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Attorneys Helping People

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Re: Draft Standard for Comment - § 5204.1 Prohibition of Fabrication and Manufacture of Artificial Stone with more than 1.0% Crystalline Silica

Dear Members of the Division of Occupational Safety and Health (Cal/OSHA),

Please accept the enclosed public comments submitted on behalf of Brayton Purcell LLP regarding the proposed emergency crystalline silica regulations currently under consideration by Cal/OSHA.

Brayton Purcell LLP represents hundreds of fabrication workers who have developed silicosis and other silica-related diseases as a result of occupational exposure to respirable crystalline silica generated during the fabrication and installation of artificial stone products.

We commend Cal/OSHA for its leadership in addressing the ongoing occupational health crisis and for developing emergency regulations intended to prevent additional cases of silicosis among California workers. The proposed revisions are offered in the spirit of strengthening worker protections, clarifying key definitions, and ensuring that the regulations effectively address the unique hazards posed by artificial stone products containing crystalline silica.

Our submission includes specific proposed language addressing, among other topics, the scope of prohibited activities, provisions for the notification of former employees, and clarification of the distinction between fabrication and installation activities. For ease of review, we have enclosed a redlined version of the proposed regulations with our recommended revisions.

We respectfully request that Cal/OSHA consider these recommendations as part of the rulemaking process. We appreciate the opportunity to provide input and would be pleased to answer any questions regarding the enclosed submission.

Respectfully submitted,



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