



OSHA REGIONAL NOTICE

U.S. DEPARTMENT OF LABOR

Occupational Safety and Health Administration

DIRECTIVE NUMBER: 13-32 (CPL 04)	EFFECTIVE DATE: November 26, 2013
SUBJECT: Local Emphasis Program for Silica Exposure and Slab Handling in Cut Stone and Stone Product Manufacturing	
REGIONAL IDENTIFIER: Region 10	

ABSTRACT

- Purpose:** This establishes a local emphasis program (LEP) for programmed inspections in Idaho of establishments engaged in cutting, shaping, finishing and handling granite, marble or other natural or engineered stone for building and miscellaneous uses; Standard Industrial Classification (SIC) Code 3281; North American Industry Classification System (NAICS) Code 327991). This program will focus on potential silica exposure and on material handling issues created when lifting or transporting stone slabs and products at a covered facility.
- Scope:** This Notice applies to the Boise Area Office.
- References:** OSHA Instruction CPL 04-00-001, Procedures for Approval of Local Emphasis Programs, November 10, 1999.
- OSHA Instruction CPL 02-00-150, Field Operations Manual, April 22, 2011.
- OSHA Instruction CPL 02-00-025, Scheduling System for Programmed Inspections, January 4, 1995.
- Cancellation:** OSHA Regional Notice 13-12 (CPL 04), February 20, 2013.
- Expiration Date:** This Notice will expire December 31, 2014, but may be renewed.

State Plan Impact: None.

Significant Changes: None.

Action Offices: Boise Area Office and the Office of Federal and State Operations.

Originating Office: Office of Federal and State Operations

Contact: Steve Gossman
Assistant Regional Administrator
Office of Federal and State Operations

By and Under the Authority of:

David L. Mahlum
Acting Regional Administrator

EXECUTIVE SUMMARY

This Notice establishes a Local Emphasis Program (LEP) for the cut stone and stone product manufacturing industry. The cut stone and stone product manufacturing industry has experienced significant growth in recent years in part because of the growing popularity of granite countertops in new construction and remodeling projects in the residential construction industry. This industry presents two significant hazards to employees including exposure to silica dust and a crushing hazard during material handling operations. This LEP will utilize outreach, compliance assistance and direct intervention to better focus attention on a health hazard specifically targeted in OSHA’s Strategic Management Plan. Current national and local inspection scheduling systems do not adequately provide for regular programmed inspections of this industry, and this LEP will provide an objective inspection scheduling system to cover this segment of a high-hazard operation within the context of current law and OSHA policy. Eligible employers who elect to schedule a full-service consultation visit with the Idaho Safety and Health Consultation Program will receive an inspection deferral under the terms of this LEP.

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- I. **Purpose.** This establishes a local targeting program for programmed silica and slab handling inspections in general industry operations pursuant to OSHA policy that programmed inspections be conducted primarily in high-hazard sectors of employment. Silica has been identified as a targeted hazard in OSHA’s Strategic Management Plan. This program will also focus on material handling issues created when lifting or transporting stone slabs and products at a covered facility. Both safety and health programmed inspections of establishments engaged in cutting, shaping, finishing and

handling granite, marble or other natural or engineered stone for building and miscellaneous uses are to be scheduled using this Notice.

II. Scope. This Notice applies to the Boise Area Office. .

III. Action Offices. Boise Area Office and Office of Federal and State Operations.

IV. State Plan Impact. None.

V. References.

A. OSHA Instruction CPL 04-00-001, Procedures for Approval of Local Emphasis Programs, November 10, 1999.

B. OSHA Instruction CPL 02-00-150, Field Operations Manual, April 22, 2011.

C. OSHA Instruction CPL 02-00-025, Scheduling System for Programmed Inspections, January 4, 1995.

VI. Background.

Crystalline silica is a common substance that is the basic component of sand, quartz and granite rock. Occupational exposure to crystalline silica dust has long been known to produce silicosis, pneumoconiosis or dust disease of the lung. Activities such as sandblasting, rock drilling, roof bolting, foundry work, stonecutting, drilling, quarrying brick/block/concrete cutting, granite operations, lead-based paint encapsulant applications, and tunneling through the earth's crust can create an airborne silica exposure hazard.

Based upon the wide spread occurrence and use of crystalline silica across the major industrial groups (maritime, construction and general industry), and in consideration of the number of silicosis related deaths, NIOSH estimates for the number of exposed workers, and the health effects of crystalline silica dust exposure (e.g. pulmonary fibrosis, lung and stomach cancer), the Boise Area Office is implementing a local targeting program based on a national program to assure worker protection from overexposure to crystalline silica dust.

After review of the available information, it was determined that the best course of action would be to target establishments which are likely to have overexposures to silica, based on OSHA's previous experience. Establishments in SIC 3281 – Cut Stone and Stone Products/NAICS 327991 – Cut Stone and Stone Product Manufacturing are primarily engaged in cutting, shaping, and finishing of granite, marble, limestone, slate and other stone products which contain quartz (silica). During the cutting, shaping, and finishing of products containing silica, employees are exposed to airborne silica dust. A review of OSHA sampling data from 1989 through 1999 illustrated the following: 243 samples from establishments in SIC 3281 (nationwide) were analyzed for silica by OSHA's Salt

Lake City laboratory. Thirty-two percent resulted in exposures in excess of the Permissible Exposure Limit (PEL) and 24% resulted in exposures greater than one-half (½) of the PEL.

Employees are required to move and handle slabs of stone weighing between 500 pounds to in excess of 1400 pounds. Most handling is accomplished using forklifts and other material handling equipment.

Nationally, OSHA has investigated 20 fatalities since 2000 in cut stone and stone products (SIC 3281) operations where employees were crushed or struck by stone slabs during stone handling operations. In addition, OSHA has investigated 18 accidents where employees sustained injuries such as fractures, head injuries, and amputations as a result of stone handling operations. In a number of these accidents, multiple employees were involved resulting in fatalities and serious injuries. The Boise Area Office has investigated one accident where an employee was struck by a stone slab. As a result of that injury, the employee became a quadriplegic.

VII. Procedures.

The Boise Area Office shall follow this Notice when conducting outreach activities and inspections at establishments where there is the potential for overexposures to silica and slab handling hazards.

- A. Outreach. New developments related to this industry and LEP will be provided to employers and industry stakeholders via the Boise Area Office electronic newsletter. These new developments will be coordinated with the Idaho Occupational Safety and Health Consultation Program.
- B. Programmed Silica LEP Inspections.
 1. The silica inspection program implemented by the Boise Area Office will focus on SIC 3281 – Cut Stone and Stone Products/NAICS 327991 – Cut Stone and Stone Product Manufacturing. The area office will develop a list of stone shops and establishments likely to be involved in similar silica-related activities, based on information sources such as prior inspection history, business directories, industry advertisements and local knowledge.
 2. After a comprehensive area office establishment list is compiled, inspection cycles composed of randomly selected establishments will be developed by using the random numbers table located in OSHA Instruction CPL 02-00-25, Appendix C. The inspections will be comprehensive in scope. All operational establishments in a cycle must be inspected before any establishments in a new cycle may be inspected. Carryovers will be allowed, as provided in OSHA Instruction CPL 02-00-25, paragraph B.1.b.(1)(e).

3. Sites that have scheduled or are in the process of a consultation visit from the Idaho Occupational Safety and Health Consultation Program will not be inspected until the consultation process is complete. Exceptions to this deferral must be approved by the Area Director.
 4. Programmed inspections initiated under the silica LEP shall be conducted in accordance with the FOM, and will usually be limited to hazards associated with exposure to silica and stone handling operations. However, if the compliance officer (CSHO) observed other serious hazards, the inspection may be expanded to address such hazards. Exposures to other hazards such as noise will be evaluated as well where the CSHO becomes aware of the exposures.
- C. Complaints and Referrals. The Boise Area Office may inspect stone shops of all sizes in response to formal and nonformal complaints, and may cite all documented violations and assess penalties.
- D. Imminent Danger. The Boise Area Office may take any action authorized by the Act with respect to alleged imminent danger situations.
- E. Documentation. Whenever a CSHO observes or receives information of work operations where the potential for exposure to silica exists in a stone shop or similar establishment, the CSHO must follow the procedures below. The procedures apply whether or not a violation is observed, and also apply when information is received through phone calls alleging a hazard, referrals (including media or other agency referrals), reports from other staff, from the general public, etc.
1. Document the status and condition of the work operation as far as they are known, noting any serious hazard(s). Documentation must be maintained by the area office in case of denial of entry.
 2. Note the location of the work site and the name and address of the employer(s) performing the operation.
 3. Provide the Assistant Area Director or Area Director with the information. Based upon the information provided, all potential silica work sites may be handled in accordance with the procedures outlined in the FOM.

VIII. Personal Protective Equipment (PPE).

CSHOs are required to wear appropriate PPE including respirators as appropriate. The Boise Area Director shall ensure that CSHOs know how to properly handle contaminated clothing and PPE. Coveralls and other contaminated clothing should be laundered commercially rather than at home. Respirator face pieces should be cleaned according to manufacturer's instructions.

IX. Program Evaluation.

- A. This LEP will be evaluated in accordance with the guidelines in Appendix A of CPL 04-00-001, Procedures for Approval of Local Emphasis Programs and Experimental Programs.
- B. The Area Director will be asked to provide input concerning special problems that may have surfaced during the year; recommendations to improve the LEP; and recommendations to renew or not renew the LEP.
- C. The Office of Federal and State Operations (FSO) shall review the input and prepare an evaluation to be submitted to the Regional Administrator for review by November 15 of each year. On the approval of the Regional Administrator, the evaluation report will be submitted to the Directorate of Enforcement Programs no later than November 30.

X. OIS Coding.

Inspections, unprogrammed activities and compliance assistance activities conducted under this LEP in SIC 3281 (or NAICS 327991) will be identified on the appropriate OIA form as follows:

- 1. LEP code = STONE
- 2. NEP code = SILICA

This applies to both programmed and unprogrammed inspections.

In addition, all inspections which involve potential exposures to silica, regardless of industry sector, must be coded as follows:

Strategic Plan code = SILICA