4017](#). Periodic review of regulations:

Each Governor shall mandate through executive order a procedure for periodic review during that Governor's administration of regulations of agencies within the executive branch of state government. The procedure shall include (i) a review by the Attorney General to ensure statutory authority for regulations and (ii) a determination by the Governor whether the regulations are (a) necessary for the protection of public health, safety and welfare and (b) clearly written and easily understandable.

The Governor may require each agency (i) to review all regulations promulgated by that agency to determine whether new regulations should be adopted and old regulations amended or repealed, and (ii) to prepare a written report summarizing the agency's findings about its regulations, its reasons for its findings and any proposed course of action.

(g) Office of Regulatory Management (ORM) [Procedures for the Review of State Agency Regulations](#):

Periodic Review of Existing Regulations

All existing state regulations promulgated by executive branch agencies, including those promulgated pursuant to an exemption from the APA, shall be reviewed every four years to determine whether they should be continued without change or be amended or repealed, consistent with the stated objectives of applicable law, to minimize the economic impact on small businesses in a manner consistent with the stated objectives of applicable law, as regarding [§ 2.2-4007.1 of the Code of Virginia](#).

The periodic review shall include: (1) the continued need for the regulation; (2) the nature and complaints or comments received concerning the regulation from the public; (3) the complexity of the regulation; (4) the extent to which the regulation overlaps, duplicates or conflicts with federal or state law or regulation; (5) an economic analysis including benefit-cost analysis, local government impact analysis, economic impacts on families, and the count of regulatory requirements embedded in the regulation; and (6) the length of time since the regulation has been evaluated or the degree to which technology, economic conditions, or other factors have changed in the area affected by the regulation.⁸

⁸ Page 13, <https://townhall.virginia.gov/ORM-Procedures-Memo-v2.pdf>

III. Current Status and Process

These four regulations of the Safety and Health Codes Board have been identified for review in 2022. If approval to proceed is granted by the Board, the process of periodic review begins with publication of a Notice of Periodic Review in the Virginia Register. With publication of this Notice of Periodic Review, a public comment period of at least 21 days, but not longer than 90 days, begins.

Subsequently, the Department will review these regulations and related public comments, then prepare a briefing package with recommendations to be presented for the Board's consideration at a future meeting.

NOTE: Until recently it was not clear that the [Procedures for the Review of State Agency Regulations](#) were applicable to periodic reviews initiated prior to the adoption of the new Procedures. DOLI was informed by the Department of Planning and Budget (DPB) on November 3, 2022 that the new Procedures apply to any periodic reviews that had not been submitted to the Office of the Governor for review prior to July 30, 2022. For periodic reviews, agencies will have to complete Tables 2, 3 and 4 addressing Direct and Indirect Costs and Benefits based on quantitative factors to Local Partners, Families and Small Businesses. The Department estimates that considerable time and potentially some costs associated with securing outside consultants may be necessary in order to complete Tables 2, 3 and 4 required by the new Procedures.

Based on the decision of the Board, the Department of Labor and Industry will post a report on the Virginia Regulatory Town Hall website indicating for each regulation that the Board will either retain the regulation as is, or will begin a regulatory action to amend or repeal the regulation.

Contact Person:

Princy R. Doss
Director of Policy, Planning, and Public Information
Division of Legal Support
Virginia Department of Labor and Industry
804.786.4300
princy.doss@doli.virginia.gov

RECOMMENDED ACTION

The Department of Labor and Industry recommends that the Safety and Health Codes Board approve the publication of a Notice of Periodic Review in the Virginia Register for [16VAC25-50](#): Boiler and Pressure Vessel Regulation; [16VAC25-60](#): Administrative Regulation for the Virginia Occupational Safety and Health Program; [16VAC25-145](#): Safety Standards for Fall Protection in Steel Erection, Construction Industry; and [16VAC25-200](#): Virginia Voluntary Protection Program (VPP).

The Department also recommends that the Board state in any motion it may make regarding the periodic review of these regulations that it will receive, consider and respond to petitions by any interested person at any time with respect to the periodic review which will be conducted in accordance with the above-cited [§ 2.2-4017](#) of the Administrative Process Act and [Executive Order 19 \(2022\)](#), “Development and Review of State Agency Regulations”.



Virginia Safety and Health Codes Board

OSHA Standards Update

OSHA Semi-Annual Regulatory Agenda

<https://www.reginfo.gov/public/do/eAgendaMain>

Definition of Terms

RFI – Request for Information (does OSHA proceed or not)
(often done at Pre-Rule Stage)

ANPRM – Advanced Notice of Proposed Rulemaking (options)

SBREFA - Small Business Regulatory Enforcement Fairness Act

NPRM – Notice of Proposed Rulemaking (*De Minimis Policy)

FR – Final Rule





DSG Spring 2022 Regulatory Agenda Final Rule Stage

RIN #	Project	Reg Agenda Date
1218-AD36	Subpart U--Emergency Temporary Standard--COVID-19	9/2022
1218-AC93	Update to the Hazard Communication Standard	12/2022

OSHA Semi-Annual Regulatory Agenda

<https://www.reginfo.gov/public/do/eAgendaMain>

DOL/OSHA	Prenule Stage	Process Safety Management and Prevention of Major Chemical Accidents	1218-AC82
DOL/OSHA	Prenule Stage	Mechanical Power Presses Update	1218-AC88
DOL/OSHA	Prenule Stage	Prevention of Workplace Violence in Health Care and Social Assistance	1218-AD08
DOL/OSHA	Prenule Stage	Blood Lead Level for Medical Removal	1218-AD10
DOL/OSHA	Prenule Stage	Heat Illness Prevention in Outdoor and Indoor Work Settings	1218-AD39
DOL/OSHA	Proposed Rule Stage	Infectious Diseases	1218-AC46
DOL/OSHA	Proposed Rule Stage	Amendments to the Cranes and Derricks in Construction Standard	1218-AC81
DOL/OSHA	Proposed Rule Stage	Shipyards Fall Protection--Scaffolds, Ladders and Other Working Surfaces	1218-AC85
DOL/OSHA	Proposed Rule Stage	Communication Tower Safety	1218-AC90
DOL/OSHA	Proposed Rule Stage	Emergency Response	1218-AC91
DOL/OSHA	Proposed Rule Stage	Lock-Out/Tag-Out Update	1218-AD00
DOL/OSHA	Proposed Rule Stage	Tree Care Standard	1218-AD04
DOL/OSHA	Proposed Rule Stage	Welding in Construction Confined Spaces	1218-AD23
DOL/OSHA	Proposed Rule Stage	Personal Protective Equipment in Construction	1218-AD25
DOL/OSHA	Proposed Rule Stage	Powered Industrial Trucks Design Standard Update	1218-AD26
DOL/OSHA	Proposed Rule Stage	Walking Working Surfaces	1218-AD28
DOL/OSHA	Proposed Rule Stage	Occupational Exposure to Crystalline Silica: Revisions to Medical Surveillance Provisions for Medical Removal Protection	1218-AD31
DOL/OSHA	Proposed Rule Stage	Improve Tracking of Workplace Injuries and Illnesses	1218-AD40
DOL/OSHA	Proposed Rule Stage	Massachusetts State and Local Government Only State Plan--Initial State Plan Approval	1218-AD41
DOL/OSHA	Proposed Rule Stage	Arizona State Plan for Occupational Safety and Health	1218-AD43
DOL/OSHA	Final Rule Stage	Update to the Hazard Communication Standard	1218-AC83
DOL/OSHA	Final Rule Stage	Procedures for the Handling of Retaliation Complaints Under the Taxpayer First Act	1218-AD27
DOL/OSHA	Final Rule Stage	Procedures for Handling of Retaliation Complaints Under the Whistleblower Protection Statutes	1218-AD30
DOL/OSHA	Final Rule Stage	Subpart U--Emergency Temporary Standard--COVID-19	1218-AD36
DOL/OSHA	Final Rule Stage	Procedures for the Handling of Retaliation Complaints Under the Anti-Money Laundering Act	1218-AD37
DOL/OSHA	Final Rule Stage	Procedures for the Handling of Retaliation Complaints under the Criminal Antitrust Anti-Retaliation Act	1218-AD38



NACOSH Heat Injury and Illness Prevention Workgroup

National Advisory Committee on Occupational Safety and Health (NACOSH)

The National Advisory Committee on Occupational Safety and Health (NACOSH) is a statutory committee established under the Occupational Safety and Health Act of 1970 to advise the Secretaries of Labor and Health and Human Services on occupational safety and health programs and policies.

NACOSH is comprised of 12 members: four public representatives, two management representatives, two labor representatives, two occupational health professionals and two occupational safety professionals. The Secretary of Health and Human Services designates two of the public representatives and both of the health professionals. All members are appointed by the Secretary of Labor and serve two-year terms.



NACOSH Heat Injury and Illness Prevention Workgroup

<https://www.osha.gov/heat-exposure/heat-injury-and-illness-prevention-work-group>

The Work Group was established to help NACOSH respond to OSHA's request to provide recommendations on the Agency's heat injury and illness prevention guidance and rulemaking activities.

NACOSH Representatives				
Rebecca Reindel AFL-CIO Work Group Co-chair	Cynthia Lewis Fay 'W' Boozman College of Public Health, University of Arkansas for Medical Sciences	Kathleen Dobson Alberti Constructors, Inc. Work Group Co-chair		
Management Interests				
Robert Matuga National Association of Home Builders	Kirk Sander National Waste and Recycling Association	Christopher Long National Association of Manufacturers	Dominique Damian Washington Farm Bureau	LTC David DeGroot United States Army
Labor Interests				
Garvin West The Center for Construction Research and Training (CPWR)	LaMont Byrd International Brotherhood of Teamsters	Nicole Hernandez-Hammer Service Employees International Union	Mirella Denis-Zaragoza Warehouse Workers Resource Center	Nesahualcoyotl Xiuhtecutli Farmworker Association of Florida
State Plan Representative				
Jay Withrow Virginia Department of Labor and Industry				
Technical Public Health Expert				
Dr. Jane Spector University of Washington				



NACOSH Heat Injury and Illness Prevention Workgroup

<https://www.osha.gov/heat-exposure/heat-injury-and-illness-prevention-work-group>

- ❑ Meetings held June 30, 2022 and September 12, 2022.
- ❑ Two subgroups reviewed OSHA guidance materials and potential elements for a heat injury and illness prevention rulemaking.
- ❑ Next Workgroup Meeting: December 13, 2022
- ❑ Guidance subgroup to make final recommendations at January 3, 2023 Full NACOSH meeting.

NACOSH Heat Injury and Illness Prevention Workgroup

<https://www.osha.gov/heat-exposure/heat-injury-and-illness-prevention-work-group>

- ❑ Rulemaking subgroup reviewed State Plan Standards (Oregon, Washington, Minnesota, California, Nevada, Colorado, Virginia (proposed, but not adopted), Maryland (not yet published))
- ❑ Other sources reviewed included US Military (Army, Navy, Marine Corps), Worksafe BC, ACGIH TLV, ASHRAE Air Quality in Commercial Aircraft, ASTM Managing Heat Stress in Foundries, DRAFT ANSI A10.50, NIOSH Recommended Heat Standard and Health Hazard Evaluation information

NACOSH Heat Injury and Illness Prevention Workgroup

<https://www.osha.gov/heat-exposure/heat-injury-and-illness-prevention-work-group>

Elements of Existing Standards and Resources Identified

- Scope and Application
- Employer and Employee Responsibility
- Temperature Measurement Requirements
- Radiant heat/work load/clothing/other contributing risk factors
- Heat illness prevention plan
- Employee participation
- Engineering controls
- Administrative controls
- PPE
- Worker Training/Information
- Supervisor Training/Information
- Acclimatization
- Scheduled breaks
- Access to shade/cool down areas
- Drinking water/hydration
- Medical monitoring/surveillance
- High heat procedures
- Extreme heat procedures
- Emergency response
- Recordkeeping



OSHA Heat National Emphasis Program

https://www.osha.gov/sites/default/files/enforcement/directives/CPL_03-00-024.pdf

Heat NEP: Inspection Procedures

- On **heat priority days** (heat index **80°F** or higher):
 - During any OSHA inspection, check if employer has a heat-related hazard prevention program
 - Provide compliance assistance where needed
- On any day that the National Weather Service (**NWS**) has announced a **heat advisory** or **warning**, <https://www.weather.gov/safety/heat-ww>
 - Conduct programmed inspections at work sites in **targeted industries**



☐ VOSH NEP

- <https://townhall.virginia.gov/L/GDocForum.cfm?GDocForumID=1926>
- Guidance document comment period closes September 28, 2022
- Heat index of 85°F or higher
- Conduct onsite inspections or informal investigations to complaints depending on the specific fact situation
- Each Regional Office to conduct a 3 or more planned inspections under the NEP

OSHA Heat National Emphasis Program

https://www.osha.gov/sites/default/files/enforcement/directives/CPL_03-00-024.pdf

Heat NEP: Target Industries - Appendix A



Table 1 – Examples of non-construction industries in ListGen

<u>2017 NAICS Industry Sector</u>
3118 Bakeries and Tortilla Manufacturing
3211 Sawmills and Wood Preservation
3241 Petroleum and Coal Products Manufacturing
3251 Basic Chemical Manufacturing
3272 Glass and Glass Product Manufacturing
3311 Iron and Steel Mills and Ferroalloy Manufacturing
3314 Nonferrous Metal (except Aluminum) Production and Processing
3315 Foundries

Table 2 – Examples of construction industries

<u>2017 NAICS Industry Sector</u>
2361 Residential Building Construction
2362 Nonresidential Building Construction
2371 Utility System Construction
2372 Land Subdivision
2373 Highway, Street, and Bridge Construction
2379 Other Heavy and Civil Engineering Construction

Table 3 – Examples of industries based on local knowledge

<u>2017 NAICS Industry Sector</u>
1112 Vegetable and Melon Farming
4911 Postal Service
5613 Employment Services
5616 Investigation and Security Services
7225 Restaurants and Other Eating Places



OSHA's Heat Injury and Illness Prevention Rulemaking

<https://www.osha.gov/heat-exposure/rulemaking>

- ANPRM Published on October 27, 2021
 - [OSHA Fact Sheet](#)
 - [ANPRM](#)
 - Written Comment Period From October 27 to December 27, 2022; Extended to January 26, 2022
 - [965 Comments Received](#)
 - OSHA has prepared an approximately 20 page high level summary of the comments received which will be published in the near future (undergoing internal clearance process).

OSHA's Heat Injury and Illness Prevention Rulemaking

<https://www.osha.gov/heat-exposure/rulemaking>

OSHA received 965 unique comments and is preparing a summary document:

- Heat injury and illness prevention plans
- Heat exposure measurement metrics and Thresholds
- Engineering controls
- Training and worker engagement
- Emergency response and planning
- PPE
- Medical surveillance monitoring
- Administrative controls
- Water and hydration
- Economic feasibility

OSHA's Heat Injury and Illness Prevention Rulemaking

<https://www.osha.gov/heat-exposure/rulemaking>

Progress Update: ANPRM Comment Analysis

- Conflicting comments will be highlighted in each section of the summary document
- Significant issues raised in the comments will be summarized in the conclusion section. Examples include:
 - Required elements in employers' heat injury and illness prevention plans
 - Heat exposure metrics and thresholds
 - Utility and accuracy of forecast data and smartphone apps
 - Considerations regarding shaded areas
 - Utility and feasibility of air conditioning in certain settings
 - Appropriate and feasible work-rest schedules and acclimatization protocols
 - Whether and how OSHA should account for variations in climate
 - Supervision and training requirements



OSHA's Heat Injury and Illness Prevention Rulemaking

<https://www.osha.gov/heat-exposure/rulemaking>

Progress Update: ANPRM Comment Analysis



- The ANPRM:
 - Aimed to collect evidence, data, and information critical to informing how OSHA proceeds in the rulemaking process
 - Asked over 100 questions on a variety of topics
- OSHA solicited public comments through January 2022





Questions or Comments?

SAVE THE DATE!

November 30—December 2, 2022

VIRGINIA OCCUPATIONAL SAFETY
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Presented by
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25th Virginia Annual Safety and Health Conference

November 28-
29:

OSHA 10-Hour
General Industry

OSHA 10-Hour
Construction

SAVE THE DATE!

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VIRGINIA OCCUPATIONAL SAFETY AND HEALTH CONFERENCE November 30 - December 2, 2022

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Registration Is Open Completely Online. Get A Preview Of The Sessions And Speakers By Clicking On The Session Titles In The Agenda. Click Here To Access The Conference Agenda.



CONTACT

Jay Withrow

Director of Legal Support,

Office of Research and Analysis (ORA),

Office of Policy, Planning and Public Information (OPPI), and

Office of Whistleblower Protection (OWP)

jay.withrow@doli.virginia.gov

804.786.9873



Questions? CONTACT US



www.doli.virginia.gov

Central Region

- 804-371-3104

NoVA Region

- 703-392-0900

Southwest Region

- 540-562-3580

Tidewater Region

- 757-455-0891

Consultation Division

- 804-786-7776

Lynchburg Field Office

- 434-385-0806

Abingdon Field Office

- 276-676-5465

Verona Field Office

- 540-248-9280

<https://www.doli.virginia.gov/vosh-programs/consultation/>

<https://www.doli.virginia.gov/voluntary-protection-program/>

ron.graham@doli.virginia.gov

marta.fernandes@doli.virginia.gov

jennifer.rose@doli.virginia.gov

jay.withrow@doli.virginia.gov

