

TILE CONTRACTORS ASSOCIATION OF HAWAII



The Silica Citations Hit 116 in Six Months

As of April 17, 2018, OSHA and state safety agencies have issued 116 national violation citations under OSHA's new silica safety rule, Bloomberg BNA reported. The regulation went into effect September 23, 2018, but OSHA began full enforcement October 23, 2018.

The most frequently mentioned violation involved contractors allegedly failing to measure silica levels, which was the subject of 35 citations. That was followed by 31 citations to those that did not comply with the regulation's Table 1, which identifies 18 procedures that firms can follow as an alternative to air monitoring.

Despite the issuance of citations, enforcement of the rule has been limited, with contractors being tagged for silica violations as part of investigations into other unsafe jobsite conditions like inadequate fall protection. The majority of violations (80%) were classified as serious, but the highest fine imposed was \$9,239—short of the potential maximum of \$12,934.

Even though OSHA postponed enforcement 30 days to allow more time for compliance, contractors still maintain that there are ambiguities and omissions in the rule that could lead to a citation. The National Association of Home Builders has submitted questions regarding the silica rule to OSHA in the hopes that the agency will beef up the compliance guidelines that it posted on its website at <https://www.osha.gov/dsg/topics/silica/crystalline/construction.html>.

The fall update to the silica standard was the first major change since it was established in 1971. The rule targets silica dust particles, which are 100 times smaller than sand granules. Those workers who breathe in too much silica dust can develop the fatal lung disease silicosis, lung cancer, kidney disease and chronic obstructive pulmonary disease.

Source: Construction Dive