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Submission to June 12tn, 2007 Public Hearing

WorkSafeBC Revised Regulation

Simon Fraser University

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As representatives of Simon Fraser University, we have the following comments to offer:

Part 4 Working Alone or in Isolation

In 4.20.1 'to work alone or in isolation" is defined as work in circumstances where assistance would not be readily available. This definition is not consistent with your explanatory notes where common situations are clarified as situations where "workers may be working alone **and at risk".** To be consistent, the definition should read "work in circumstances where workers may be **at risk and** assistance would not be readily available". It would also be helpful to have more information in a guidance document to assist in evaluating what is considered readily available assistance.

Part 5 General Requirements / Part 6

Regulation 5.2

In regulation 5.2 (c) retain the words "by any route that could cause adverse health effect".

Removing this phrase has the effect of eliminating the relevance of the existing TLV list since the new wording will require that all exposure risks must be prevented by written procedures. The TLV list recognizes that some exposures are permitted since they do not have a health impact. Surely this is not the intent of the proposed regulatory language. Retaining the phrase will not weaken the protection the regulation provides in the case of biological agents.

Part 30 Laboratory fumehoods

General discussion

Regulatory reform with respect to laboratory fumehoods is best served by promulgating a performance-based regulation with reference to established engineering standards and practices. Laboratory fumehoods are the only class of industrial containment control systems that have attracted such detailed prescriptive requirements. I am not aware of any instances where the fumehoods failed to protect workers when they were in operating condition.

Our first suggestion is to refer to the ANSI/AIHA standard Z9.5 –2003 *Laboratory Ventilation* and the Industrial Ventilation Manual as noted in Regulation 5.61 and to drop the prescriptive details in the regulation. The problems of administering the current regulation and the plethora of variance requests are due to the prescriptive nature of the existing regulation. The present proposal does not address this fundamental issue. The vast majority of fumehoods are used in public institutions and designed by competent engineers to the above mentioned standards. Prescriptive regulations should only be used where there is a lack of knowledge. This is not the case with laboratories where virtually all workers are technically trained and experienced with fumehood operation as part of the technical education.

If our suggestions to simplify these requirements are not accepted, we offer the following detailed comments on the current proposal:

Definitions: 30.7.1(b)

Add the phrase "by inserting arms and hands into the workspace"

The current wording seems to imply that the worker could be inside the fumehood when conducting manipulations. This is clearly not proper use of a fumehood. This wording is similar to the wording in the OSHA (USA) and California fumehood regulation.

Regulation30.8 (2.3)

This regulation requires that all new fumehoods be tested in accordance with the ASHRE tracer gas test #110. This test is conducted with the sash in the wide open position with a manikin placed in front of the hood to represent the presence of a worker. Regulation 30.8 (2.1) requires that the sash be lowered to protect the worker and ensure that contaminants do not enter the breathing zone. We support this requirement. The ASHRE test requires the hood to be operated in a way which the regulation has declared to be unsafe. This test does not reflect the way fumehoods are used in the workplace and will not add to worker safety.

Where a new fumehood is factory tested to the ANSI/ASHRAE 110 standard, designed by professional engineers, meets the airflow requirements, smoke tests and placement rules to prevent cross drafts, the hood will more than adequately protect workers. No other jurisdiction requires this test be conducted. It follows that Regulation 30.8 (2.4) should also be removed from the regulation.

Regulation 30.08 (5), 30.10(2), 30.12

There are three references to "radioactive material" in the proposed regulation. The term must be defined in terms of amounts of volatile radioactivity greater than the exemption quantities specified by the Canadian Nuclear Safety Commission. Otherwise we would have a situation where it would be legal to use small quantities on the open bench but illegal to use the same amount in a fumehood. These amounts are already recognized in regulation 30.12(4).

Thank you for the opportunity to present our comments. With the above exceptions, the regulations are an improvement over the previous requirements and as such we support the changes.