UPDATE

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New OSHA Silica Rule Published

The Occupational Safety and Health Administration (OSHA) published its final silica rule in the Federal Register on March 25, 2016. The rule is comprised of two standards, one for Construction and one for General Industry and Maritime. The final rule is effective on June 23, 2016. Start-up dates for specific provisions are set in 29 CFR 1910.1053 for general industry and maritime and in 29 CFR 1926.1153 for construction. This final rule establishes a permissible exposure limit (PEL) for respirable crystalline silica of 50 µg/m^3 as an 8-hour time-weighted average (TWA) in all industries covered by the rule. In addition to the PEL, the rule includes provisions to protect employees such as requirements for exposure assessment, methods for controlling exposure, respiratory protection, medical surveillance, hazard communication, and recordkeeping.

Summary Of Key Aspects For The Rule	
Previous Exposure Limit	Prior to the new lower silica limit, silica as quartz was regulated through a respirable particulate relationship. The permissible exposure limit (PEL) was calculated based on the silica content of the respirable particulate matter.
New Exposure Limits	• PEL of 50 µg/m^3 as respirable crystalline silica (Quartz, Cristobalite, and/or Tridymite), 8-hour TWA • Action level of 25 µg/m^3 as respirable crystalline silica, 8-hour TWA
Required Actions	• **Initial exposure assessment** either through Air Monitoring or a new Performance Option. • **Periodic air sampling** required every 3 months for exposures above the PEL; every 6 months for exposures above the action level, but below the PEL. • Employers shall establish and demarcate **regulated areas** wherever crystalline silica is above the PEL. • **Respiratory protection** required for areas above the PEL. • Employers shall use **engineering and work practice controls** to reduce and maintain employee exposure to respirable crystalline silica to or below the PEL, unless the employer can demonstrate that such controls are not feasible. • Employers shall establish and implement a **written exposure control plan** for tasks in the workplace that involve exposure to crystalline silica. • **Housekeeping** provisions to be established through wet sweeping, HEPA vacuuming, or other methods that minimize airborne crystalline silica. • **Medical surveillance** offered for employees exposed to levels over the action levels for more than 30 days in a year. • **Employee information and training** requirements for employees covered by this standard.
Key Dates	• June 23, 2017 – Requirements becomes effective for Construction • June 23, 2018 – Requirements become effective for General Industry (Including Engineering Controls) • June 23, 2018 – Medical surveillance required for employees above the PEL for 30 or more days • June 23, 2020 – Medical surveillance required for employee above the Action Level for 30 or more days • June 23, 2021 – Engineering controls to be in place (Applies to Fracking Industry Only)

The Federal Register Publication is available at https://www.gpo.gov/fdsys/pkg/FR-2016-03-25/pdf/2016-04800.pdf

Contact TRC for assistance with:

- Engineering Feasibility Determinations
- Written Exposure Control Plans
- Air Sampling
- Employee Training

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