



Creating a Solution to Revised Silica Standard

by Chris Lee, WACA Safety Consultant

OSHA Background

In March 2016, the federal Occupational Safety and Health Administration (OSHA) adopted changes to its respirable crystalline silica standard for the construction, maritime and general industry categories. At September's 2016 meeting, Cal/OSHA Standards Board adopted the federal revisions (now California Code of Regulations, Title 8, § 1532.3). Cal/OSHA Standards Board agreed with numerous construction industry representatives — including WACA — that an advisory committee should be formed to consider important issues for California's construction employers.

For the revised standard, federal OSHA and the Cal/OSHA Standards Board initially established an effective date of June 23, 2017. Both organizations extended that date to September 23, 2017.

Key Provisions of the Revised Standard

- Reducing the permissible exposure limit (PEL) from 100 micrograms per cubic meter of air to 50 micrograms per cubic meter of air over an eight-hour time-weighted average
- Requiring engineering controls (such as water or ventilation) to limit worker exposure to the PEL
- Limiting worker exposure to high-exposure areas
- Requiring employers to develop a written exposure control plan
- Requiring employers to offer medical exams to highly exposed workers
- Requiring employers to provide training to workers on silica risks and how to limit their exposure
- Providing medical exams to monitor highly exposed workers and give them information about their lung health
- Providing flexibility to help employers protect workers from silica exposure

Compliance Assistance Tool

To assist construction employers, Table 1 is contained in federal and state revisions. This table in Title 8 §1532.3 identifies 18 common construction tasks. For each of these tasks, the table includes the following:

- Equipment/task
- Engineering and work practice control methods
- Required respiratory protection
- Minimum assigned protection factors

For an in-depth review of these construction tasks, visit the following website: www.dir.ca.gov/oshsb/Respirable-Crystalline-Silica-HORCHER.html.

WACA Members Have Two Alternative Methods to Ensure Compliance

For employers whose employees perform tasks *not* contained in Table 1, it is the employer's responsibility to assess and limit the exposure of respirable crystalline silica to employees, pursuant to paragraph (d)(2) "Exposure Assessment" of the Cal/OSHA standard, which addresses alternative methods.

Since virtually all the tasks identified in Table 1 are *not* performed by WACA members, there are two alternative methods to ensure compliance:

- 1) **Performance option.** Employers assess the eight-hour time-weighted average exposure for employees based on any combination of air monitoring data and/or objective data.
- 2) **Scheduled monitoring option.** Employers perform initial monitoring to assess the eight-hour time-weighted average exposure for each employee based on one or more personal breathing zone air samples that reflect the exposures of employees.

WACA Safety Committee Creating a Solution

The Safety Committee decided earlier this year to ensure compliance with the revised standard in a way that would benefit members. Rather than individual members performing air monitoring independent of other members, a decision was made to collaborate on the collection of data that would benefit all members. It would comprise our own Table 1 specific to member tasks.

The Safety Committee created a Safety Committee Air Monitoring Tracker to compile a list of common tasks performed by contractors. Members of the committee agreed that they would undertake one or more of the 18 listed tasks, arrange for air monitoring and then share results with the committee.

Air monitoring was performed by either the company insurance carriers or by The Cohen Group, a recognized occupational safety and health consulting company. Once data is collected for those tasks, The Cohen Group will provide the following support to this effort:

- ✓ Review air monitoring data for silica conducted on behalf of the Wall and Ceiling Bureau (WCB) member companies to determine sampling details, including analytical and sampling methodology and environmental conditions.

- ✓ Research and review manufacturer data and OSHA data regarding silica sampling for drywall related operations (if any).
- ✓ Based on information reviewed from the first two items above, prepare an initial summary report on current data and gaps in data (if any).
- ✓ Attend a WCB Silica Task Force meeting to present an initial summary report and sampling/analytical methodology document.

Cal/OSHA Endorses Approach

As WACA's safety consultant, I contacted Cal/OSHA Deputy Chief Eric Berg seeking guidance on construction tasks not covered by the Standards Board's Table 1 and clarification of the term "objective data." By a letter dated August 10, 2017, Berg shared pertinent information and stated, "Exposure monitoring data assembled by a group of employers would be considered objective data. Such data can be used to meet the requirements of subsection 1532.3(d)(2)(B)

for any employer, provided the data accurately represents exposures to respirable crystalline silica for each employee of that employer."

WACA's Table 1 – Valuable Tool

Once the data collection has been completed and The Cohen Group validates the sample results and sampling methodology, the committee's initiative will conclude.

The completed WACA Table 1 will then be made available to members. If tasks performed by member company employees are consistent with those contained in Table 1, it may be used by that employer to demonstrate compliance with the revised Cal/OSHA standard found in California Code of Regulations, Title 8, § 1532.3.

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