

Questions for Advisory Meeting prior to promulgating emergency regulation.

The purpose of the advisory meeting is to discuss and solicit feedback on the following:

1. Timelines for fabricators and suppliers to transition from artificial stone with crystalline silica to safer alternative products (natural stone, sintered stone, porcelain, solid-surface, crystalline silica-free artificial stone, etc.).
 - (A) How long will it take to complete existing orders and potentially use up existing inventory?
 - (B) What is the current supply for alternative products? How long would it take to increase supply to completely replace artificial stone with crystalline silica?
 - (C) Feedback on exempting existing contracts and written commitments for artificial stone with crystalline silica. What should the cut-off date be for such contracts and agreements?
 - (D) Feedback on exempting housing projects with plans, and costs already established. What should the cut-off date be for such housing projects?
 - (E) Are there other ways in which impacts on housing development timelines and costs can be minimized?
2. What is the process for fabrication shops to transition from artificial stone with crystalline silica to safer alternatives? Are different equipment or tools needed?
3. Should there be exemptions from a prohibition for possible future technology, that does not yet exist, which would be protective of employees (e.g., robotics working inside a negative pressure enclosure with Ultra-Low Penetration Air (ULPA) filtration).
4. How long do showrooms, warehouses, vendors, distributors etc. (locations where customers select countertop material) that currently carry artificial stone with crystalline silica need to transition to alternative products?
5. Should there be a phase out period where supply and the number of artificial stone products is progressively reduced? Or should there be a single cutoff date in the future?
6. What elements should the standard require be included in an employer's phase-out plan? Examples for discussion:

- A statement affirming the employer will not manufacture or fabricate artificial stone containing more than 1.0% crystalline silica by weight after the effective date of the prohibition.
 - A statement affirming the employer will comply with all requirements in section 5204 for high-exposure trigger tasks during the phase-out period.
 - Methods the employer will use to communicate and coordinate with suppliers, customers, contractors, installers, and employees about the artificial stone phase-out and prohibition.
 - Methods the employer will use to evaluate the crystalline silica content and material type (artificial stone, granite, marble, quartzite, porcelain, sintered stone, solid surface, etc.) before purchase or fabrication.
 - Methods the employer will use to identify approved replacement products.
 - Methods to document the crystalline silica content of all products at the worksite.
 - Methods to document the material type of all products at the worksite.
 - Methods to notify and inform all employees, in a language understood by employees, that fabrication of artificial stone containing crystalline silica is dangerous to life and health, and that its use will be prohibited at the worksite by the effective date of the prohibition.
7. What kind of support/regulations, etc. are needed for workplaces handling waste or unwanted inventory?
 8. How should products be tested and certified once a prohibition is in place?
 9. What testing protocols should be required before a substitute material is marketed as a safer alternative?
 10. What documentation is needed to demonstrate material type (artificial stone, natural stone, porcelain, sintered stone, solid surface, etc.) and crystalline silica content?