

July 31, 2026

Submitted via email / advisory meeting

California Department of Industrial Relations

Division of Occupational Safety and Health (Cal/OSHA)

Attn: Standards Board Advisory Committee – Engineered Stone Emergency Rulemaking

Re: Comments of Caesarstone USA, Inc. on Questions for Advisory Meeting Prior to Promulgating Emergency Regulation – Artificial Stone and Crystalline Silica

Dear Members of the Advisory Committee,

Caesarstone USA, Inc. (“Caesarstone”) appreciates the opportunity to comment in advance of the advisory meeting on the proposed emergency regulation addressing engineered stone containing crystalline silica. Caesarstone is a supplier of a range of surfaces – including quartz, porcelain, natural stone, as well as a range of advanced fusion surfaces that are crystalline silica-free (“CSF”) and other alternative products containing less than 1% crystalline silica.

Preliminary Comment: Crystalline Silica Risk Is Not Limited to Engineered Stone

Before turning to the specific questions below, Caesarstone urges the Board to consider the scope of the rulemaking itself. Crystalline silica exposure is not unique to engineered stone. Natural stone products – including many granite and quartzite slabs – can contain crystalline silica at levels comparable to, or higher than, engineered stone, as can porcelain slabs, which are increasingly fabricated with the same saws, blades and dry-processing shortcuts that cause exposure in engineered stonework. The hazard comes from uncontrolled dry cutting, grinding and polishing of any silica-bearing material, not from a material’s classification as “engineered,” “natural” or “porcelain.” This is not a new phenomenon: dry-cut natural stone tooling has for decades been known among fabricator tradespeople – and documented by the federal government – as producing “widow-makers,” long before the emergence of quartz surfaces as engineered stone.

If the rulemaking addresses engineered stone without applying equivalent controls to natural stone and porcelain products of comparable silica content, fabrication shops will likely shift to such silica-containing materials without reducing risk, leaving the underlying hazard – and the workers exposed to it – unaddressed, while creating a false sense of safety. Caesarstone recommends that the Board apply a consistent, hazard-based standard to all crystalline silica-containing materials above the same threshold, while tightening enforcement across job sites, regardless of whether the material is described as engineered, natural or porcelain.

That said, to the extent the Board’s intent is to proceed with a prohibition on engineered stone specifically, Caesarstone confirms it will meet California demand for compliant alternatives on the timeline and in the manner described in our responses to Questions 1 and 5 below.

1. Manufacturer and Supplier Transition Timelines

(A) Existing orders and inventory: We propose a short runway of three to six months following the effective date to complete existing purchase orders and deplete on-hand and in-transit inventory of product that was

compliant when sold – sufficient to complete a manufacture-to-delivery cycle already in progress – and in no event later than January 1, 2027.

(B) Supply of alternative products: Caesarstone is already bringing a range of CSF and low-silica products to market and (like many international participants, we believe) it is capable of scaling capacity to serve the California market; on that basis, and assuming demand, we can shift our offering to CSF while quadrupling the monthly number of slabs landed in California within three months of a final rule. This can be scaled to ten times our current California-landed volume of slabs within 6-9 months, and continue to scale from there is needed, to address a replacement of materials that the regulation may not allow their fabrication. We trust other suppliers may be able to scale similarly. Based on our own experience, conversion to compliant product is achievable as globally, the formulation R&D, binder chemistry, manufacturing line conversions, raw materials and safety/quality validation this transition requires have already been substantially completed by multiple participants.

(C) Existing contracts: We recommend exempting binding supply and purchase agreements executed before the rule's publication date, where the material has been delivered to the fabrication location, or where fabrication has already partially commenced – recognizing that some projects carry lead times exceeding two years. We further recommend that this exemption extend to existing builder and customer contracts; if those contracts are not excluded, unfulfilled supply obligations could expose suppliers to breach-of-contract remedies through no fault of their own.

(D)/(E) Housing projects and cost mitigation: Caesarstone has no independent data to offer but supports narrowly targeted relief for projects with already-committed plans and costs. We note that compliant alternative product is available for specification today, so such relief should be limited to committed projects and should not operate as a general extension of the compliance date. Consistent with that principle, we recommend that projects already underway – i.e., where fabrication or installation using previously compliant material has already commenced be permitted to continue to completion, while new projects should be instructed to specify CSF materials.

2. Fabrication-Shop Transition Process and Equipment or Tooling

No new equipment or tooling is required. Caesarstone's published fabrication guidance for its CSF range states that there are no differences in the fabrication and installation process compared with our familiar quartz surfaces – the same saws, CNC machinery, blades and workflow a shop operates today. A shop transitions by confirming material category and content documentation before purchase (see our response to Question 10 below), updating hazard communication, SDS records and employee training, and, most importantly, continuing to operate in conformity with all applicable Cal/OSHA regulations including all existing engineering controls – including air sampling, water-fed cutting and dust-control systems, and personal protective equipment – without modification. Because no capital equipment cycle is involved, this transition needs no compliance runway longer than the supply timelines in Question 1 above.

A change of material is not, however, a substitute for exposure controls, and the regulation should not be drafted in a way that implies otherwise. Caesarstone's own guidance to fabricators addresses this directly: all fabrication of surfaces may generate respirable dust if uncontrolled, and dust is still dust that employees should not be inhaling. The regulation should not make dry cutting, dry grinding or dry polishing acceptable, regardless of the material being fabricated.

We therefore recommend that the emergency regulation, and any employer phase-out plan required under it, apply the same engineering controls, respiratory protection, housekeeping and training obligations to all materials, expressly including wet methods, local exhaust ventilation and a prohibition on dry processing rather than attaching those obligations only to material above a crystalline silica threshold. Drafted the other way, a shop that transitions early would face fewer controls than one that has not transitioned at all.

3. Exemptions for Possible Future Technology

We do not support a prospective, speculative exemption for technology that does not yet exist; any such technology should instead be evaluated once it emerges. Compliant alternative materials are commercially available today, so an exemption of this kind is not needed to preserve supply or to protect housing delivery. We are also skeptical that such an exemption could be enforced in practice: it is unclear how the Division would verify, on an ongoing basis, that fabrication of high-silica quartz surfaces using advanced machinery is in fact achieving zero employee exposure at every job site. And as builders, architects and designers increasingly specify CSF options – driving a greater range of products and designs to market – we question why they would revert to quartz surfaces even if such an exemption were available.

4. Showrooms, Warehouses, Vendors and Distributors

We do not believe any transition period is needed for showroom displays, demonstrative installations, or slabs held in inventory or on racks. These items are not being cut, ground or polished, and therefore present no respirable crystalline silica exposure to employees or the public. Many of the installed demonstrative displays also closely resemble the CSF alternatives in appearance and touch, and may continue to be used in marketing those materials. We believe the Board's focus should remain on the fabrication tasks performed in California, where the actual exposure risk arises.

Avoiding disruption to existing showroom and warehouse inventory will allow distributors to sell that material over time outside California, while reducing logistical burden.

We therefore recommend that the regulation not require the removal or replacement of existing showroom displays, or of slabs already installed as countertops, backsplashes or other fixtures in a showroom setting, for the reasons above.

5. Phased Reduction vs. Single Cutoff Date

Given that enforcement and compliance under the current rules are already complex, we recommend a single, defined cutoff date for the prohibition on fabrication of engineered stone above the threshold, rather than a staged reduction of the 1% threshold over time. Developing separate compliance models for intermediate thresholds (for example, 30–50%) would require substantial additional resources, add complexity and duplication of effort, and make enforcement harder. It would also confuse builders, architects and designers, who often specify projects without knowing the eventual installation date, leading to multiple transitions on a single project.

Australia adopted a comparable structure: a defined prohibition date paired with tightened controls on remaining crystalline silica-containing materials, rather than a gradual lowering of the threshold itself.

A full range of compliant, crystalline silica-free products is already available from Caesarstone and other suppliers, capable of meeting a substantial portion, if not all, of California demand on the timeline described

in Question 1 above. An interim period is therefore unnecessary, though the Board may wish to allow a brief one to avoid a supply shock. Such a period should not be extended or repeated across multiple iterations to force manufacturers to compete on shifting compliance thresholds.

If the Board nonetheless adopts an interim period, it should be used to strengthen engineering controls, respiratory protection and the prohibition on dry processing for the material that continues to be used during that period. We are not asking for additional runway to avoid an inventory cliff; the arrangements described under Questions 1 and 4 above already address that concern.

6. Elements of an Employer's Phase-Out Plan

Caesarstone is a manufacturer and supplier; we do not operate fabrication shops and are not the employer responsible for conditions at any job site. We accordingly leave the specific elements of an employer's phase-out plan (items 6a through 6h) to the fabricating employers who are best positioned to design and implement them for their own workplaces and workforce.

One principle should hold regardless of how the Board finalizes those elements: responsibility for workplace health and safety remains with employers. Employers should be required to confirm, before purchase or fabrication, that a material is compliant – supported by a laboratory XRD test report and a current Safety Data Sheet, as described in our response to Question 10 below – and should remain fully subject to all applicable Cal/OSHA requirements, including Section 5204, regardless of the material being fabricated. Manufacturers can and do supply documentation and training to support that responsibility, but the obligation to verify compliance before fabrication, and to maintain safe working conditions on the job site, rests with the employer and cannot be shifted to the manufacturer.

7. Waste and Unwanted Inventory

We recommend the regulation include a reasonable disposal/liquidation window and clarify that surplus inventory lawfully manufactured before the cutoff date does not itself constitute a violation if it is sold or disposed of within that window.

8. Testing and Certification Once a Prohibition Is in Place

We recommend California adopt a testing framework similar to Australia's: a laboratory XRD test result confirming crystalline silica content by weight should be available for each SKU, with results retained by the manufacturer or importer and made available to the Division on request. Prior to fabrication, fabricators must confirm that they have reviewed and retained the XRD documentation establishing that the material is compliant.

9. Testing Protocols Before Marketing an Alternative CSF Surface

We recommend the regulation specify a single standardized test method. For the purpose of increasing the speed and scale at which alternative CSF surfaces can be brought to market, we recommend adopting the methods referenced in Australian codes of practice, since different methodologies may produce different results for the same material, creating uncertainty for manufacturers trying to substantiate compliance.

We also recommend the rule avoid conflating a "below 1% crystalline silica" test result with an implied safety certification. Safe Work Australia's 1% figure is a regulatory line and compliance with it does not relieve employers of their independent obligation to comply with all applicable Cal/OSHA rules and regulations.

California should hold manufacturers to accurate, tested compositional claims without requiring or implying broader safety representations.

10. Documentation to Demonstrate Material Type and Crystalline Silica Content (Question 10)

We recommend the regulation specify that the following documentation is sufficient, so manufacturers, importers and suppliers have certainty:

- A laboratory XRD test report (in-house accredited or third-party) confirming crystalline silica content by weight for each SKU, retained by the manufacturer or importer and available on request, it need not be displayed on the product itself;
- A current Safety Data Sheet identifying material composition and crystalline silica content under existing rules; and

Consistent product identification and description across commercial documents (invoices, packing lists, delivery dockets) identifying the SKU number and the material category or product family, matching the description that appears on the XRD test report, so that fabricators and enforcement agencies are not left to interpret ambiguous descriptions.

We recommend California's rule adopt a similarly clear, low-friction documentation standard so that compliant materials and only compliant materials may be fabricated.

Conclusion

Caesarstone appreciates the opportunity to participate in this advisory process and welcomes further engagement with DIR and Cal/OSHA staff on any of the points above.

Respectfully submitted,

Caesarstone USA, Inc.

Kobi Brenner, President