

Stakeholder Meeting Summary**Virtual via Teams**

August 20, 2025

**Chapter 296-155 WAC, Safety standards for construction work
Part N, Excavation, Trenching, and Shoring****Department of Labor & Industries (L&I) staff present:**

Ashley Bauer
Kylie Gillihan
Allison Drake
Steve Heist
Teri Neely
Carmyn Shute

Attendees and organizations represented:

AGC of Washington
Approach Management Services
Cannon Construction
City of Issaquah
City of Marysville
City of Tacoma
Cowlitz PUD
Dept. of Enterprise Services
Dept. of Social and Health Services
Northwest Natural
Puget Sound Energy
Safety Matters
Schmitt Electric Wenatchee
Seattle Public Utilities
WSDOT Northwest Region
WSU EHS Pullman

Summary:

Meeting called to order at 1:05 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 Work Plan.

Questions and answer session:

- Is this plan required at the beginning of a job? Does the plan need to be completed daily/multiple plans and merge with the daily soil log? Is this plan only required at 4 ft and deeper? Is emergency training required?
 - The plan should address what is taking place at the moment. Sometimes there are no changes, so the plan doesn't need to change. You need to go over the plan if there are new workers in the work area and/or amend the plan if there are any process changes.
 - Keep soil logs separate from this plan.
 - If you have a protective system (even if it's less than 4 ft) then you need to have a plan.
 - Emergency training requirement was removed, however training for emergency situations should take place.
- On the emergency services slide, is the note staying or will it be removed?
 - Instead of a note we will issue a WAC number going forward.
 - A lot of notes are going away and will have a specific WAC requirement associated with it. As we engage in rulemaking, our goal is to be intentional and provide guidance that is clear to employers to be aware of from a compliance standpoint, so as we find these areas we will update.
- When do the regulations go into effect?
 - We are tentatively filing a CR-102 this fall in 2025.
 - Here is the rulemaking timeline (this could be adjusted +/- a few weeks): November 4, 2025 file the CR-102, December 9-11, 2025 hold virtual/public hearings, January 5, 2026 the comment period ends at 5:00pm, February 3, 2026 CR-103 rule adoption, and March 6, 2026 rule update effective.
- Meeting summaries will be posted on the website soon.
 - Consistent feedback received during meetings that we are looking at are:
 - Do we have to do this work plan every day.
 - Clarifying language in the rule – do not need emergency services on-site/standby.
- Do we have to list everyone that is trained on the plan? We have several people with different schedules that are trained. Could we produce our own records (have a training system) to show someone is trained and document that on the plan?
 - Steve confirmed we would need to look into this question further.
- Request to add the depth on the excavation plan template to avoid confusion.
- Emergency services aren't always available, so this would require you to plan for rescue. Medical rescue is the same as it's always been.
- Is there an expectation for retention on work plans?
 - Steve will take this question back and discuss the expectation around this.
- Regarding training - would it meet the intent of training to add a signature sheet to the trench plan and then go over the plan with the crew and have them all sign that roster sheet associated with that plan similar to a pre-lift meeting or site-specific fall plan? Kind of in a toolbox format.
 - Yes, that would work.
- You can combine the trenching and excavation plan and the pre-task plan and make it one document. (Refer to the trenching plan within the pre-task document).

Meeting concluded at 2:25 p.m.