



The Associated General Contractors of America
San Diego Chapter, Inc.

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October 25th, 2017

Juliann Sum, Chief
Division of Occupational Safety and Health
Cal-OSHA
1515 Clay Street, Suite 1901
Oakland, CA 94612

RE: Subchapter 4. Construction Safety Orders Article 4. Dusts, Fumes, Mists, Vapors,
and Gases

1532.3. Occupational Exposures to Respirable Crystalline Silica.

Request for Clarification

Dear Ms. Sum

As an introduction, we are the San Diego chapter of the Associated General Contractors of America. Our membership consists of 1500 general contractors, sub-contractors and affiliates. Some questions and requests for clarification have been generated by our members, as they are seeking to better educate themselves on their requirements as employers in the construction industry. This letter is intended to transmit those to your office to help us obtain clarification so that we may communicate back to our members.

1532.3 (c) specified exposure control methods Table 1; (xvii): Heavy equipment and utility vehicles used to abrade or fracture silica-containing materials (e.g. hoe-ramming, rock ripping). Table 1 control methods for this specified task requires; “operate equipment from within an enclosed cab When employees outside of the cab are engaged in the task, apply water and/or dust suppressants as necessary to minimize dust emissions”.

Question 1

When performing this Table 1 task, is the operator not required to be within an enclosed cab when employees outside the cab are engaged in the task and are applying water and/or dust control suppressants as necessary to minimize dust emissions?

Question 2

Is the operation from an enclosed cab only required when the equipment operator is the only employee engaged in the task?

Question 3-General

This question has to do with the case where a contractor is developing their firm's worker protection program and specifically their air monitoring program. He may have test results (objective data) for some covered tasks, but may also have data from an equipment manufacturer which we will refer to as subjective. May the contractor use the subjective data in combination with the objective data to develop the firm's worker protection program?

Thank you in advance for your assistance. If you have any questions, please call or email Mike McManus, Director of Engineering Construction & Industry Relations at 858-248-0228 or mmcmanus@agcsd.org

Sincerely,

Mike McManus P.E.
Director of Engineering Construction &
Industry Relations
AGC San Diego