COMPLIANCE PROGRAM

OSHA Silica Rule: Requirements for Written Exposure Control Plan

On March 25, 2015, the Occupational Safety and Health Administration issued a final rule that regulates workplaces where employees may be exposed to crystalline silica. The final rule affects employers in the maritime, construction and general industries.

The rule is effective June 23, 2016, but employers in the construction industry have until Sept. 23, 2017 to comply and employers in the maritime and general industries have until June 23, 2018 to comply. The rule reduces the permissible exposure limit (PEL) for silica to 50 micrograms per cubic meter of air (50 µg/m3) as an eight-hour time-weighted average and requires employers to implement specific measures to protect workers. The required measures include engineering controls, respiratory protection, medical surveillance, hazard communication and recordkeeping.

To comply with the rule, employers must develop a customized silica exposure control plan. This plan must be tailored to each employer's needs and must address specific aspects of each work establishment. Construction employers should refer to Page 3 for information about the "competent person" requirement.

This Compliance Program Template is meant to be a starting point for employers in their compliance efforts. Employers must edit, add and alter all sections of this document to ensure their customized plan is in compliance with the new final rule.

Please contact Huckaby & Associates for more information regarding the final rule or the requirements for silica written exposure control plans.

Ross Davis

CONTACT PERSON:

Position Title: [Enter title for contact person]

Phone Number: [Enter phone number for contact person]

Email: [Enter email address for contact person]

Address: [Enter address for contact person]

OTHER INFORMATION:

Last review: [Enter last review date]

[Enter additional information as necessary]

Instructions for Minimum Requirements

In the space provided below, please identify each task at your workplace/establishment that may involve exposure to silica dust. Use the space provided for each task to insert a brief description of both the task and any applicable, accompanying engineering controls, work practices, protective equipment or housekeeping measures you use to limit employee exposure to silica dust.

TASK: [Insert task title here, including tasks with exposure levels below the new PEL.]

Description: [Insert task description here. Identify workplace factors that could affect potential exposure such as materials that contain silica, weather conditions, soil composition and whether the task is in an enclosed space.]

Controls: [Describe all control methods used to limit exposure to silica dust as they relate to the performance of this task. Remember to include engineering controls and workplace practices. Employers may not rely on respirators as the sole means of exposure control. Include PPE specifications, sign descriptions, an explanation of safety procedures used to verify that controls are working effectively and any cleaning methods applicable to the task.]

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Additional Requirements for Construction Employers

Construction employers must restrict bystander access to any area in which respirator use is required under Table 1 of the final rule or in which an exposure assessment reveals that silica levels are above the PEL. The final rule permits each construction employer to address unique worksite scenarios when determining how to accomplish these restrictions. Common methods include demarcation, notifying or briefing employees, and scheduling high-exposure tasks when others are not around. Whatever the chosen procedures, construction employers must describe them in detail in this section of the written plan.

Competent Person

Construction employers must designate a competent person who has the knowledge and ability necessary to fulfill all the responsibilities outlined in the written plan. The final rule defines "competent person" as an individual who is capable of identifying existing and foreseeable silica hazards in the workplace and who has the authority to take prompt corrective measures to eliminate or minimize them. Specifically, the competent person's responsibilities include identifying any situations in which bystanders could be exposed to silica and taking action to notify them (or restrict their access to the hazardous areas). The competent person is also responsible for recognizing and evaluating situations where overexposure may occur, evaluating the exposure potential and making initial recommendations on how to control that exposure.

The final rule does not specify what information must be included in a written plan regarding the competent person, but employers should consider including both the competent person's name and his or her contact information.

Position Title: [Enter title for contact person]

Phone Number: [Enter phone number for contact person]

Email: [Enter email address for contact person]

Address: [Enter address for contact person]

Restricting Bystander Access

The following list of restricted areas is based on Table 1 of the final rule. Construction employers will need to customize this list to satisfy their legal obligations and accommodate their workplace safety requirements.

Stationary masonry saws

Description: [Insert a description of the area and any equipment that poses a risk of exposure.]

Access Restriction: [Describe in detail how bystander safety in this area is accomplished. Common methods include demarcation, notification, briefing employees and scheduling high-exposure tasks when others are not around.]

Handheld power saws

Description: [Insert a description of the area and any equipment that poses a risk of exposure.]

Access Restriction: [Describe in detail how bystander safety in this area is accomplished. Common methods include demarcation, notification, briefing employees and scheduling high-exposure tasks when others are not around.]

Walk-behind saws

Description: [Insert a description of the area and any equipment that poses a risk of exposure.]

Access Restriction: [Describe in detail how bystander safety in this area is accomplished. Common methods include demarcation, notification, briefing employees and scheduling high-exposure tasks when others are not around.]

Drivable saws

Description: [Insert a description of the area and any equipment that poses a risk of exposure.]

Access Restriction: [Describe in detail how bystander safety in this area is accomplished. Common methods include demarcation, notification, briefing employees and scheduling high-exposure tasks when others are not around.]

Rig-mounted core saws or drills

Description: [Insert a description of the area and any equipment that poses a risk of exposure.]

Access Restriction: [Describe in detail how bystander safety in this area is accomplished. Common methods include demarcation, notification, briefing employees and scheduling high-exposure tasks when others are not around.]

Handheld and stand-mounted drills

Description: [Insert a description of the area and any equipment that poses a risk of exposure.]

Access Restriction: [Describe in detail how bystander safety in this area is accomplished. Common methods include demarcation, notification, briefing employees and scheduling high-exposure tasks when others are not around.]

Dowel drilling rigs for concrete

Description: [Insert a description of the area and any equipment that poses a risk of exposure.]

Access Restriction: [Describe in detail how bystander safety in this area is accomplished. Common methods include demarcation, notification, briefing employees and scheduling high-exposure tasks when others are not around.]

Vehicle-mounted drilling rigs for rock and concrete

Description: [Insert a description of the area and any equipment that poses a risk of exposure.]

Access Restriction: [Describe in detail how bystander safety in this area is accomplished. Common methods include demarcation, notification, briefing employees and scheduling high-exposure tasks when others are not around.]

Jackhammers and handheld powered chipping tools

Description: [Insert a description of the area and any equipment that poses a risk of exposure.]

Access Restriction: [Describe in detail how bystander safety in this area is accomplished. Common methods include demarcation, notification, briefing employees and scheduling high-exposure tasks when others are not around.]

Handheld grinders for mortar removal

Description: [Insert a description of the area and any equipment that poses a risk of exposure.]

Access Restriction: [Describe in detail how bystander safety in this area is accomplished. Common methods include demarcation, notification, briefing employees and scheduling high-exposure tasks when others are not around.]

Handheld grinders (for uses other than mortar removal)

Description: [Insert a description of the area and any equipment that poses a risk of exposure.]

Access Restriction: [Describe in detail how bystander safety in this area is accomplished. Common methods include demarcation, notification, briefing employees and scheduling high-exposure tasks when others are not around.]

Walk-behind milling machines and floor grinders

Description: [Insert a description of the area and any equipment that poses a risk of exposure.]

Access Restriction: [Describe in detail how bystander safety in this area is accomplished. Common methods include demarcation, notification, briefing employees and scheduling high-exposure tasks when others are not around.]

Small drivable milling machines (less than half-lane)

Description: [Insert a description of the area and any equipment that poses a risk of exposure.]

Access Restriction: [Describe in detail how bystander safety in this area is accomplished. Common methods include demarcation, notification, briefing employees and scheduling high-exposure tasks when others are not around.]

Large drivable milling machines (half-lane or larger)

Description: [Insert a description of the area and any equipment that poses a risk of exposure.]

Access Restriction: [Describe in detail how bystander safety in this area is accomplished. Common methods include demarcation, notification, briefing employees and scheduling high-exposure tasks when others are not around.]

Crushing machines

Description: [Insert a description of the area and any equipment that poses a risk of exposure.]

Access Restriction: [Describe in detail how bystander safety in this area is accomplished. Common methods include demarcation, notification, briefing employees and scheduling high-exposure tasks when others are not around.]

Heavy equipment and utility vehicles used to abrade or fracture silica-containing materials (e.g., hoe-ramming, rock ripping)

Description: [Insert a description of the area and any equipment that poses a risk of exposure.]

Access Restriction: [Describe in detail how bystander safety in this area is accomplished. Common methods include demarcation, notification, briefing employees and scheduling high-exposure tasks when others are not around.]

Heavy equipment and utility vehicles used during demolition activities involving silica-containing materials
Description: [Insert a description of the area and any equipment that poses a risk of exposure.]

Access Restriction: [Describe in detail how bystander safety in this area is accomplished. Common methods include demarcation, notification, briefing employees and scheduling high-exposure tasks when others are not around.]

Heavy equipment and utility vehicles for tasks such as grading and excavating but not including: demolishing, abrading or fracturing silica-containing materials

Description: [Insert a description of the area and any equipment that poses a risk of exposure.]

Access Restriction: [Describe in detail how bystander safety in this area is accomplished. Common methods include demarcation, notification, briefing employees and scheduling high-exposure tasks when others are not around.]

Additional equipment or tasks that require bystander access restrictions

EQUIPMENT/TASK: [Insert task title here, including tasks with exposure levels below the new PEL.]

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