



Reply to the attention of:

APR 06 2017

MEMORANDUM FOR THE REGIONAL ADMINISTRATORS

Thomas Maloney

FROM: *for* DOROTHY DOUGHERTY
Deputy Assistant Secretary

SUBJECT: Delay of Enforcement of the Crystalline Silica Standard for Construction
under 29 CFR 1926.1153

The final rule on Occupational Exposure to Crystalline Silica in Construction, published on March 25, 2016, established a new Permissible Exposure Limit and contained several other ancillary provisions that apply to the construction industry. This rule was codified at 29 CFR §1926.1153 and became effective on June 23, 2016. Under the standard, all obligations were to commence on June 23, 2017, except for requirements for sample analysis in paragraph (d)(2)(v), which commence on June 23, 2018.

The construction standard for crystalline silica has a number of unique features warranting development of additional guidance materials. In order to provide the opportunity to conduct additional outreach to the regulated community and to provide additional time to train compliance officers, we have decided to delay enforcement of this standard until September 23, 2017. We are currently developing educational materials for employers and enforcement guidance for your staff that will be made available shortly. Please instruct your staff to provide these materials to employers that are subject to the requirements under § 1926.1153 and to provide guidance on what steps the employers can take to ensure that they are in compliance with the new provisions when enforcement begins on September 23, 2017.