

Stakeholder Meeting Summary
Dept. of Labor & Industries, Tukwila
July 24, 2025

Chapter 296-155 WAC, Safety standards for construction work
Part N, Excavation, Trenching, and Shoring

Department of Labor & Industries (L&I) staff present:

Thomas West
Allison Drake
Steve Heist
Carmyn Shute

Attendees and organizations represented:

Associated General Contractors (AGC)
City of Tacoma
Charter Construction
IUOE Local 612
McDonald-Miller
Puget Sound Energy
Snohomish PUD
Walsh Construction
Waste Management

Summary:

Meeting called to order at 1:02 p.m.

Discussion:

DOSH staff welcomed attendees and provided a safety tip.

DOSH staff shared with attendees the purpose of this rulemaking is to curb the troubling spike in trenching fatalities and injuries in Washington. These tragedies are preventable with planning and adherence to existing rules.

DOSH staff provided an overview of the draft language and the new Trenching Excavation and Rescue Plan.

Questions and answer session:

Do we need a definition for “hazardous atmosphere” because it is mentioned on the new form? (Note: There is a definition for this in the WAC, not on the form.)

Note indicates “prompt, safe removal or rescue of workers.” Concern noted that “prompt” means different things to different people and could be cited. Members suggested “prompt response” or “prompt activation”.

The new form references WAC 296-155-035(9) and that is not related to rescue response.

There are several differences between the language requirements and the form.

Requiring the competent person to remain onsite could be an issue for some companies. Suggestion made to keep it and require more competent person training.

At one time there was a “stop here” message on the form ensuring that the form was being completed by a competent person. Request made to bring that back.

Need to mention somewhere that the form and planning are not required if the trench is less than 4’.

We should note the “exemption to the exemption” from Chapter 296-880, Fall protection.

Since the chapter is open can we require notification to the utilities if there will be trenching within 3 feet of a secondary line?

Following the presentation of draft language, meeting materials and Q&A session, DOSH staff provided a review of the rulemaking timeline and next steps.

Meeting concluded at 2:15 p.m.