

Silica dust can cause a host of occupational lung diseases

So why is the Obama Administration quietly smothering rules that could protect workers?

By DON McINTOSH
Associate Editor

Construction workers breathe it. So do road crews, and miners, and workers in foundries, quarries, glass-making, sand-blasting and hydraulic fracturing (fracking) operations. It's known as crystalline silica. It's present in sand, rock, brick and concrete, and it's said to make up 12 percent of the earth's crust. But breathed in as dust, in quantity and over time, crystalline silica can cause a host of occupational lung diseases, including silicosis, pulmonary tuberculosis, and lung cancer.

"With silica, the biggest threat isn't the stuff that you see — it's the stuff that you can't see," explains Shawn Lenczowski, coordinator of the Oregon and Southwest Washington Mason Trades Joint Apprenticeship and Training Committee. "The particles are so small that when you breathe them in, they cut your lung tissue, and cause tiny scars in your lungs. Over time, the scars build up, and your lung capacity is depleted."

Silicosis is the name for the condition Lenczowski describes. It's one of the oldest known occupational diseases, and it's irreversible.

At least 1.7 million U.S. workers are exposed to respirable crystalline silica, according to the National Institute for Occupational Safety and Health (NIOSH), a unit of the U.S. Centers for Disease Control. At the highest risk are those whose work

involves sand-blasting, or cutting, blasting, chipping, grinding, and sawing stone, brick, or concrete. It's estimated that each year there are upwards of 3,600 new cases of silicosis, and nearly 150 silicosis deaths.

Yet silicosis is entirely preventable.

"This is not rocket science," says Peg Seminario, occupational safety expert at the national AFL-CIO. "You need to use water to suppress the dust." And have proper ventilation. And personal protective equipment. And training on how to minimize risk.

You might think those things would be required by the Occupational Safety and Health Administration (OSHA) — which has a mandate under federal law to protect worker health and safety. You'd be wrong.

OSHA sets a "permissible exposure limit" for silica dust, using a complex formula based on the amount of quartz in air samples. But it doesn't require employers to measure that exposure. Nor are employers required to conduct periodic medical examinations of exposed workers, inform them about the hazards of silica, use safer methods like wet cutting, install ventilation controls, or even provide workers with personal protective equipment such as dust masks or ventilators.

And OSHA's permissible exposure limit, set in 1972, was based on the scientific consensus of

1968, relying on studies from the early 1960s.

In 1974, just two years after OSHA set the silica exposure limit, NIOSH recommended that limit be cut in half. OSHA began working on updating its silica rule that year.

That was 39 years ago. It still hasn't happened. But the science on silica has advanced greatly. In the late 1990s, respirable crystalline silica was added to the list of known human carcinogens. New methods of air sampling were developed to make tests more accurate. Equipment makers developed and improved concrete saws with attached hoses or tanks to prevent silica from becoming airborne.

In 2002, during President George W. Bush's first term, OSHA announced that an updated silica rule would be a priority. But after OSHA sent a proposed rule to a small business panel for review, work on the regulation halted.

In 2009, the Obama Administration also named



silica as a priority. And on Feb. 14, 2011, OSHA submitted a "draft silica proposed standard" for review by the White House Office of Information and Regulatory Analysis (OIRA), which is part of the Office of Management and Budget (OMB). The review was supposed to last 90 days. But 795 days later, it's still there.

The Occupational Safety and Health Act, signed by President Richard Nixon in 1970, says nothing about review by OMB or OIRA. The law created OSHA, and gave it authority to set mandatory occupational safety and health standards, "to assure so far as possible every working man and

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