

**FINAL**  
SAFETY AND HEALTH CODES BOARD  
PUBLIC MEETING MINUTES  
Monday, June 27, 2023

On June 27, 2023, the Safety and Health Codes Board (“Board”) held a public meeting at Fairfield Public Library on 1401 N Laburnum Road, Richmond, VA 23223. 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 19 (2022). The notice invited the public to witness the meeting remotely via Microsoft Teams. Notice was provided on the Virginia Regulatory Town Hall’s website here:

[Virginia Regulatory Town Hall View Meeting](#)

A recording of the meeting in its entirety is available on the Virginia Department of Labor and Industry website: [DOLI Virginia Safety and Health Codes Board](#)

**BOARD MEMBERS PARTICIPATING:**

Mr. Travis Parsons, Acting Vice-Chair  
Mr. Lee Biedrycki  
Mr. Robert Buchler  
Ms. Kelly Bundy  
Ms. Julie Henderson (VDH)  
Mr. John Giese (DEQ)  
Mr. Robert Smith

**BOARD MEMBERS ABSENT:**

Mr. Jay Abbott  
Ms. Lutheria Smith  
Mr. Thomas Thurston

**STAFF PRESENT:**

Mr. Brian Slater, Secretary of Labor  
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  
Mr. Alex West, Director Litigation  
Mr. Ron Graham, Director of VOSH Health Compliance

**OTHERS PARTICIPATING:**

Mr. Joshua Laws, Assistant Attorney General  
Ms. Lois Boyle, Court Reporter

**CALL TO ORDER**

Vice-Chair Travis Parsons called the meeting to order at 10:30 AM. A quorum was present. Vice-Chair Parsons made opening remarks informing the public that this meeting was being held in person for the participating board members with virtual attendance available through Microsoft Teams. Secretary Slater and Commissioner Pan welcomed the board members to the meeting and thanked them for their service to the safety and health of the Virginia workforce.

**BOARD MEMBER ROLE CALL**

BOARD MEMBER	Present	Absent			
Mr. Jay Abbott		X			
Mr. Lee Biedrycki	X				
Mr. Robert Buchler	X				
Ms. Kelly Bundy	X				
Ms. Julie Henderson (VDH)	X				
Mr. John Giese (DEQ)	X				
Mr. Travis Parsons	X				
Ms. Lutheria Smith		X			
Mr. Robert Smith	X				
Mr. Thomas Thurston		X			
VACANT					
<b>TOTALS</b>	<b>7</b>	<b>3</b>			

**APPROVAL OF AGENDA**

Vice-Chair Parsons asked the Board if there was any discussion on the agenda. There was none. Vice-Chair Parsons 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.

Motion: Approval of Agenda	Yea	Nay	Abstain	Absent	Other
Mr. Jay Abbott				X	
Mr. Lee Biedrycki	X				
Mr. Robert Buchler	X				
Ms. Kelly Bundy	X				
Mr. John Giese	X				
Ms. Julie Henderson (VDH)	X				
Mr. Travis Parsons					
Ms. Lutheria Smith	X			X	
Mr. Robert Smith	X				
Mr. Thomas Thurston				X	
VACANT					
<b>TOTALS</b>	<b>7</b>			<b>3</b>	

**APPROVAL OF MEETING MINUTES**

Vice-Chair Parsons then called for discussion and motion for approval of the March 21, 2022 Meeting minutes. He asked the Board if there was any discussion on the March 21, 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.

Motion: Approval of November 14, 2022 Meeting Minutes	Yea	Nay	Abstain	Absent	Other
Mr. Jay Abbott				X	
Mr. Lee Biedrycki	X				
Mr. Robert Buchler	X				
Ms. Kelly Bundy	X				
Mr. John Giese (DEQ)	X				
Ms. Julie Henderson (VDH)	X				
Mr. Travis Parsons	X				
Ms. Lutheria Smith				X	
Mr. Robert Smith	X				
Mr. Thomas Thurston				X	
VACANT					
<b>TOTALS</b>	<b>7</b>			<b>3</b>	

**OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD**

Vice-Chair Parsons 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 by the deadline of June 26, 2023.

Vice-Chair Parsons moved to the next item on the agenda, which was Old Business. He introduced Cristin Bernhardt, Regulatory Coordinator for Department of Labor & Industry, to address the Board.

**OLD BUSINESS**

**(a) Report on Periodic Reviews of Certain Regulations**

Ms. Bernhardt presented the Board with a Report on certain Periodic Reviews that were noticed by the Board at the December 3, 2021 board meeting. Ms. Bernhardt explained 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.

There was an explanation of the periodic review regulatory process and the Town Hall public comment forum for the Notice of Periodic Reviews that opened May 23, 2022 and closed on June 13, 2022 for the 4 regulations under review. There were no public comments received during the comment period.

Ms. Bernhardt explained to the SHCB that the Office of Regulatory Management (ORM) implemented a new regulatory process requirement for an economic impact analysis that was conducted for the 6 periodic reviews and included in the briefing packages. We will not specifically discuss the economic analysis forms (EAF) but if any board member has any questions we can discuss. Then she went through the first 2 regulations that were the subject of the periodic reviews to provide the results of the DOLI review conducted as a result of the December 2021 meeting.

**1. 16VAC25-20: Regulation Concerning Licensed Asbestos Contractor Notification, Asbestos Project Permits, and Permit Fees.**

Ms. Bernhardt explained that 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. This 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.

A public comment period of 21 days began on May 23, 2022, and closed on June 13, 2022. The Department received no comments. The Department believes the regulation is not overly complex and does not overlap, duplicate, or conflict with federal or state law or regulation. The Department does not believe that economic conditions, or other factors have significantly changed in the area affected by the regulation.

The Department of Labor and Industry believes there is a continued need for this 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

At this time, the Department of Labor and Industry recommends to the Safety and Health Codes Board that this regulation be retained as is. The Department requests that the Safety and Health Codes Board vote to retain the regulation with no changes.

Vice-Chair Parsons then called for discussion and motion for approval of the Department recommendation to retain 16VAC-25-20 without changes. He asked the Board if there was any discussion. 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.

Motion: Approval of Dept recommendation to retain 16VAC-25-20 without changes	Yea	Nay	Abstain	Absent	Other
Mr. Jay Abbott				X	
Mr. Lee Biedrycki	X				
Mr. Robert Buchler	X				
Ms. Kelly Bundy	X				
Mr. John Giese (DEQ)	X				
Ms. Julie Henderson (VDH)	X				

Mr. Travis Parsons	X				
Ms. Lutheria Smith				X	
Mr. Robert Smith	X				
Mr. Thomas Thurston				X	
VACANT					
<b>TOTALS</b>	<b>7</b>			<b>3</b>	

**2. 16VAC25-30: Regulations for Asbestos Emissions Standards for Demolition and Renovation Construction Activities and the Disposal of Asbestos-Containing Construction Wastes**

Ms. Bernhardt presented the next regulation on the agenda for periodic review. 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. If the DOLI regulation did not exist, covered employers would still have to comply with the same federal regulatory provisions and be subject to enforcement by either the Virginia Department of Environmental Quality (DEQ) or the federal Environmental Protection Agency (EPA). 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](#)," 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 Department believes the regulation is not overly complex and does not overlap, duplicate, or conflict with federal or state law or regulation. The Department does not believe that economic conditions, or other factors have significantly changed in the area affected by the regulation.

At this time, the Department of Labor and Industry recommends to the Safety and Health Codes Board that this regulation be retained as is. The Department requests that the Safety and Health Codes Board vote to retain the regulation with no changes.

Vice-Chair Parsons then called for discussion and motion for approval of the Department recommendation to retain 16VAC-25-30 without changes. He asked the Board if there was any discussion. There was none. The motion was made, properly seconded and the roll call vote was conducted. The motion carried.

Motion: Approval of Dept recommendation to retain 16VAC-25-30 without changes	Yea	Nay	Abstain	Absent	Other
Mr. Jay Abbott				X	
Mr. Lee Biedrycki	X				
Mr. Robert Buchler	X				
Ms. Kelly Bundy	X				
Mr. John Giese (DEQ)	X				
Ms. Julie Henderson (VDH)	X				

Mr. Travis Parsons	X				
Ms. Lutheria Smith				X	
Mr. Robert Smith	X				
Mr. Thomas Thurston				X	
VACANT					
<b>TOTALS</b>	<b>7</b>			<b>3</b>	

Vice Chair Parson introduced Princy Doss, Director of Policy, Planning and Public Information (OPPI) for the Department.

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

Ms. Doss presented the next periodic review for consideration by the board. 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.

[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 Department assumes that economic conditions, or other factors have significantly changed in the area affected by the regulation since, to the Department's knowledge, no locality has chosen to adopt such an ordinance even though the impetus for the statute came from local government entities. The Department does recommend repealing the regulation contingent on the Department successfully obtaining General Assembly approval to repeal [Va. Code § 15.2-910](#).

A public comment period of 21 days began on May 23, 2022 and closed on June 13, 2022. The Department received no comments. The Department believes 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 of Labor and Industry recommends to the Safety and Health Codes Board that this regulation be retained as is while the Department pursues legislative action to repeal the statute. Therefore, the Department requests that the Safety and Health Codes Board vote to retain the regulation with no changes while the Department takes the necessary steps with the General Assembly to repeal [Va. Code § 15.2-910](#).

Vice-Chair Parsons then called for discussion and motion for approval of the Department recommendation to retain 16VAC-25-40 without changes at this time. He asked the Board if there was any discussion. There was none. The motion was made, properly seconded and the roll call vote was conducted. The motion carried.

Motion: Approval of Dept recommendation to retain 16VAC-25-40 without changes while the Department pursues repeal of the statute <a href="#">Va. Code § 15.2-910</a> .	Yea	Nay	Abstain	Absent	Other
Mr. Jay Abbott				X	
Mr. Lee Biedrycki	X				
Mr. Robert Buchler	X				
Ms. Kelly Bundy	X				
Mr. John Giese (DEQ)	X				
Ms. Julie Henderson (VDH)	X				
Mr. Travis Parsons	X				
Ms. Lutheria Smith				X	
Mr. Robert Smith	X				
Mr. Thomas Thurston				X	
VACANT					
<b>TOTALS</b>	<b>7</b>			<b>3</b>	

Vice Chair Parsons introduced Jay Withrow, Director of Legal Support, for the Department to report on the final three regulations for periodic review.

#### 4. 16 VAC 25-70: Virginia Confined Space Standard for the Telecommunications Industry

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 (utility access holes, 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.

Mr. Withrow discussed the adoption history of this Virginia unique standard. During a previous regulatory review in 1996, the Department established an independent review panel to consider the need for the standard or whether it should be eliminated. Based on the analysis of this report, the Department recommended to the Safety and Health Codes Board that the regulation be repealed. However, after review by the Safety and Health Codes Board, the Board rejected that recommendation, finding that employees would not be adequately protected if this regulation was repealed.

The Department believes the standard is not overly complex, and does not overlap, duplicate, or conflict with state law or regulation. The regulation duplicates in part federal OSHA's Telecommunications Standard, providing more stringent protections in certain respects. The Department believes that economic conditions, or other factors may have significantly changed in the area affected by the regulation. The Department recommends that the Board authorize the Department to prepare a Notice

of Intended Regulatory Action to consider revision up to and including repeal of portions or the entire standard in light of the above-referenced changed conditions and OSHA interpretations.

The Department also recommends that the Board authorize the Department to appoint a Regulatory Advisory Panel (RAP) pursuant to 16VAC25-11-70 to assist the Department in its review of the standard.<sup>1</sup>

Vice-Chair Parsons then called for discussion and motion for approval of the Department recommendation for the changes to 16VAC-25-70 and authorization to appoint a RAP to assist in review of the standard. He asked the Board if there was any discussion. There was none. The motion was made, properly seconded and the roll call vote was conducted. The motion carried.

Motion: Approval of Dept recommendation for changes to 16VAC-25-70 and authorization to appoint a RAP to assist in review of the standard.	Yea	Nay	Abstain	Absent	Other
Mr. Jay Abbott				X	
Mr. Lee Biedrycki	X				
Mr. Robert Buchler	X				
Ms. Kelly Bundy	X				
Mr. John Giese (DEQ)	X				
Ms. Julie Henderson (VDH)	X				
Mr. Travis Parsons	X				
Ms. Lutheria Smith				X	
Mr. Robert Smith	X				
Mr. Thomas Thurston				X	
VACANT					
<b>TOTALS</b>	<b>7</b>			<b>3</b>	

<sup>1</sup> **16VAC25-11-20. Definitions.**

"Regulatory advisory panel" or "RAP" means a standing or ad hoc advisory panel of interested parties established by the agency for the purpose of assisting in regulatory actions.

<http://leg1.state.va.us/cgi-bin/legp504.exe?000+reg+16VAC25-11-20>

**16VAC25-11-70. Appointment of regulatory advisory panel.**

A. The agency may appoint a regulatory advisory panel (RAP) to provide professional specialization or technical assistance when the agency determines that such expertise is necessary to address a specific regulatory issue or action or when individuals indicate an interest in working with the agency on a specific regulatory issue or action.

B. Any person may request the appointment of a RAP and request to participate in its activities. The agency shall determine when a RAP shall be appointed and the composition of the RAP.

C. A RAP may be dissolved by the agency if:

1. The proposed text of the regulation is posted on the Town Hall, published in the Virginia Register, or such other time as the agency determines is appropriate; or

2. The agency determines that the regulatory action is either exempt or excluded from the requirements of the Administrative Process Act.

<http://leg1.state.va.us/cgi-bin/legp504.exe?000+reg+16VAC25-11-70>

**5. 16 VAC 25-97: Reverse Signal Operation Safety Requirements for Motor Vehicles, Machinery and Equipment in General Industry and the Construction Industry**

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 be 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 Department believes 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.

Except for the disruptions related to the COVID-19 pandemic and its aftermath, the Department does not believe that economic conditions, or other factors have significantly changed in the area affected by the regulation. The Department 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 affected industries.

At this time, the Department of Labor and Industry recommends to the Safety and Health Codes Board that this regulation be retained as is. The Department requests that the Safety and Health Codes Board vote to retain the regulation with no changes.

Vice-Chair Parsons then called for discussion and motion for approval of the Department recommendation to retain 16VAC-25-97 without changes. He asked the Board if there was any discussion. There was none. The motion was made, properly seconded and the roll call vote was conducted. The motion carried.

Motion: Approval of Dept recommendation to retain 16VAC-25-97 without changes	Yea	Nay	Abstain	Absent	Other
Mr. Jay Abbott				X	
Mr. Lee Biedrycki	X				
Mr. Robert Buchler	X				
Ms. Kelly Bundy	X				
Mr. John Giese (DEQ)	X				
Ms. Julie Henderson (VDH)	X				
Mr. Travis Parsons	X				
Ms. Lutheria Smith				X	
Mr. Robert Smith	X				
Mr. Thomas Thurston				X	
VACANT					
VACANT					
VACANT					

VACANT					
<b>TOTALS</b>	<b>7</b>			<b>3</b>	

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

The Virginia Construction Sanitation Standard 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 Department believes that economic conditions, or other factors may have significantly changed in the area affected by the standard. 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:

- Employee showers when required elsewhere in the construction standards
- Food handling
- Temporary sleeping quarters (when provided)
- Showers (when required by another Construction Industry standard)
- Change rooms (when required by another Construction Industry standard)

The Department believes there is a continued need for certain parts of the standard, but also believes there is an opportunity to streamline its requirements, and 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).

The Department recommends that the Board authorize the Department to prepare a Notice of Intended Regulatory Action to consider revision up to and including repeal of portions or the entire standard in light of the above-referenced changed conditions and OSHA interpretations.

The Department also recommends that the Board authorize the Department to appoint a Regulatory Advisory Panel (RAP) pursuant to 16VAC25-11-160 to assist the Department in its review of the standard.

Vice-Chair Parsons then called for discussion and motion for approval of the Department recommendation for the changes to 16VAC-25-160 and authorization to appoint a RAP to assist in review of the standard. He asked the Board if there was any discussion.

Ms. Henderson asked Mr. Withrow if he was familiar with the food handling issues for construction sites. Mr. Withrow indicated he did not know off the top of his head and would need to pull up the federal standard. Ms. Henderson said there was no need but indicated that VDH often see job sites unpermitted and unregulated in sale of food and they are frequently chasing that down and was interested in the requirements. Ms. Henderson indicated that VDH regulations do require mobile food units to be under permit but see the issues with people selling out of the back of their cars on the job

sites. Mr. Withrow mentioned that he believes part of the federal standard involves the environment or exposure to chemicals, etc as far as location requirements for where employees can eat. Basically providing for a clean space for employees to eat as opposed to the food itself. That is what OSHA would be interested in their focus.

Vice-Chair Parsons then asked for motion for approval of the Department recommendation for the changes to 16VAC-25-160 and authorization to appoint a RAP to assist in review of the standard. The motion was made, properly seconded and the roll call vote was conducted. The motion carried.

Motion: Approval of Dept recommendation for changes to 16VAC-25-160 and authorization to appoint a RAP to assist in review of the standard.	Yea	Nay	Abstain	Absent	Other
Mr. Jay Abbott				X	
Mr. Lee Biedrycki	X				
Mr. Robert Buchler	X				
Ms. Kelly Bundy	X				
Mr. John Giese (DEQ)	X				
Ms. Julie Henderson (VDH)	X				
Mr. Travis Parsons	X				
Ms. Lutheria Smith				X	
Mr. Robert Smith	X				
Mr. Thomas Thurston				X	
VACANT					
<b>TOTALS</b>	<b>7</b>			<b>3</b>	

Vice-Chair Parsons moved to the next item on the agenda under Old Business. He introduced Princy Doss, Director, OPPPI to address the Board.

**(b) Status of Periodic Reviews of Certain Regulations**

Princy Doss, Director of OPPPI addressed the Board to provide an update to the Board on the periodic reviews that were approved by the Board at the November 14, 2022 meeting to proceed with the periodic review process of the Board’s regulations listed below pursuant to 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](#).

**(a) Notice of Periodic Reviews for 2022**

1. [16VAC25-50](#): Boiler and Pressure Vessel Regulation
2. [16VAC25-60](#): Administrative Regulation for the Virginia Occupational Safety and Health Program

3. [16VAC25-145](#): Safety Standards for Fall Protection in Steel Erection, Construction Industry
4. [16VAC25-200](#): Virginia Voluntary Protection Program (VPP)

At this time, the Department is completing the Economic Analysis Forms for these four regulations that are now required by ORM in order to begin the periodic review process and open a public comment forum. These periodic review regulations will be completed by the Department and a report with recommendations presented to the Board at the next SHCM meeting.

Vice-Chair Parsons moved to the next item on the agenda, which was Items of Interest from the Department of Labor and Industry.

#### **ITEMS OF INTEREST FROM THE DEPARTMENT OF LABOR AND INDUSTRY**

Commissioner Pan addressed the Board to announce the Boiler and Pressure Vessel Inspector meeting being held on June 28, 2023 from 10 am – 2 pm at the Virginia War Memorial in Richmond, Virginia. This meeting is being hosted by Virginia Department of Labor and Industry. Everyone on the Board is invited to attend this event. This will be first time in four years that we have collected this group of people and a great opportunity to collaborate more with our inspectors and maintaining safe practices in inspection throughout the Commonwealth.

#### **ITEMS OF INTEREST FROM MEMBERS OF THE BOARD**

Vice-Chair Parsons asked for items of interest from the Members of the Board. Julie Henderson wanted to thank Jay Withrow and his team during the pandemic and how they advised and supported the SHCB and partnership with VDH in education and enforcement as it pertained to the protections and executive orders. She enjoyed developing the relationships and it was a great partnership. Vice-Chair Parsons echoed her sentiments.

Commissioner Pan emphasized one of the goals of the Department is to be proactive with marketing, education, social media, and the promotion of safe practices, particularly in high hazard industry areas. The Department is developing a campaign to promote positive programs in the area of cooperative and consultation services.

Vice Chair Parsons asked about the trenching in excavation initiatives with the rash of incidents nationwide and concern from OSHA to increase inspection and enforcement. Mr. Withrow explained that DOLI has an emphasis program in trenching for quite a while. Federal OSHA recently revised their trenching emphasis program because there was quite a national surge at one point. Fortunately, we have not experienced that surge in Virginia. However, the Department will be updating our Directive on Trenching to add a few items from the federal program.

#### **MEETING ADJOURNMENT**

Vice-Chair Parsons adjourned the meeting at 11:50 am.