

Enforcement of Silica Standard: U.S. Occupational Safety and Health Administration June 8th Memorandum



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The United States Occupational Safety and Health Administration (“OSHA”) issued a June 8th memorandum titled:

Enforcement Launch for the Respirable Crystalline Silica Standard in General Industry and Maritime, 29 C.F.R. § 1910.1053 (“Enforcement Memorandum”)

The *Enforcement Memorandum* was directed to the OSHA Regional Administrators from the Acting Deputy Assistant Secretary.

Silica is a compound composed of the elements silicon and oxygen and exists in crystalline and amorphous states. It exists in both the natural environmental and as produced during manufacturing or other processes. The substances are described as odorless, solids, have no vapor pressure, and create non-explosive dust when particles are suspended in the air. In crystalline silica, silicon and oxygen atoms are arranged in a three-dimensional repeating pattern.

Crystalline silica is used in a wide variety of industry applications. OSHA states there are over 30 major industries in operation where crystalline silica can occur and include workplaces such as foundries, dental laboratories, concrete products, and paint and coating manufacturer and construction activities.

OSHA had previously issued a rule amending its existing standards for occupational exposure. See 81 Fed. Reg. 16286 (March 25, 2016).

Most provisions of the standard become enforceable on June 23, 2018. The standard establishes a new eight-hour time-weighted average permissible exposure limit, action level, and associated ancillary requirements.

The *Enforcement Memorandum* states that during the first 30 days of enforcement OSHA will offer compliance assistance for employers who make good faith efforts to comply with the new standards. It also intends to issue interim enforcement guidance until a compliance directive on the new standards is finalized.

A copy of the [Enforcement Memorandum](#) can be downloaded here.