



Workplace Feature

OSHA'S ENFORCEMENT OF THE SILICA CONSTRUCTION STANDARD

by

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The Occupational Safety and Health Administration (“OSHA”) started enforcing the silica standard for the construction industry in October of 2017. Since that time, approximately 117 violations have been issued with 80% of those violations being classified as serious. Listed below are the most commonly cited standards:

- 29 C.F.R. § 1926.1153(d)(2)(i) for failure to conduct an exposure assessment of worker exposure to silica;
- 29 C.F.R. § 1926.1153(c)(1) for failing to adhere to the Table 1 list of equipment/tasks and OSHA’s required engineering and work control methods and respiratory protection.
- 29 C.F.R. § 1153(g)(1) for lack of a written exposure control plan.

What can we learn from these three citations being the top three most frequently cited standards?

If a contractor is choosing to follow Table 1, then it must strictly adhere to the engineering and work control methods and respiratory protection. A contractor is permitted to not have an exposure control assessment only if it follows Table 1, which means strict adherence to its requirements.

Alternatively, if a contractor is not or cannot follow Table 1, it must conduct an exposure assessment of worker exposure to silica and if called for by the standard, implement a written exposure control plan. As a reminder, a written exposure control plan must contain four elements:

- (a) a description of the tasks in the workplace that involve exposure to silica;
- (b) a description of the engineering controls, work practices, and respiratory protection used to limit employee exposure to silica for each task;
- (c) a description of housekeeping measures used to limit employee exposure to silica; and

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- (c) a description of the procedures used to restrict access to work areas, when necessary, to minimize the number of employees exposed to silica.

Based on the number of citations issued over the past 6 months, contractors should review their silica programs and seek compliance help where needed. With OSHA's general industry silica standard going into effect in June of 2018, OSHA inspectors will only become more familiar with the requirements.

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