OSHA Proposes Amendment to Crystalline Silica Standard

On Aug. 23, 2013, OSHA announced a proposal to amend the current standard for respirable exposure to crystalline silica. According to OSHA, employees exposed to crystalline silica face a significant health risk at the current permissible exposure limits (PEL). OSHA believes that a new standard will substantially reduce the risks of exposure, potentially saving nearly 700 lives per year and preventing 1,600 new cases of silicosis annually.

**Current Standard**

Exposure to airborne silica dust occurs in operations involving cutting, sawing, drilling and crushing of concrete, brick, block and other stone products and in operations using sand products, such as in glass manufacturing, foundries and sandblasting.

Current PELs for quartz, cristobalite and tridymite (the most common forms of crystalline silica) were adopted in 1971 and have not been updated since. In the general industry, the PEL for quartz is an 8-hour time-weighted average of 100 micrograms per cubic meter of air (100 µg/m³). PELs for quartz in construction and shipyards are currently based on an obsolete particle count sampling method that allows for an 8-hour time-weighted average of 250 µg/m³. PELs for cristobalite and tridymite in the general industry have been commonly set at about one-half of the PELs allowed for quartz.

**Proposed Standard**

Under OSHA’s proposed standard, the new PEL for respirable crystalline silica exposure will be an 8-hour time-weighted average of 50 µg/m³. Under the proposal, employers may need to implement a comprehensive health standard that includes regulations on preferred methods for controlling employee exposure to crystalline silica, including respiratory protections, medical surveillance, hazard communication and recordkeeping efforts.

Currently, OSHA is considering issuing two separate standards for exposure to silica: one for the general and maritime industries and another for the construction industry. OSHA intends the standards to be similar and to provide comparable protections for employees, but will issue them separately to account for differences in work activities, anticipated exposure levels and other conditions unique to each sector.

**Public Comments and Hearings**

OSHA plans to rely heavily on input from the public and the industry in this proposed rulemaking. OSHA will consider written comments as long as they are submitted, postmarked, sent or received by Dec. 11, 2013. A public hearing will be held in Washington, D.C. on March 4, 2014 from 9:30 a.m. to 5:30 p.m., local time. The hearing may be extended to additional days, if necessary.
In March 2012, OSHA revised its Hazard Communication Standard (HCS), aligning it with the United Nations' Globally Harmonized System of Classification and Labeling of Chemicals (GHS). The revised standard takes effect in stages, and although it will not be fully implemented until 2016, the first compliance deadline is Dec. 1, 2013.

Employers who work with hazardous chemicals are required to have trained workers on the new GHS label elements and the new Safety Data Sheet (SDS) format by Dec. 1, 2013. This training is needed early in the transition process because workers are already beginning to see the new labels and SDSs on the chemicals in their workplace. To ensure employees have the information they need to better protect themselves from chemical hazards in the workplace during the transition period, it is critical that employees understand the new label and SDS formats.

To help facilitate this process, The Buckner Company is pleased to offer our clients a wide variety of turnkey training and compliance tools, including quizzes, matching games, toolbox talks, payroll stuffers and the comprehensive GHS Compliance Toolkit. The GHS Compliance Toolkit is divided into two sections. The first section contains information designed to help employers understand and comply with OSHA's revised Hazard Communication Standard. The second section contains a host of training materials employers can use to educate employees on the new label elements and SDS format.

To learn more about your responsibilities under the new HCS or to request copies of our compliance and training materials, contact The Buckner Company at (801) 937-6700.

OSHA and NIOSH issue hazard alert to warn of dangers of 1-bromopropane exposure

OSHA and NIOSH have issued a hazard alert to urge employers that use 1-bromopropane (1-BP) to take appropriate steps to protect workers from exposure. Exposure to 1-BP has been associated with damage to the nervous system among workers, and it has been shown to cause reproductive harm in animal studies. The chemical is used in degreasing operations, furniture manufacturing and dry cleaning. The hazard alert is issued in response to information on the increased use of 1-BP as a substitute for other solvents as well as recent reports of overexposure in furniture manufacturing.

Study links silica exposure with significant increase in lung cancer risk

A newly published study of a large population of Chinese tin and pottery workers has found that exposure to airborne silica dust is associated with a significant increase in the risk of developing lung cancer. The study, printed in the *American Journal of Epidemiology*, measured cumulative silica exposure in a group of more than 30,000 workers over a 44-year period. These findings, which confirm that silica is a human carcinogen, are consistent with the preliminary risk assessment in OSHA's new proposed rule to protect workers from occupational exposure to crystalline silica.

Contractors fined for failing to protect workers from falls and other hazards

In two separate cases, OSHA has issued citations to construction contractors for exposing workers to fatal fall hazards. Twin Pines Construction Inc., an Everett, Mass.-based wood framing contractor faces $336,200 in proposed fines for violations at worksites in Plymouth and Reading, Mass. The Plymouth inspection was initiated March 15 after a worker suffered broken ribs and leg injuries when an unbraced wooden roof truss system collapsed around him at a worksite. The Reading inspection was opened the same day after OSHA received a complaint about possible safety hazards at a jobsite. OSHA found that employees were exposed to falls, struck-by and impalement hazards.

In addition, OSHA has proposed $272,720 in fines against four New York contractors for safety hazards identified during the construction of a midtown Manhattan hotel. Mamaroneck-based Flintlock Construction Services LLC, the general contractor on the project, received the largest penalties of $249,920 for violating OSHA's fall protection and scaffolding standards after exposing workers to potentially fatal falls of up to 26 feet while on scaffolding.