



# SMA SILICA COMPLIANCE PROGRAM OVERVIEW

OSHA will begin enforcement of the new respirable silica exposure standard on **September 23, 2017**. The construction industry will be a focus for the OSHA inspectors. OSHA fines can start at \$12,000 and escalate quickly. Employers found to be willfully negligent could be turned over to the District Attorney's office for prosecution.

The Stucco Manufacturers Association (SMA) has put a program together to help plastering contractors comply with the new standard. This SMA Silica Compliance Program will evolve with time, but has the minimums that a contractor will need to be in compliance. **The SMA believes joining the SMA Silica Compliance Program is the most cost effective and quickest way for a plastering contractor to comply with the standard.**

This SMA Silica Compliance Program Overview will cover:

- A summary of the OSHA respirable silica standard
- How the SMA Silica Compliance Program will work
- Written exposure plan requirements and what the SMA will provide as part of the program
- Employee training requirements and what the SMA will provide as part of the program

**FOR THE LATEST INFORMATION ON THE SMA SILICA COMPLIANCE PROGRAM AND TO JOIN CONTACT THE SMA AT 213-379-5890 OR [WWW.STUCCOMFGASSOC.COM](http://WWW.STUCCOMFGASSOC.COM)**

## SILICA STANDARD OVERVIEW

### What is the OSHA respirable silica exposure standard?

The Occupational Safety and Health Administration (OSHA) has revised its existing standard for occupational exposure to respirable crystalline silica. This final rule establishes a permissible exposure limit (PEL) for respirable crystalline silica of 50 µg/m<sup>3</sup> (micrograms of silica per cubic meter of air) as an 8-hour time-weighted average (TWA). The old rule allowed a PEL of 250 µg/m<sup>3</sup>. In addition to the PEL, the rule includes provisions to protect employees such as requirements for exposure assessment, methods for controlling exposure, respiratory protection, medical surveillance, hazard communication, and recordkeeping. OSHA is issuing two separate standards—one for general industry and maritime, and the other for construction.

Additional information on the law can be found on the OSHA website: [www.osha.gov/silica/](http://www.osha.gov/silica/)

### What is respirable silica?

Crystalline silica is a common mineral found in many naturally occurring materials and used in many industrial products and at construction sites. Materials like sand, concrete, plaster, stone and mortar contain crystalline silica. Crystalline silica is also used to make products such as glass, pottery, ceramics, bricks, concrete and artificial stone.

According to information provided by OSHA, inhaling very small (“respirable”) crystalline silica particles, causes multiple diseases, including silicosis, an incurable lung disease that can lead to disability and death. Respirable crystalline silica can also cause lung cancer, chronic obstructive pulmonary disease (COPD), and kidney disease. The scientific data used to justify the silica rule can be found in the full OSHA Federal Register Notice for the Final Rule that can be found on the OSHA website.

### What are the requirements to comply?

The standard requires employers to limit worker exposures to respirable crystalline silica and to take other steps to protect workers. Employers can either use a control method laid out in Table 1 of the construction standard, or they can measure workers’ exposure to silica and independently decide which dust controls work best to limit exposures to the PEL in their workplaces. Most plaster related tasks are not covered by Table 1, so the SMA Silica Compliance Program is based on field measurements of exposure levels.

Regardless of which exposure control method is used, all construction employers covered by the standard are required to:

- Establish and implement a written exposure control plan that identifies tasks that involve exposure and methods used to protect workers, including procedures to restrict access to work areas where high exposures may occur. See the “Written Exposure Plan” section below for additional information on the control plan.
- Designate a competent person to implement the written exposure control plan. See the “Employee Training” section below for additional information on the competent person requirement.
- Restrict housekeeping practices that expose workers to silica where feasible alternatives are available.
- Offer medical exams—including chest X-rays and lung function tests—every three years for workers who are required by the standard to wear a respirator for 30 or more days per year.
- Train workers on work operations that result in silica exposure and ways to limit exposure.
- Keep records of workers’ silica exposure and medical exams.

### What is Table 1?

Table 1 in the standard matches 18 common construction tasks with dust control methods, so employers know exactly what they need to do to limit worker exposures to silica. The dust control measures listed in the table include methods known to be effective, like using water to keep dust from getting into the air or using ventilation to capture dust. In some operations, respirators may also be needed. Employers who follow Table 1 correctly are not required to measure workers’ exposure to silica and are not subject to the PEL.

### Plaster tasks are not listed in Table 1, so how do plastering contractors comply?

Most of the typical plaster related tasks are not directly covered in Table 1, so the plastering employers will need to follow the alternative compliance method, which consists of:

1. Measuring the amount of silica that workers are exposed to if it may be at or above an action level of 25 µg/m<sup>3</sup> (micrograms of silica per cubic meter of air), averaged over an eight hour day. To measure the exposure levels, OSHA has detailed a performance method employers can

## SILICA STANDARD OVERVIEW (CONT.)

follow. The performance option gives employers flexibility to determine the 8-hour TWA exposure for each employee based on any combination of air monitoring data or objective data that can accurately characterize employee exposures to respirable crystalline silica. The SMA is conducting a series of tests to measure typical plastering tasks to determine the exposure levels.

2. Protecting workers from respirable crystalline silica exposures above the permissible exposure limit of 50  $\mu\text{g}/\text{m}^3$ , averaged over an eight-hour day. Dust controls must be used to protect workers from silica exposures above the PEL. These controls will be part of the exposure control plan and are based on measurement data found in step 1 above. Employers must use engineering controls and work practices as the primary way to keep exposures at or below the PEL.
  - 2.1. Engineering controls include wetting down work operations or using local exhaust ventilation (such as vacuums) to keep silica-containing dust out of the air and out of workers' lungs. Another control method that may work well is enclosing an operation ("process isolation").
  - 2.2. Work practices to control silica exposures could include wetting down the sand pile or limiting an employee's time working on high exposure tasks to keep the time weighted average exposure below the PEL.
3. Providing respirators to workers when dust controls cannot limit exposures to the PEL. Respirators are only allowed when engineering and work practice controls cannot maintain exposures at or below the PEL. OSHA wants respirators to be the method of last resort, so there are strict medical monitoring requirements for employees using respirators.

programs will follow the OSHA time line. States with OSHA-approved state plans have six months to adopt standards that are at least as effective as Federal OSHA standards. Many state plans adopt standards identical to OSHA, but some state plans may have different or more stringent requirements.

### When are employers required to comply with the standard?

Construction employers must comply with all requirements of the standard by September 23, 2017, except requirements for laboratory evaluation of exposure samples, which begin on June 23, 2018. The rule was originally scheduled to go into effect on June 23, 2017, but OSHA delayed enforcement in order to conduct additional outreach and provide educational materials and guidance for employers.

### Is this a national standard?

Yes, the standard will be enforced nationwide. This a Federal OSHA law, so states that do not have their own state-OSHA



## SMA SILICA COMPLIANCE PROGRAM

### What does the SMA Silica Compliance Program consist of?

The SMA will provide to Associate Members (contractors) the following to help them comply with the OSHA respirable silica standard:

1. A copy of the SMA written exposure plan with the contractors name included.
2. Access to competent person training materials.
3. Access to the exposure testing data SMA has conducted.
4. A checklist of items that are needed to comply.
5. Technical support.

While the SMA will provide these items, please remember, it is ultimately the employer's responsibility to put a plan in place that complies with the standard.

### Will the SMA Silica Compliance Program cover all regions of the country?

Yes, the SMA Program is generic and will cover any jurisdiction that is adopting the Federal OSHA requirements. There is a small chance that some jurisdictions will adopt more stringent requirements than the Federal standard, but the SMA is not aware of this occurring.

### How do plastering contractors join the SMA?

Plastering contractors can join the SMA as a Lath & Plaster Committee (Associate) Member. The cost to join is \$500 per year. The membership is good for one calendar year. As a courtesy, plastering contractors joining during the remainder of 2017 will have their membership last through 2018 (there will be no additional fee for 2017). **Contact the SMA at 213-379-5890 or [www.stucomfgassoc.com](http://www.stucomfgassoc.com) to learn more and become a member.**

### Once I join the SMA, what are the next steps to implement the Compliance Plan at my plastering company?

Once a plastering contractor has joined, a representative from the SMA will contact them to discuss next steps.

### Why do I have to pay \$500 to become a member to get the SMA Silica Compliance Plan?

The SMA has put a lot of time and money into developing this plan and will continue to put resources into maintaining it. The cost for an individual contractor to make their own plan would be thousands of dollars. Each exposure test costs \$500-\$700 and it takes at least three tests to get a statistically significant value. Then a properly written compliance plan needs to be written and a plan for training the competent person developed, which takes a lot of time and can open the contractor to fines and lawsuits if not done properly. Additionally, the silica standard requires ongoing monitoring and updating of the plan, so there are reoccurring costs. **The SMA believes joining the SMA Silica Compliance Program is the most cost effective and quickest way for a plastering contractor to comply with the standard.**

In addition to getting access to the Silica Compliance Program, **being a member of the SMA offers many direct and indirect benefits to a plastering contractor.** The SMA is the national advocate for the plaster industry that is promoting and fighting for plaster. The healthier the industry, the more opportunities there will be for contractors.

### Where can I get the latest information on the SMA Silica Compliance Program?

**Visit the SMA website at [www.stucomfgassoc.com](http://www.stucomfgassoc.com) where there will be a prominent link to the Silica Program. This information will be regularly updated.**

## WRITTEN EXPOSURE PLAN

### What is a written exposure control plan?

All employers covered by the standard, including employers who fully and properly implement the specified exposure controls in Table 1, must develop and implement a written exposure control plan. Written exposure control plans describe workplace exposures and ways to reduce those exposures, such as engineering controls, work practices, housekeeping methods, and restricting access to areas of high exposures. The plan improves employee protections by making sure that employers identify all exposures and controls to prevent overexposures. Such plans are also useful for letting employees know what kind of protections they should expect to see on the job. Below is a list of what the employer must include in each section of the written exposure control plan:

- A description of workplace tasks involving exposures to respirable crystalline silica. Employers must list all tasks that employees perform that could expose them to respirable crystalline silica dust. This section could also describe the equipment used and factors that affect exposures.
- A description of engineering controls, work practices, and respiratory protection used to limit employee exposure to respirable crystalline silica for each task. For each task that employees perform, employers must describe types of controls used. Employers could also describe signs that controls are not working effectively, such as an increase in visible dust.
- A description of the housekeeping methods used to limit employee exposure to respirable crystalline silica.
- A description of the procedures used to restrict access to work areas, when necessary, to limit the number of employees exposed to respirable crystalline silica and the levels to which they are exposed, including exposures generated by other employers or self-employed workers.

### Who can view the exposure plan?

Employers must allow the written exposure control plan to be viewed or copied by each employee covered by the standard, their designated representative, and representatives from OSHA or NIOSH.

### How long will the SMA written exposure plan be valid for?

The written exposure plan provided to Associate Members of the SMA will be good for one calendar year (January 1<sup>st</sup> to December 31<sup>st</sup>); except for the first report, which will also cover the remainder of 2017 (September 2017 to December 31, 2018). A revised report will be issued to Members in good standing at the beginning of each year. This yearly update is required by the silica standard.

SMA will keep a list of Associate Members with active written exposure plans on the SMA website. OSHA can be directed to this list to verify a contractor is participating in the SMA Silica Compliance Plan.

### Can I modify the SMA written exposure plan to fit my individual needs?

The plan will be emailed as a pdf file. It will be generic and cannot be edited, which will allow the SMA to easily send updates of the plan to Members. However, the plan will have a provision for adding an annex where contractors can add information. The annex will allow the contractor to personalize the plan without altering the main part. When the SMA sends an update to the plan, the pages from the annex can be easily transferred.

### Will SMA continue conducting exposure testing?

Yes, it will. The initial exposure plan is based on a series of tests conducted in Southern California where plastic cement was mixed with sand from a sand pile in a large mixer. The SMA plans on conducting additional tests in other regions of the country. The testing will encompass different plaster mixes and mixing methods.

### Will SMA regularly update the exposure plan?

Yes, it will. The plan will be updated at least once a year as required by the standard. It is likely the plan will be updated more frequently, especially this first year, as additional testing occurs and based on feedback from Members and OSHA. **SMA intends for the exposure plan to be a living document.**

## EMPLOYEE TRAINING

### What is a competent person?

The employer must designate a competent person to frequently and regularly inspect job sites, materials, and equipment to implement the written exposure control plan. A competent person is someone who:

- Can identify existing and foreseeable respirable crystalline silica hazards.
- Is authorized to promptly eliminate or minimize silica hazards.
- Has the knowledge and ability to implement the written exposure control plan.

The employer can designate any of his or her employees to be a competent person if the employee is qualified, including the employee who does the work on a jobsite. For example, employees who go to jobsites alone can be designated a competent person if they know how to properly implement controls on the tools they use, can recognize if the controls are not working, and can correct the nonworking control.

### What training is required for a competent person?

The standard does not require specific training for a competent person. The employer is responsible for determining what training is necessary to provide the knowledge and ability for the competent person to implement the written exposure control plan. The training will depend on the types of work done, and in some cases, successfully completing training required under the silica standard and OSHA's Hazard Communication standard will be enough. In other cases, additional training may be needed. For example, a competent person at a small residential construction company might only need training on controls for power tools that they do not typically use to do their own tasks, so that they could help other employees with questions about or problems with dust controls on those tools. In contrast, a competent person for heavy equipment tasks may require more specialized training in heavy equipment inspection or in recognizing different soil types to determine if exposures might be a concern.

### What training will SMA provide for a competent person?

As mentioned above, there is no specific training requirement for the competent person. The SMA will provide an online curriculum that will cover the basics of the silica standard and controls to reduce silica exposure for plastering contractors.

Employers can use this curriculum as the basis for training and expand on it as need to fit their individual needs. The SMA is deciding on providing the option for contractors to pass a competent person quiz and be issued a SMA Competent Person Card that can be shown to OSHA inspectors.

### Do all employees need to be trained on the silica standard?

In addition to the competent person training, employers must train and inform other employees covered by the silica standard about respirable crystalline silica hazards and the methods the employer uses to limit their exposures to those hazards. Employers must cover the cost of training and must pay employees for the time spent in training.

The employer must ensure that employees trained under the silica standard can demonstrate knowledge and understanding of at least:

1. Health hazards associated with respirable crystalline silica exposure. For respirable crystalline silica, the health hazards include: cancer, lung effects, immune system effects, and kidney effects.
2. Specific workplace tasks that could expose employees to respirable crystalline silica.
3. Specific measures the employer is implementing to protect employees from respirable crystalline silica exposure, including engineering controls, work practices, and respirators to be used.
4. The contents of the respirable crystalline silica standard. This would involve a description of the standard's requirements.
5. The identity of the competent person designated by the employer. This could be as simple as announcing who the competent person is at the beginning of a work shift.
6. The purpose and a description of the medical surveillance program required under the standard.

### What training will SMA provide for employees?

The SMA will provide a document to give guidance on topics to cover during employee training, but it will be the employer's responsibility to conduct the employee training.