A Review of Current Occupational Safety and Health in the Washington Cannabis Industry

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• Workplace safety and health is regulated by Labor & Industries’ Division of Occupational Safety and Health (DOSH). We are an OSHA “State Plan” state. As such, we apply the Washington Administrative Codes (WACs).

• We inspect any employer site with one or more employee; including municipalities and agriculture.
Our Cannabis Licensees

- Producers: 1,149
- Processors: 1,517
- Retailers: 1,854

Source: Washington State Liquor Cannabis Board
Growers
• Our agriculture standard applies to any grower—indoor or outdoors. The worker protection standard (WPS) contains provisions for pesticide-related safety and health requirements.

• The Washington State Department of Agriculture provides training for handlers and workers in agricultural establishments.

• Many producers grow cannabis alongside their fruit orchards.
WSDA Maintains a List of Approved Pesticides For Use on Cannabis
• Amputations
• Electrical Hazards
• Cylinder handling
• “Do It Yourself”

Equipment Hazards
• Awkward Positions
• Bending
• Stooping
• Lifting
• Twisting

Ergonomic Hazards
Chemical Hazards

- Pesticides
- Cleaning Agents
- Flammable Gas/Liquid
- Carbon Dioxide
- Any chemical product used in an occupational setting
Confined Spaces
Plant Extraction Processes—Not New to Washington State
DOSH doesn’t have vertical WACs directed at cannabis extractions, but applies existing rules to those employers. If we see conditions that warrant an inspection by the local building inspector, we refer the information to that authority.

“The nine most terrifying words in the English language are: I’m from the government and I’m here to help.”

—Ronald Reagan
Personal Protective Equipment

- Respirators
- Facemasks
- Gloves
- Safety glasses/goggles
UV Eye Protection

Wavelength-Specific
Biological Hazards

- Bacteria
- Endotoxins
- Vegetative Dust
- Fungi
- Molds
Respiratory Disease

- Chest Tightness
- Shortness of breath
- Cough
- “Farmer’s Lung” (Hypersensitivity Pneumonitis)
- Exists in conditions where organic antigens reside in optimal growth conditions. Farming, birdkeeping, etc.
Case Summary: Ventilation Issues at a Cannabis Grow and Extraction Business

Allegations:
- CO₂ levels too high in all areas of the facility
- Harvest rooms not properly ventilated
- PPE requirements not followed

- Labor dispute blamed for the complaint
- The pressure relief valves on the CO₂ equipment relieve to the room instead of outdoors
- CO₂ used for growth as well as extraction
- Ductwork intended to “move CO₂ around” had no fresh/outdoor return air, and leaked throughout the building. Not dissimilar to an anesthetic gas scavenger used in an operating room.
- Garage and front door opened once a day for ventilation
Observations:

- Significant elevation of CO\(_2\) but below the PEL
- No oxygen monitoring
- No/ineffective personal protective equipment
- No written hazard communication program
- No hazard communication training
- No emergency washing
- Recirculating stale air with CO₂ throughout the building’s “HVAC” system
- Harvest Room: 4 exhaust vents, 4 return air vents, and 14 fans
- Trimming/packaging area used to be a break room
Pressure relief valves should relieve CO₂ through enclosed equipment that safely routes it outdoors.
Water leaks/damage inside, mold and mildew present
Observation of 1440 fpm at each exhaust intake in the extraction rooms
CO₂-laden air goes into the lobby area at around 800 ppm
The employer was aware of these hazards

One hospitalization for asthma-like symptoms

Employer stated that they had 10 employees, thinking that DOSH couldn’t enforce our rules with fewer than that (per OSHA).
In Washington State, we enforce if there is one or more employee
When informed of the CO₂ atmospheric hazard during the inspection, the employer acknowledged his understanding of the hazard, and stated, “Carbon dioxide is a reasonable way to kill pests.”

During the closing conference, the DOSH inspectors were informed that the employer was dissolving the business and moving to New York.

The owners were a board-certified anesthesiologist and a registered nurse. In New York.
Looking Ahead...
✓ Developing a partnership with the State Building Code Council and State Fire Marshal’s office

✓ Identify building code personnel in every county to contact for referrals

✓ Develop ongoing dialogue with stakeholders

✓ Participate in industry conventions and events

✓ Create specific worker health and safety outreach documents for growers and processors

✓ Offer consultation services prior to programmed enforcement action