



JUN 29 2017

DIRECTIVE: JOB CORPS PROGRAM INSTRUCTION NO. 16-41

TO: ALL JOB CORPS NATIONAL OFFICE STAFF
 ALL JOB CORPS REGIONAL OFFICE STAFF
 ALL JOB CORPS CENTER DIRECTORS
 ALL JOB CORPS CENTER OPERATORS
 ALL NATIONAL TRAINING AND SUPPORT CONTRACTORS
 ALL OUTREACH, ADMISSIONS, AND CTS CONTRACTORS
 ALL CENTER USERS

FROM: *FR* LENITA JACOBS-SIMMONS *Lenita*
 National Director
 Office of Job Corps

SUBJECT: Complying with the OSHA Respirable Crystalline Silica Standards for
 General Industry and Construction

1. **Purpose.** To provide the Job Corps community with information to help centers comply with the Occupational Safety and Health Administration’s (OSHA) Respirable Crystalline Silica Standard for General Industry, 29 Code of Federal Regulations (CFR) 1910.1053, and Respirable Crystalline Silica Standard for Construction, 29 CFR 1926.1153.
2. **Background.** In accordance with the Job Corps Policy and Requirements Handbook (PRH) Section 5.14 R1, “Job Corps centers must comply with federal, state, and local regulations and Job Corps policy regarding environmental safety and occupational health.” As of June 23, 2016, two new OSHA standards related to respirable crystalline silica went into effect. Compliance with 29 CFR 1926.1153 is required by September 23, 2017, and compliance with 29 CFR 1910.1053 is required by June 23, 2018.

Crystalline silica is a common mineral found at construction sites, and in materials like sand, concrete, stone, and mortar. It is used to make products like glass, pottery, ceramics, bricks, concrete, and artificial stone.

Inhaling dust (“respirable”) particles of crystalline silica causes silicosis, an incurable lung disease that can lead to disability and death. Inhaling respirable crystalline silica also causes lung cancer, Chronic Obstructive Pulmonary Disorder (COPD), and kidney disease. The hazard exists when work activities – for example, cutting, sawing, grinding, drilling, and crushing cause respirable dust to be released into the air.

The new rule requires employers to use engineering controls – such as ventilation and wet methods for cutting and sawing crystalline silica-containing materials – to reduce workers’ exposure to silica dust.

The U.S. Department of Labor (DOL) set standards to control worker exposure to respirable crystalline silica in 1971. OSHA proposed updates to the outdated standards in 2013. The Respirable Crystalline Silica Standard for General Industry (29 CFR 1910.1053) applies to all occupational exposures except in construction, agriculture, and exposures related to processing sorptive clays. A new action level and a reduced Permissible Exposure Limit (PEL) were included in the final rule. The action level for airborne respirable crystalline silica is 25 $\mu\text{g}/\text{m}^3$, calculated as an 8-hour time-weighted average (TWA), and the PEL is 50 $\mu\text{g}/\text{m}^3$, calculated as an 8-hour TWA.

Under **general industry** standards, employers must meet the following deadlines:

- a. Employers must comply with all obligations of the general industry standard, with the exception of the action level trigger for medical surveillance, by June 23, 2018.
- b. Employers must offer medical examinations to employees exposed above the PEL for 30 or more days a year beginning June 23, 2018.
- c. Employers must offer medical examinations to employees exposed at or above the action level for 30 or more days a year beginning June 23, 2020.

Under **construction** standards, the following deadlines must be met by employers:

- a. Employers are required to comply with all obligations of the construction standard, with the exception of methods of sample analysis, by September 23, 2017.
- b. Employers are required to comply with methods of sample analysis by June 23, 2018.

States with OSHA-approved plans had 6 months to adopt standards that are at least as stringent as the federal OSHA standards.

3. Action. All Job Corps centers shall:

- a. Review the following resources:
 - OSHA, *OSHA to delay enforcing crystalline silica standard in the construction industry*, <https://www.osha.gov/news/newsreleases/national/04062017>
 - OSHA, *Safety and Health Topics: Silica, Crystalline*, <https://www.osha.gov/dsg/topics/silicacrystalline/>
 - OSHA, *OSHA's Final Rule to Protect Workers from Exposure to Respirable Crystalline Silica*, <https://www.osha.gov/silica/>

- OSHA, *Frequently Asked Questions: Respirable Crystalline Silica Rule*, https://www.osha.gov/silica/Silica_FAQs_2016-3-22.pdf
 - OSHA FactSheet, *OSHA's Crystalline Silica Rule: Construction*, <https://www.osha.gov/Publications/OSHA3681.pdf>
 - OSHA FactSheet, *OSHA's Crystalline Silica Rule: General Industry*, <https://www.osha.gov/Publications/OSHA3682.pdf>
 - OSHA, *Small Entity Compliance Guide for the Respirable Crystalline Silica Standard for Construction*, <https://www.osha.gov/Publications/OSHA3902.pdf>
 - The Center for Construction Research and Training, "*Work Safely with Silica*" Web Site, <http://www.silica-safe.org/> (includes a "create-a-plan" tool)
- b. Conduct job hazard analyses to record job and training tasks that may potentially create crystalline silica dust hazards. Use this information to find effective ways to reduce student and staff exposures to crystalline silica dust, such as the use of engineering controls and safe work practices. For activities under the construction standard, a list of appropriate control measures is provided in Table 1 of 29 CFR 1926.1153 (<https://www.osha.gov/silica/SilicaConstructionRegText.pdf>).
- Conduct hazard assessments to determine the need for personal protective equipment (PPE) (e.g., respirators, safety goggles, etc.) in accordance with 29 CFR 1910.132 and PRH Section 5.20, R1. Use information obtained from job hazard analyses and hazard assessments as content for training efforts (i.e., meeting required training needs, periodic toolbox talks, etc.).
- c. Ensure students and staff members have access to labels and safety data sheets (SDS) for products that contain crystalline silica, in accordance with 29 CFR 1910.1200, Hazard Communication Standard (HCS 2012).
- d. Ensure students and staff members with potential exposure risk receive information and training, and can demonstrate knowledge and understanding of at least the following:
- The health hazards associated with exposure to respirable crystalline silica;
 - Specific tasks in the workplace that could result in exposure to respirable crystalline silica;
 - Specific measures the center has implemented to protect students and staff from exposure to respirable crystalline silica, including engineering controls, work practices, and respirators used;

- The content of each Respirable Crystalline Silica standard;
 - The purpose and description of the medical surveillance program; and
 - The identity of the competent person designated by the employer (applies to the 29 CFR 1926.1153 only).
- e. Register for and attend an upcoming Job Corps/OSHA Webinar on Crystalline Silica Dust. Dates and times will be announced via JCDC Notice (weekly training schedule).
- f. Establish and implement a written exposure control plan that identifies tasks that involve exposure and methods used to protect students and staff members that contains at least the following elements:
- A description of the tasks on-center that involve exposure to respirable crystalline silica;
 - A description of the engineering controls, work practices, respiratory protection used to limit student and staff exposures to respirable crystalline silica for each task; and
 - A description of housekeeping measures used to limit student and staff exposures respirable crystalline silica.
- g. Ensure construction contractors and the performance of center construction projects comply with the 29 CFR 1926.1153, including the establishment and implementation of a written exposure control plan that meets the requirements of this standard.
- h. Ensure physicians or other licensed health care professionals (PLHCP) who conduct the type of medical evaluations required by paragraph (i) in 29 CFR 1910.1053 and paragraph (h) in 29 CFR 1926.1153 are legally permitted by their professional licenses. The scope of their practice is determined by their state license, registration, or certification. Contact individual state licensing, registration, or certification boards to verify a PLHCP's permitted scope of practice.
- i. Ensure accurate air monitoring, objective data, and medical surveillance records are made and maintained in accordance with paragraph (k) of 29 CFR 1910.1053 and paragraph (j) of 29 CFR 1926.1153.

Addresses are to ensure this Program Instruction is distributed to all appropriate staff.

4. Expiration Date. Until superseded.

5. Inquiries. Inquiries should be directed to Heather Edmonds at (202) 693-3774 or edmonds.heather@dol.gov.

Attachment

**OSHA Respirable Crystalline Silica Standard (29 CFR 1910.1053 and 29 CFR 1926.1153)
Compliance Accountability Acknowledgement Form**