

September 29, 2026

Research and Standards Branch
Cal/OSHA - Division of Occupational Safety and Health

Re: Emergency Rulemaking to Prohibit the Fabrication of Engineered Stone Countertops Containing More than One Percent Crystalline Silica

Dear Research and Standards Branch:

On behalf of the Labor Occupational Health Program (LOHP) at UC Berkeley, and as experienced professionals in the field of occupational health and safety, I am writing to express strong support for proposed emergency regulation section 5204.1, which would prohibit the manufacture and fabrication of artificial stone containing more than 1.0% crystalline silica.

Cal/OSHA needs to take action urgently and complete emergency rulemaking. Medical and health professionals have been sounding the alarm about the devastating consequences that exposure to this highly toxic product has on workers, many of whom are young Latino men fabricating countertops with this material. California's Department of Public Health has already identified over 650 cases of this disease linked to engineered stone. Given the high toxicity of this product, we must act quickly to advance rulemaking, prevent further exposure to this material, and save workers' lives.

As public health professionals in this field, we use the National Institute for Occupational Safety and Health's (NIOSH) "hierarchy of controls" to identify protective measures. NIOSH specifies the best way to protect workers from hazards is to eliminate or substitute the hazard so no worker is exposed. It can be challenging to have the opportunity to thoroughly eliminate a hazard, and yet we have one now before us in California. We have to acknowledge the limitations that the fabrication shops have in being able to implement a range of controls to protect workers from exposure, and the limitations that Cal/OSHA has in enforcement. It is not realistic or feasible that workers would be well-protected—and even if the most strict controls were fully in place, exposure and subsequently silicosis remain a dangerous possibility. Even with the emergency standard in effect, we have continued to see cases. **For these reasons, we support maintaining the prohibition and not replacing it with additional controls.**

Finally, **we support a testing and verification program** so there is transparency in the documentation and workers and employers can ensure and be confident that the material contains 1.0% or less crystalline silica by weight or that the material is not artificial stone. Having

a specific process determined by Cal/OSHA for independent testing will support employers to be in compliance with the regulation and allow workers to verify they are being protected.

Thank you for your consideration,

A handwritten signature in black ink, appearing to read 'Suzanne', with a long, sweeping horizontal line extending to the right.

Suzanne Teran, MPH
Director
UC Berkeley Labor Occupational Health Program