

May 14, 2008

Oregon OSHA - Adopted Changes To Silica and Corrections to Air Contaminants in General Industry and Construction

Oregon OSHA is adopting final changes to the permissible exposure limit (PEL) for airborne concentrations of respirable silica to a fixed limit of 0.1 milligrams per cubic meter (mg/m³). The formula and footnote (e) for Silica in Table Z-3 in the Air Contaminants standards in general industry and construction is also amended. Both of these changes reflect better scientific processes for determining airborne respirable exposures, and the calculation used to determine exposures continues to cause confusion.

Crystalline silica, also known as quartz, is a natural constituent of the earth's crust and is a basic component of sand and granite. However, airborne exposures to silica can lead to silicosis. Silicosis is a disease of the lungs that can cause fibrosis or scar tissue formations in the lungs that reduce the lung's ability to work to extract oxygen from the air.

Comments received during the comment period and during the public hearing indicated that the proposed change of 0.05 mg/m³ would impact industry more than Oregon OSHA had anticipated. The original calculation was based on a 0.1 mg/m³ limit. OR-OSHA carefully considered these comments and as a result is adopting a PEL of 0.1 mg/m³.

Oregon OSHA also received comments regarding the proposed sampling method and as a result is adopting a rule that allows for a sampling method accepted by OSHA or NIOSH for respirable quartz silica.

Changes will also be made in the Z-1 table in air contaminants for accuracy, correction, and uniformity. Oregon OSHA also adopts these changes into general industry and construction.

This is OR-OSHA Administrative Order 6-2008, **adopted May 13, 2008 and effective July 1, 2008**.

Please visit OR-OSHA's web site: www.orosha.org for proposed, adopted, and final rules, as well as current publications, training opportunities, and much more.

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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 May 13, 2008 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, 2008 as OR-OSHA Administrative Order 6-2008.
Date upon filing or later

Rulemaking Notice was published in the November 2007 *Oregon Bulletin*.**
Month and Year

RULE CAPTION

Adopt changes to Silica and corrections to air contaminants in General Industry and Construction.
Not more than 15 words that reasonably identifies the subject matter of the agency's intended action.

RULEMAKING ACTION

AMEND: OAR 437-002-0382, 437-003-1000

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

ORS 654.001 through 654.295
Stats. Implemented

RULE SUMMARY

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<u>/s/Michael D. Wood</u>	<u>Michael D. Wood</u>	<u>5/12/08</u>
Authorized Signer	Printed name	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 the rule text found in the Oregon Administrative Rules Compilation. Notice forms must be submitted to the Administrative Rules Unit, Oregon State Archives, 800 Summer Street NE, Salem, Oregon 97310 by 5:00 pm on the 15th day of the preceding month unless this deadline falls on a Saturday, Sunday or legal holiday when Notice forms are accepted until 5:00 pm on the preceding workday. ARC 930-2005