

# Kriss Worthington

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> ACTION CALENDAR June 25, 2013

To: Honorable Mayor and Members of the City Council

From: Councilmember Kriss Worthington

Subject: Request the Occupational Safety and Health Administration (OSHA) to

Move Forward with the Adoption of Draft Proposed Rule to Reduce

Exposure to Life-Threatening Silica Dust

## RECOMMENDATION

Adopt a Resolution requesting OSHA move forward with the adoption of the draft proposed rule to reduce exposure to life-threatening silica dust and send a letter to the White House Office of Management and Budget.

## BACKGROUND

Silica dust is a type of dust from silica (crystalline quartz) that causes breathing problems to workers in the fields of mining, stone cutting, quarrying (especially granite), blasting, road and building construction industries that manufacture abrasives, and farming. Breathing the dust causes silicosis, a severe disease that can scar the lungs.

Each year, more than 250 American workers die with silicosis. More than 1 million U.S. workers are exposed to crystalline silica. There is no cure for the disease, but it is 100 percent preventable if employers, workers and health professionals work together to reduce exposures.

Because chronic silicosis is slow to develop, signs and symptoms may not appear until years after exposure. According to OSHA, chronic silicosis, the most common form of the disease, may go undetected for years in the early stages; in fact, a chest X-ray may not reveal an abnormality until after 15 or 20 years of exposure. The body's ability to fight infections may be overwhelmed by silica dust in the lungs, making workers more susceptible to certain illnesses, such as tuberculosis. As silicosis progresses, victims exhibit one or more of the following symptoms: Shortness of breath, exertion, severe cough, fatigue, loss of appetite, chest pain, fever and other related problems.

Groups that support enforcement of the Draft Rule:

- Occupational Safety and Health Administration
- Mine Safety and Health Administration
- National Institute for Occupational Safety and Health

# FINANCIAL IMPLICATIONS: None.

CONTACT PERSON:
Councilmember Kriss Worthington 510-981-7170

# Attachment:

- 1. Resolution
- 2: Letter to White House Office of Management and Budget

### RESOLUTION NO.

REQUEST THE OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION (OSHA) TO MOVE FORWARD WITH THE ADOPTION OF DRAFT PROPOSED RULE TO REDUCE EXPOSURE TO LIFE-THREATENING SILICA DUST

WHEREAS, OSHA enforces a permissible exposure limit, which is the maximum amount of airborne crystalline silica that an employee may be exposed to during an eight-hour work shift and has rules on hazard communication, safety and health programs in construction, and access to employee exposure and medical records; and

WHEREAS, MSHA enforces its own exposure limits, has rules requiring controls for drills, and requires air sampling in certain situations; and

WHEREAS, other relevant OSHA and MSHA regulations include: respiratory protection, posting of warning signs, housekeeping, recordkeeping or reporting of occupational illnesses, abrasive blasting, personal protective equipment, and training; and

WHEREAS, workers can act to prevent Silicosis by using engineering controls installed by employers to reduce silica dust levels, and make sure they are properly maintained; and

WHEREAS, employers can minimize dust by following good work practices, such as removing dust with a water hose or vacuum with a high-efficiency particulate filter rather than blowing it clean with compressed air, or by wet sweeping instead of dry sweeping; and

WHEREAS, workers can request their employer to substitute a less hazardous materials than crystalline silica for abrasive blasting; and

WHEREAS, they should wear, maintain, and correctly use approved particulate respirators when engineering controls alone are not adequate to reduce exposures below permissible levels; and

WHEREAS workers should participate in air monitoring, medical surveillance, and training programs offered by their employer or when required by law; and

WHEREAS, workers are allowed to ask for the results of air sampling done at their worksite if they are concerned about silica dust; and

WHEREAS, employers must make a commitment to prevent silicosis at their worksites and comply with OSHA and MSHA regulations on respirable crystalline silica. If employees are overexposed, reduce exposure levels through the use of engineering controls. While these controls are being installed, or if they are being repaired, provide appropriate respiratory protection; and

WHEREAS, employers should also perform air monitoring of worksites as needed, and when required by law, and take corrective action when silica levels are excessive. Monitoring provides a basis for: selecting and ensuring the effectiveness of engineering controls, selecting proper respiratory protection, seeing if work practices to reduce dust levels are effective, determining if a medical surveillance program is necessary; and

WHEREAS, employers should install and maintain engineering controls to eliminate or reduce the amount of silica in the air and the build-up of dust on equipment and surfaces. Examples of controls include: exhaust ventilation and dust collection systems, water sprays, wet drilling, enclosed cabs, and drill platform skirts; and

WHEREAS, employers need to substitute less hazardous materials than crystalline silica for abrasive blasting, when possible. Try to use automatic blast cleaning machines or cabinets that allow operating the machines from outside using gloved armholes; and

WHEREAS, employers have to train workers about health effects, engineering controls and work practices that reduce dust, the importance of maintenance and good housekeeping, as well as on the proper type and fitting of respirators; and

WHEREAS, employers should establish a written respiratory protection program and provide medical examinations for employees who may be exposed to respirable crystalline silica, as recommended by NIOSH, and have X-rays read by a specialist in dust diseases; and

WHEREAS, employers should report all cases of silicosis to state health departments and to MSHA, and record cases on OSHA logs, as required, and post warning signs to identify work areas where respirable silica is present; and

NOW THEREFORE BE IT RESOLVED by the Council of the City of Berkeley that the City of Berkeley requests OSHA move forward with the adoption of the draft proposed rule to reduce exposure to life-threatening silica dust.

White House Office of Management and Budget 725 17<sup>th</sup> street, NW Washington, D.C. 20503

Dear White House Office of Management and Budget,

The Berkeley City Council request the Occupational Safety and Health Administration (OSHA) to move forward with the adoption of the draft proposed rule to reduce the exposure to life-threatening silica dust.

OSHA is charged with making sure workers are entitled to a safe environment, which includes protection from hazardous materials at work sites, such as silica dust.

Silica dust is a type of dust from silica, which causes breathing issues to workers in fields such as construction, mining, agriculture, glass manufacturing, and stonecutting. Breathing in silica dust can cause silicosis, a disease which scars the lungs and makes individuals susceptible to illnesses such as tuberculosis.

Each year, more than 250 American workers die with silicosis. More than 1 million U.S. workers are exposed to crystalline silica. There is no cure for the disease, but it is 100 percent preventable if employers, workers and health professionals work together to reduce exposures.

In summary, the Berkeley City Council requests that OSHA support workers and their safety by moving forward with the adoption of the proposed draft rule to minimize the risk of silica dust poisoning and its related illnesses.

Sincerely,

Berkeley City Council