



30 September 2026

To: OSHS Board Members

From: James Hieb, CAE – CEO - Natural Stone Institute (NSI)

Re: Public Comments to OSHSB Petition 609

Esteemed OSHS Board Members,

The Natural Stone Institute (NSI) greatly values worker safety and the critical need to protect employees from preventable silicosis caused by airborne respirable crystalline silica (RCS). We greatly value our inclusion in past and future discussions on this topic in the effort to reduce worker illness, injuries, and fatalities. The NSI supports science-based research and data on the subject of exposures, controls, and physiological reactivity of RCS, and looks forward to inclusion of forthcoming research and data in the formation and finalization of any rulemaking.

Regarding the recent 09-16-26 ***Draft Standard for Comment - Prohibition of Fabrication and Manufacture of Artificial Stone with more than 1.0% Crystalline Silica***, the NSI provides the following comments and recommendations:

1. In section (a) Scope; we recommend revising "*slabs or panels*" to "**artificial stone** *slabs or panels*", as the WOEMA petition, as well as current studies focused on risks specifically created by artificial stone products.
2. In section (c) Definitions; (1) "Artificial Stone"; we recommend revising the last sentence to "**Natural stone, fired ceramic and porcelain slabs**, tiles and panels are not artificial stone."
3. In section (e) Signage; recommend removal of the word "quartz" and "cuarzo", as these can be misinterpreted to imply the mineral quartz which is used in many forms in other industries and manufacturing processes.
4. In section (g)(1) Recordkeeping; we recommend additional clarification on what types of documentation will be considered acceptable for compliance. Also clarify how to address scenarios where documentation on a specific product is NOT available from the original supplier.
5. In section (g)(2) What records or forms are considered acceptable for compliance?
6. In section (5)(b)(2):
 - "Artificial Stone Action Level"; recommend revising "performed on a variety of materials that include artificial stone" to "performed on artificial stone with more than 1% crystalline silica". This definition (by its' name) is focused on Artificial Stone and the phrase "variety of materials" opens it up for unnecessary ambiguity.



- Please provide how the proposed Action Level of 3 $\mu\text{g}/\text{m}^3$ is supported by research or medical science as a documented "safe" exposure level. Furthermore 3 $\mu\text{g}/\text{m}^3$ is also very close to the laboratory minimum reporting level and creates additional situations for errors to be introduced.
- 7. In section (h) Respiratory protection, Exceptions; A new requirement of respirator with APF of 10,000 is excessive and unreasonable. Respirator selection should be based on known exposure risks, and APR of 1,000 under the current regulations should be protective for exposures well in excess of any recorded by assessments by Cal/OSHA visits and consultations.
- 8. In section (b)(1) Definitions "Installation"; the wording of "minor on-site adjustments" is ambiguous and could be easily misinterpreted by different businesses. The proposed language would allow some on-site activities, and would drive illegal High Exposure Trigger Tasks to be performed in the field making it even more challenging for assessment and enforcement.

Thank you for your consideration and clarification. NSI looks forward to continuing it's role to advocate for employee safety, education, and resources to support both workers and employers.

Sincerely,

A handwritten signature in black ink, appearing to read 'JAH', is written over a light blue horizontal line.

James A. Hieb, CAE
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