



Safety Update

Date: February 11, 2014

OSHA COMMENT PERIOD ON PROPOSED CRYSTALLINE SILICA RULE CLOSSES TODAY AT 11:59 P.M.

Take Action: Visit AGC's Legislative Action Center to Submit Your Comments on the Customizable Letter

On Sept. 12, 2013 the Occupational Safety and Health Administration (OSHA) published a [proposed new rule on silica exposure](#). AGC members, chapters, and interested stakeholders are encouraged to submit comment letters opposing the proposed new rule on silica exposure through the [AGC Legislative Action Center \(LAC\)](#). A sample, editable letter has been provided for convenience which can be customized to your respective operations. Click [here](#) to access the letter. All comments must be submitted by **11:59 PM (ET) Feb. 11, 2014**.

The proposal aims to reduce the silica permissible exposure limit (PEL) for construction work to 50 $\mu\text{g}/\text{m}^3$. The Agency has also proposed an action level (AL) of 25 $\mu\text{g}/\text{m}^3$, which will trigger the exposure monitoring provisions. Exposure monitoring is just one of numerous ancillary provisions that are included in the proposal. Others are requirements for regulated areas or written access control plans, prohibitions on work practices on construction sites such as the use of compressed air, dry sweeping, and dry brushing, medical surveillance, respiratory protection, training and hazard communication, and recordkeeping. OSHA has also proposed an alternative to the exposure monitoring provisions through a "Table 1." Table 1 sets forth specific job activities, engineering and work practice controls, and respiratory protection that if followed, would exempt the employer from compliance with the standard's monitoring requirements.

Based on AGC's review, the proposal should be returned to OSHA for further evaluation of costs, benefits and risk for the following reasons:

- Crystalline silica is the second most abundant mineral in the Earth's crust (12%) and is found almost everywhere as a component of rocks, sand, and soils.
- Silica is perhaps the most common construction and manufacturing material in the world; it is a critical component in many manufacturing, construction, transportation, defense, and high-tech industries and is present in thousands of consumer products.
- Over the last 40 years, significant progress has been made in preventing silica-related disease under existing regulations -- coinciding with the adoption of the current PEL for silica in the early 1970s and concomitant improvements in industrial practices. Cases of silicosis still occur in the U.S. and are most likely attributable to the higher silica exposures that were prevalent three and four decades ago, as well as continuing widespread overexposures compared with the existing PEL.
- Cutting the PEL in half would be enormously costly. A recent analysis of the anticipated OSHA proposal would impose \$5.5 billion in annualized compliance costs on affected industries, and result in the loss of 17,000 person-years of employment and \$3.1 billion of economic output every year the proposed regulation is in effect.
- The real problem is the failure to achieve compliance with the current PEL. Correcting that failure should be the focus of OSHA's efforts and will likely achieve the best results.

Make your voice heard! Take a few minutes to submit your comments.