ArcFlash



SAFETY COMMITTEE NEWS BULLETIN IN PARTNERSHIP WITH CONSTRUCTION SAFETY COUNCIL

Enforcement Guidance for Silica in Construction Standard: In OSHA's Words

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The final rule on *Occupational Exposure to Respirable Crystalline Silica*, published on March 25, 2016, establishes a new PEL of 50 μ g/m³ for all covered industries. It also requires employers to implement other employee protections, such as performing exposure assessments, using exposure control methods, using respiratory protection, offering medical surveillance, developing hazard communication information, and keeping silica-related records. The standard became an enforceable law on September 23, 2017. Initial OSHA policy was to go light on employers and give them the "carrot" treatment by providing consultation and advice if found to be out of compliance. As of October 19, 2017, OSHA is in full enforcement mode. Here is a summary of the silica standard and guidance on how to interpret its requirements.

Standard:

The silica standard applies to all occupational exposures to respirable crystalline silica in construction work, *except* where employee exposure will remain below 25 micrograms per cubic meter of air (25 μ g/m³) as an 8-hour TWA under any <u>foreseeable</u> conditions.

Guidance:

The exemption is based on *total* respirable crystalline silica exposures *from all* sources and must take into account all conditions that may add or contribute to the employee's overall exposure levels.

Discussion:

Where employees perform tasks that involve exposure to respirable crystalline silica for a very short period of time, OSHA finds that exposures for many tasks will be below 25 $\mu g/m^3$ as an 8-hour TWA. Short-term respirable crystalline silica exposures must be very high in order for those exposures to exceed 25 $\mu g/m^3$ as an 8-hour TWA; for example, if an employee is exposed for only 15 minutes, his or her exposure would have to exceed 800 $\mu g/m^3$ for that 15 minute period before the 8-hour TWA exposure would exceed 25 $\mu g/m^3$. In one example, OSHA sampled hole drillers using hand-held drills, the highest result identified in OSHA's exposure profile was for a worker performing dry drilling on a wall on the lower level of a concrete parking garage where air circulation was poor. This result showed an exposure of 300 $\mu g/m^3$ during the sampling period. If the duration of exposure was 15 minutes, the 8-hour TWA exposure would be 19 $\mu g/m^3$, and therefore under the 25 $\mu g/m^3$ threshold (assuming no exposure for the remainder of the shift).

Standard:

The silica standard establishes an 8-hour TWA PEL of $50 \mu g/m^3$ and an AL of $25 \mu g/m^3$. The standard also contains a unique, flexible option for employers whose employees are engaged in the construction tasks listed in Table 1 at 29 CFR 1926.1153(c)(1).

Guidance:

If the employer fully and properly implements the engineering controls, work practices, and respiratory protection listed in Table 1, it is not required to conduct exposure assessments or otherwise comply with a PEL for employees engaged in those tasks.

Discussion:

OSHA provides a table of equipment/tasks within the silica standard and allows employers to follow this table as a method of compliance. If this table, which describes specific control options, is followed, then an employer need not conduct additional air monitoring. OSHA provides a flowchart that explains Table 1 and employer options in a memorandum found here... https://www.osha.gov/pls/oshaweb/owadisp.show_document?p table=INTERPRETATIONS&p id=31349

General Information and Enforcement Guidance

- CSHOs (Compliance Safety and Health Officers) should be prepared to collect personal breathing zone samples on the first day of the inspection.
- CSHOs must review the employer's written silica Exposure Control Plan (ECP) and other relevant programs (e.g., respiratory protection program, hazard communication program, etc.) as part of the investigation.
- If the employer has conducted an exposure assessment, CSHOs should also review the assessment to determine what levels might be expected before entering the work area.
- CSHOs should interview affected employees, including the competent person, as part of the overall assessment of the employer's implementation of its ECP.

For more information on the new OSHA silica rule or to register for silica in construction classes for the competent person, contact the Construction Safety Council **(800) 552-7744** or register at **www.buildsafe.org**.



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The Construction Safety Council in partnership with NECA-IBEW 701 LMCC Safety Committee would like to remind you to Work Smart, Build Safe!

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