

New Silica Exposure Standard One Step Closer to Finalization

February 1, 2016

PRACTICES OSHA, Labor and Employment

On December 21, 2015, the Labor Department sent a draft of OSHA's final rule on occupational exposure to crystalline silica to the Office of Management and Budget's Office of Information and Regulatory Affairs (OIRA). OIRA has the authority to review regulations and has 90 days to conduct its review, with the opportunity for a 30-day extension. The sending of the rule to OIRA signals that the rule could be finalized in the next 90 to 120 days.

While OSHA maintains that it still plans to publish the final silica rule in February 2016, the actual publication date remains to be seen. Although the contents of the rule sent to OIRA are unknown, it is believed that the revised silica standard will lower the permissible exposure limit for crystalline silica by half, from 100 micrograms of respirable crystalline silica per cubic meter of air to 50 $\mu\text{g}/\text{m}^3$ (on an 8-hour time-weighted average). The new standard is also expected to establish exposure monitoring, medical surveillance, and recordkeeping requirements, among others.

Haynes Boone previously published two articles on this subject: the first followed the development of OSHA's proposed rule on Occupational Exposure to Crystalline Silica; and the second discusses a hazard alert by OSHA and NIOSH on Worker Exposure to Silica during Countertop Manufacturing, Finishing and Installation.¹

¹ See Haynes Boone Publication, April 20, 2015, [New OSHA/NIOSH Hazard Alert on Worker Exposure to Silica during Countertop Manufacturing, Finishing and Installation](#); Haynes Boone News Alert, August 28, 2013, [OSHA Releases New Proposed Silica Rule](#).