

## Cal/OSHA Approves Revisions To Lead Regulations

---

April 2, 2024 Matthew Deffebach, Mini Kapoor, Dominique Baldwin, Christina Gad

---

**PRACTICES** OSHA, Chemical, Employment Litigation, Labor and Employment

---

The California Occupational Safety & Health Standards Board voted in favor of revising regulations regarding occupational lead exposure - expected to go into effect Jan. 1, 2025 if approved by California's Office of Administrative Law. These revisions to Title 8, Sections 1532.1 and 5198 of the California Code of Regulations will have significant impacts on employers, reducing the Permissible Exposure Limit ("PEL") by 80% and the Action Limit ("AL") by 93%. Such drastic reductions of these thresholds may trigger multiple and/or new requirements for employers who previously may not have been subject to the regulation, including written compliance programs, exposure monitoring, and medical surveillance.

The proposed changes include lowering the PEL from 50 to 10 micrograms per cubic meter of air and the AL from 30 to 2 micrograms per cubic meter of air, and also include mitigation requirements for workplaces where employees are exposed to levels of lead at or below required threshold amounts. Additionally, employers who fail to conduct an employee exposure assessment that determines actual employee exposure must provide employees interim protection, including respiratory protection, protective work clothing and equipment, medical surveillance, training, and posted warning signs. Employers must provide employees exposed to levels at or above the AL with a medical surveillance program, at no cost to the employees and at a reasonable time and place. Employees who are exposed at or above the AL threshold, based on blood tests, may also be temporarily removed from work without loss of earnings, seniority, or other employment rights. Finally, where the AL threshold is triggered, they must provide respirators and protective work clothing and equipment to employees and institute hygiene and housekeeping practices, training, and maintenance of medical records for at least 40 years.

Stakeholders can file a petition with Board Chair to seek changes in the proposed rule, or file a Complaint About State Program Administration (CASPA) with the Federal OSHA Regional office in San Francisco. In the meantime, employers should prepare for complying with these potential new requirements by conducting new monitoring surveys and exposure assessments to review exposure levels that might trigger the various requirements under the proposed standard.

The proposal and companion rulemaking documents can be found [here](#).