



# Oregon

Kate Brown, Governor

Department of Consumer and Business Services

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September 28, 2016

[Text of adopted changes](#)  
[Text of Division 2/Z Silica only](#)  
[March 25, 2016 Federal Registry](#)  
[March 18, 2016 Federal Registry](#)

## Oregon OSHA – Adopted Changes to Occupational Exposure to Respirable Silica in General Industry, Construction, and Maritime

On March 25, 2016, federal OSHA adopted final rules for crystalline silica for general industry, construction, and maritime. Before these rules, the only specific rule for crystalline silica was an airborne permissible exposure limit (PEL) of 100 micrograms per cubic meter of air ( $\mu\text{g}/\text{m}^3$ ). With the adoption of these rules, federal OSHA lowered the PEL from 100  $\mu\text{g}/\text{m}^3$  to 50  $\mu\text{g}/\text{m}^3$ , and instituted an action level of 25  $\mu\text{g}/\text{m}^3$ . These rules require an exposure assessment, with periodic monitoring under certain circumstances, requires engineering and work practice controls to reduce exposure levels, institutes a written exposure control plan, requires provisions for regulating employee access to certain areas, respiratory protection, medical surveillance, and employee training and information. The construction rule also lists specific tasks with engineering controls, work practice controls, and respiratory protection for specific tasks that do not require an exposure assessment, and requires that a competent person ensure that the written program and specific tasks are followed.

On July 15, 2016 Oregon OSHA proposed to combine the requirements of the general industry and construction rules into one set of rules applicable to both industries, as new Oregon-initiated rules OAR 437-002-1053 through 437-002-1065. These Oregon-initiated rules provide the same options for construction employers to use certain specified methods in lieu of an exposure assessment as the federal rules, and a note was added at Table 1 in 437-002-1057 Specified exposure control methods, to remind employers that the rest of the rules still apply.

Oregon OSHA amended the compliance dates to July 1, 2018 for both general industry and construction. The one effective date, paired with education and outreach, will help increase employer understanding and compliance with the new silica standard. The effective date for medical evaluations for employees exposed to airborne levels above the action level but below the PEL is July 1, 2020.

This is Oregon OSHA Administrative Order 5-2016, **adopted September 23, 2016, and effective July 1, 2018.**

Oregon OSHA contact:

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Please visit our website [osha.oregon.gov](http://osha.oregon.gov) Click 'Rule and laws' in the Topics, rules, guidelines column; and view/print our proposed rules, adopted, or final rules.

Note: In compliance with the Americans with Disabilities Act (ADA), this publication is available in alternative formats by calling 503-378-3272.

Secretary of State  
Certificate and Order for Filing  
**PERMANENT ADMINISTRATIVE RULES**



I certify that the attached copies\* are true, full and correct copies of the PERMANENT Rule(s) adopted on Sept 23, 2016 by the  
Date prior to or same as filing date

Department of Consumer & Business Services/Oregon Occupational Safety & Health Division 437  
Agency and Division Administrative Rules Chapter Number

Sue Joye 350 Winter Street NE, Salem OR 97301-3882 503-947-7449  
Rules Coordinator Address Telephone

to become effective July 1, 2018 as Oregon OSHA Administrative Order 4-2016.  
Date upon filing or later

Rulemaking Notice was published in the August 2016 *Oregon Bulletin*.\*\*  
Month and Year

**RULE CAPTION**

Adopt federal OSHA amendments: Occupational Exposure to Respirable Crystalline Silica in General Industry, Construction, Maritime.  
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

**RULEMAKING ACTION**

**ADOPT:** OAR 437-002-1053, 437-002-1054, 437-002-1055, 437-002-1056, 437-002-1057, 437-002-1058, 437-002-1059, 437-002-1060, 437-002-1061, 437-002-1062, 437-002-1063, 437-002-1064, 437-002-1065.

**AMEND:** OAR 437-002-0382, 437-003-1000, 437-005-0001.

**ORS** 654.025(2), 656.726(4)  
Stat. Auth.

**ORS** 654.001 through 654.295  
Stats. Implemented

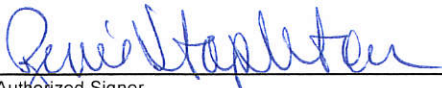
**RULE SUMMARY**

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Please visit our web site [osha.oregon.gov](http://osha.oregon.gov). Click 'Rule changes' in the Topics, rules, guidelines column and view our proposed rules; or, select other rule activity from the left vertical column on the Proposed Rules page.

  
Authorized Signer

Renée M. Stapleton  
Printed name

9/23/10  
Date

\*With this original, file one photocopy of certificate, one paper copy of rules listed in Rulemaking Actions, and electronic copy of rules.

\*\*The *Oregon Bulletin* is published on the 1st of each month and updates rules found in the OAR Compilation. For publication in Bulletin, rule and notice filings must be submitted by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a weekend or legal holiday, when filings are accepted until 5:00 pm on the preceding workday.

ARC 930-2005

Secretary of State  
Certificate and Order for Filing  
**PERMANENT ADMINISTRATIVE RULES**

**FILED**  
9-23-16 3:41 PM  
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I certify that the attached copies are true, full and correct copies of the PERMANENT Rule(s) adopted on Upon filing, by the  
Department of Consumer and Business Services, Oregon Occupational Safety and Health 437

Agency and Division

Administrative Rules Chapter Number

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Address

To become effective 07/01/2018 Rulemaking Notice was published in the August 2016 Oregon Bulletin.

**RULE CAPTION**

Adopt federal OSHA amendments: Occupational Exposure to Respirable Crystalline Silica in General Industry, Construction, Maritime.

Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

**RULEMAKING ACTION**

Secure approval of new rule numbers with the Administrative Rules Unit prior to filing.

**ADOPT:**

437-002-1053, 437-002-1054, 437-002-1055, 437-002-1056, 437-002-1057, 437-002-1058, 437-002-1059, 437-002-1060, 437-002-1061, 437-002-1062, 437-002-1063, 437-002-1064, 437-002-1065

**AMEND:**

437-002-0382, 437-003-1000, 437-005-0001

**REPEAL:**

**RENUMBER:**

**AMEND AND RENUMBER:**

**Statutory Authority:**

654.025(2), 656.726(4)

**Other Authority:**

**Statutes Implemented:**

654.001 - 654.295

**RULE SUMMARY**

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