

Cal/OSHA Approves ETS on Silica

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The California Occupational Safety and Health Standards Board approved an emergency temporary standard (“ETS”) on silica exposure, which became effective on Dec. 29, 2023. According to Cal/OSHA, the ETS modifies the [California Code of Regulations, Title 8, Section 5204](#) to provide greater protections to workers from respirable crystalline silica (“RCS”). The ETS applies to all California workers occupationally exposed to RCS. Construction work covered under section 1532.3, agricultural operations covered under section 3436; and exposures that result from the processing of sorptive clay, are the areas that are exempt from the ETS. RCS hazards greatly affect workers engaged in cutting, grinding, polishing, and cleaning artificial and natural stone containing more than 10% crystalline silica.

Section 5204 requires that employers:

- implement methods of effectively suppressing dust by ensuring water covers the entire surface where tools or machines contact a work object;
- implement exposure monitoring and continued monitoring at least every 12 months to assess exposure controls;
- post warning signs in regulated areas, in English and Spanish, with specific language specified in Section 5204(k)(3);
- implement certain protections to prevent airborne exposure during housekeeping and maintenance work;
- prohibit employee rotation and walking/moving equipment through dust;
- maintain a written exposure control plan with certain requirements, including exposure efforts, protection procedures, documentation of crystalline silica use reporting, and training;
- enhance employee communication and training to emphasize certain health hazards and mitigation practices;
- require employees to wear certain respiratory masks that are full-faced, tight, and air-purifying, with few exceptions, and in accordance with Cal/OSHA’s Respiratory Protection Standard;
- encourage employees to report symptoms of RCS exposure without fear of retaliation, and report RCS-related silicosis or cancer to the California Department of Health and CAL/OSHA within 24 hours.

Employers should be mindful of these new requirements and ensure compliance with the ETS.