

OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA)
REGULATORY UPDATES

FINAL STATUTES AND RULEMAKING

CITATION	SUMMARY
<p>Subject: Occupational Exposure to Silica</p> <p>Publication Date: Friday, March 25, 2016</p> <p>Effective Date: 06/23/2016</p> <p>Action: Final rule.</p> <p>Document Citation: 81 FR 16285</p> <p>CFR: 29 CFR 1910, 29 CFR 1915, 29 CFR 1926</p> <p>Agency/Docket Number: OSHA-2010-0034</p> <p>RIN: 1218-AB70</p> <p>Document Number: 2016-04800</p>	<p>On March 25, 2016 the Occupational Safety and Health Administration (OSHA) issued its final rule on occupational exposure to respirable crystalline silica. The rule is comprised of two standards, one for Construction and one for General Industry and Maritime. OSHA estimates that the rule will save over 600 lives and prevent more than 900 new cases of silicosis each year. Key provisions of the new rule include the following:</p> <ul style="list-style-type: none"> • Reduces the Permissible Exposure Limit (PEL) for respirable crystalline silica to 50 micrograms per cubic meter ($\mu\text{g}/\text{m}^3$), averaged over an 8-hour shift. The rule also establishes an Action Level of 25 $\mu\text{g}/\text{m}^3$, averaged over an 8-hour shift. • Requires exposure assessment of each employee who is or may reasonably be expected to be exposed to respirable crystalline silica at or above the Action Level. • Requires employers to: use engineering controls to limit worker exposure to the PEL; provide respirators when engineering controls cannot adequately limit exposure; limit worker access to high exposure areas; develop a written exposure control plan, and train workers on silica risks and how to limit exposures. • Provides for medical exams to exposed workers and gives them information about their lung health. <p>Both standards take effect on June 23, 2016, after which industries have one to five years to comply with most requirements, based on the following schedule:</p> <ul style="list-style-type: none"> • Construction - June 23, 2017, one year after the effective date. • General Industry and Maritime - June 23, 2018, two years after the effective date. • Hydraulic Fracturing - June 23, 2018, two years after the effective date for all provisions except Engineering Controls, which has a compliance date of June 23, 2021. <p>Additional information is available on the OSHA website at:</p> <p style="text-align: center;">OSHA.gov</p>

LETTERS OF INTERPRETATION

OSHA has published the following letters of interpretation since our last regulatory update:

January 20, 2016 - Extended enforcement dates for minimum approach distances to electrical power lines [1910.269(l)(3)(i); 1910.269(l)(3)(ii); 1926.960(c)(1)(i); and 1926.960(c)(1)(ii)].

[OSHA.gov](#)

March 21, 2016 - Determining whether an injury or illness is work-related and recordable [1904; 1904.4(a) ; 1904.5(a); 1904.7(b)(1)(v); 1904.5(b)(2); 1904.5(b)(2)(ii); 1904.7(b)(5)(i); 1904.7(b)(6)].

[OSHA.gov](#)

RECENT DEVELOPMENTS**Updated OSHA Injury Reporting Webpage includes Option for Online Filing**

To help employers comply with new requirements to report severe worker injuries, OSHA has created a streamlined reporting webpage and now offers the option of reporting incidents online. The expanded requirements took effect in January 2015. Now, in addition to reporting any worker fatality within 8 hours, employers must report within 24 hours any severe injury – defined as an amputation, hospitalization or loss of an eye. In the first year of the new requirement, OSHA received about 12,000 reports. The agency plans to release complete numbers and a full analysis of the Year One reports soon. The new webpage is available at:

[OSHA.gov - Report](#)

New OSHA Webpage on Requirements to maintain Clean and Accessible Restrooms

OSHA has a new webpage explaining employers' obligations to provide all workers with sanitary and immediately-available toilet facilities. OSHA's sanitation standards are intended to ensure that workers do not suffer adverse health effects that can result if toilets are not sanitary and/or are not available when needed. The webpage includes information on the minimum number of toilet facilities an employer must provide, in restrooms separate for each sex. The webpage is available at:

[OSHA.gov](#)

OTHER RECENT DEVELOPMENTS**OSHA Issues Alert on Hazards of Working with Scissor Lifts**

OSHA has posted a new Hazard Alert on Working Safely with Scissor Lifts, which was developed after a student was killed while filming from a scissor lift in 2010. The alert describes the safe use of scissor lifts through three proactive focus areas—fall protection, stability, and positioning. The hazard alert is available at:

[OSHA.gov](#)**NIOSH provides Online Resources to prevent Aerial Lift Injuries and Fatalities**

While aerial lifts are used frequently at construction, warehousing, and many other jobsites, they can pose potentially fatal hazards to workers. Aerial devices include boom-supported aerial platforms, such as cherry pickers or bucket trucks, aerial ladders and vertical towers. The major causes of injuries and fatalities are falls, electrocutions, and collapses or tip-overs. The webpage includes information on fall-related risks and recommended safe work practices associated with this equipment. The page, which is available at the link below, includes a Hazard Recognition Simulator designed to help you acclimate to aerial lift operations.

[OSHA.gov](#)