

WAC 296-155-17609 Exposure assessment. (1) General.

(a) Each employer who has a workplace or operation covered by this standard must initially determine if any employee may be exposed to lead at or above the action level.

(b) For the purposes of this section, employee exposure is that exposure which would occur if the employee were not using a respirator.

(c) With the exception of monitoring under subsection (3) of this section, where monitoring is required by this standard, you must collect personal samples representative of a full shift including at least one sample for each job classification in each work area either for each shift or for the shift with the highest exposure level.

(d) Full shift personal samples must be representative of the monitored employee's regular, daily exposure to lead.

(2) Protection of employees during assessment of exposure.

(a) With respect to the lead related tasks listed in this subdivision, where lead is present, until the employer performs an employee exposure assessment as required in this section and documents that the employee performing any of the listed tasks is not exposed above the PEL, you must treat the employee as if the employee were exposed above the PEL, and not in excess of 10 times the PEL, and you must implement employee protective measures prescribed in subdivision (e) of this subsection. The tasks covered by this requirement are:

(i) Where lead containing coatings or paint are present: Manual demolition of structures (e.g, dry wall), manual scraping, manual sanding, heat gun applications, and power tool cleaning with dust collection systems;

(ii) Spray painting with lead paint.

(b) In addition, with regard to tasks not listed in subdivision (a), where the employer has any reason to believe that an employee performing the task may be exposed to lead in excess of the PEL, until the employer performs an employee exposure assessment as required by this section and documents that the employee's lead exposure is not above the PEL you must treat the employee as if the employee were exposed above the PEL and you must implement employee protective measures as prescribed in subdivision (e) of this subsection.

(c) With respect to the tasks listed in this subdivision, where lead is present, until the employer performs an employee exposure assessment as required in this section, and documents that the employee performing any of the listed tasks is not exposed in excess of 500 $\mu\text{g}/\text{m}^3$, you must treat the employee as if the employee were exposed to lead in excess of 500 $\mu\text{g}/\text{m}^3$ and you must implement employee protective measures as prescribed in subdivision (e) of this subsection. Where the employer does establish that the employee is exposed to levels of lead below 500 $\mu\text{g}/\text{m}^3$, the employer may provide the exposed employee with the appropriate respirator prescribed for such use at such lower exposures, in accordance with Table 1 of WAC 296-155-17613. The tasks covered by this requirement are:

(i) Using lead containing mortar; lead burning;

(ii) Where lead containing coatings or paint are present: Rivet busting; power tool cleaning without dust collection systems; cleanup activities where dry expendable abrasives are used; and abrasive blasting enclosure movement and removal.

(d) With respect to the tasks listed in this subdivision, where lead is present, until the employer performs an employee exposure assessment as required in this section and documents that the employee

performing any of the listed tasks is not exposed to lead in excess of 2,500 $\mu\text{g}/\text{m}^3$ (50xPEL), you must treat the employee as if the employee were exposed to lead in excess of 2,500 $\mu\text{g}/\text{m}^3$ and you must implement employee protective measures as prescribed in (e) of this subsection. Where the employer does establish that the employee is exposed to levels of lead below 2,500 $\mu\text{g}/\text{m}^3$, the employer may provide the exposed employee with the appropriate respirator prescribed for use at such lower exposures, in accordance with Table I of this WAC 296-155-17613. Protection described in this section is required where lead containing coatings or paint are present on structures when performing:

- (i) Abrasive blasting;
- (ii) Welding;
- (iii) Cutting; and
- (iv) Torch burning.

(e) Until the employer performs an employee exposure assessment as required by this section and determines actual employee exposure, you must provide to employees performing the tasks described in (a) through (d) of this subsection with interim protection as follows:

(i) Appropriate respiratory protection in accordance with WAC 296-155-17613.

(ii) Appropriate personal protective clothing and equipment in accordance with WAC 296-155-17615.

(iii) Change areas in accordance with WAC 296-155-17619(2).

(iv) Hand washing facilities in accordance with WAC 296-155-17619(5).

(v) Biological monitoring in accordance with WAC 296-155-17621 (1)(a), to consist of blood sampling and analysis for lead and zinc protoporphyrin levels, and

(vi) Training as required by WAC 296-155-17625 (1)(a) regarding WAC 296-901-140, Hazard communication; training as required by WAC 296-155-17625 (2)(c), regarding use of respirators; and training in accordance with WAC 296-155-100.

(3) Basis of initial determination.

(a) Except as provided by (c) and (d) of this subsection you must monitor employee exposures and you must base initial determinations on the employee exposure monitoring results and any of the following, relevant considerations:

(i) Any information, observations, or calculations which would indicate employee exposure to lead;

(ii) Any previous measurements of airborne lead; and

(iii) Any employee complaints of symptoms which may be attributable to exposure to lead.

(b) Monitoring for the initial determination where performed may be limited to a representative sample of the exposed employees who the employer reasonably believes are exposed to the greatest airborne concentrations of lead in the workplace.

(c) Where the employer has previously monitored for lead exposures, and the data were obtained within the past 12 months during work operations conducted under workplace conditions closely resembling the processes, type of material, control methods, work practices, and environmental conditions used and prevailing in the employer's current operations, the employer may rely on such earlier monitoring results to satisfy the requirements of subdivision (a) of this subsection and subsection (5) of this section if the sampling and analytical methods meet the accuracy and confidence levels of subsection (9) of this section.

(d) Where the employer has objective data, demonstrating that a particular product or material containing lead or a specific process, operation or activity involving lead cannot result in employee exposure to lead at or above the action level during processing, use, or handling, the employer may rely upon such data instead of implementing initial monitoring.

(i) You must establish and maintain an accurate record documenting the nature and relevancy of objective data as specified in WAC 296-155-17629(4), where used in assessing employee exposure in lieu of exposure monitoring.

(ii) Objective data, as described in subdivision (d) of this subsection, is not permitted to be used for exposure assessment in connection with subsection (2) of this section.

(4) Positive initial determination and initial monitoring.

(a) Where a determination conducted under subsections (1), (2) and (3) of this section shows the possibility of any employee exposure at or above the action level you must conduct monitoring which is representative of the exposure for each employee in the workplace who is exposed to lead.

(b) Where the employer has previously monitored for lead exposure, and the data were obtained within the past 12 months during work operations conducted under workplace conditions closely resembling the processes, type of material, control methods, work practices, and environmental conditions used and prevailing in the employer's current operations, the employer may rely on such earlier monitoring results to satisfy the requirements of (a) of this subsection if the sampling and analytical methods meet the accuracy and confidence levels of subsection (9) of this section.

(5) Negative initial determination. Where a determination, conducted under subsections (1), (2), and (3) of this section is made that no employee is exposed to airborne concentrations of lead at or above the action level you must make a written record of such determination. The record must include at least the information specified in subsection (3)(a) of this section and must also include the date of determination, location within the worksite, and the name and Social Security number of each employee monitored.

(6) Frequency.

(a) If the initial determination reveals employee exposure to be below the action level further exposure determination need not be repeated except as otherwise provided in subsection (7) of this section.

(b) If the initial determination or subsequent determination reveals employee exposure to be at or above the action level but at or below the PEL you must perform monitoring in accordance with this section at least every 6 months. You must continue monitoring at the required frequency until at least two consecutive measurements, taken at least 7 days apart, are below the action level at which time the employer may discontinue monitoring for that employee except as otherwise provided in subsection (7) of this section.

(c) If the initial determination reveals that employee exposure is above the PEL you must perform monitoring quarterly. You must continue monitoring at the required frequency until at least two consecutive measurements, taken at least 7 days apart, are at or below the PEL but at or above the action level at which time the employer must repeat monitoring for that employee at the frequency specified in subdivision (b) of this subsection, except as otherwise provided in subsection (7) of this section. You must continue monitoring at the required frequency until at least two consecutive measurements, taken at

least 7 days apart, are below the action level at which time the employer may discontinue monitoring for that employee except as otherwise provided in subsection (7) of this section.

(7) **Additional exposure assessments.** Whenever there has been a change of equipment, process, control, personnel or a new task has been initiated that may result in additional employees being exposed to lead at or above the action level or may result in employees already exposed at or above the action level being exposed above the PEL, you must conduct additional monitoring in accordance with this section.

(8) **Employee notification.**

(a) Within 5 working days after completion of the exposure assessment you must notify each employee in writing of the results which represent that employee's exposure.

(b) Whenever the results indicate that the representative employee exposure, without regard to respirators, is at or above the PEL you must include in the written notice a statement that the employees exposure was at or above that level and a description of the corrective action taken or to be taken to reduce exposure to below that level.

(9) **Accuracy of measurement.** You must use a method of monitoring and analysis which has an accuracy (to a confidence level of 95%) of not less than plus or minus 25% for airborne concentrations of lead equal to or greater than 30 $\mu\text{g}/\text{m}^3$.

[Statutory Authority: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060. WSR 16-09-085, § 296-155-17609, filed 4/19/16, effective 5/20/16. Statutory Authority: RCW 49.17.010, 49.17.040, 49.17.050, 49.17.060 and 29 C.F.R. 1910 Subpart Z. WSR 14-07-086, § 296-155-17609, filed 3/18/14, effective 5/1/14. Statutory Authority: RCW 49.17.010, [49.17].040, and [49.17].050. WSR 01-11-038, § 296-155-17609, filed 5/9/01, effective 9/1/01. Statutory Authority: Chapter 49.17 RCW. WSR 93-22-054 (Order 93-07), § 296-155-17609, filed 10/29/93, effective 12/10/93.]