



Opening Statement
Ranking Member Frederica S. Wilson
Workforce Protections Subcommittee Hearing
"Reviewing Recent Changes to OSHA's Silica Standards"
Tuesday, April 19, 2016

Mr. Chairman, thank you for holding this hearing today to review OSHA's long-awaited rule updating the silica standard.

The science is clear.

Since 1974, the National Institute for Occupational Safety and Health, or NIOSH, has called for OSHA to cut the permissible exposure limit for general industry from 100 micrograms per cubic meter to 50. It took 42 years for OSHA's rule to catch up with the science.

In 1997, the World Health Organization's International Agency for Research on Cancer determined crystalline silica dust is "carcinogenic to humans." The Department of Health and Human Services declared the same in 2000.

Silica dust causes silicosis, lung cancer, respirable illnesses such as COPD, and kidney disease.

Yet, scientific research demonstrates OSHA's previous 40-year-old silica standard fails to adequately protect workers from these preventable diseases.

Extensive scientific evidence shows lung cancer and silicosis occur at exposure levels below OSHA's previous permissible exposure limit of 100 micrograms per cubic meter for workers in general industry. Surprisingly, the alarmingly out of date construction industry standard of 250 micrograms per cubic meter stems from a 1929 Public Health Service recommendation that the government acknowledged was not set at a level to protect workers from silicosis, but rather based solely on feasibility considerations of 1920s technology and measurement methods.

OSHA's new silica dust standard reflects current science and technology. It will save lives.

Over 800,000 construction workers and another 295,000 workers in general industry and maritime are exposed to crystalline silica in excess of the new, more protective standard of 50 micrograms per cubic meter.

OSHA estimates this new standard, which includes engineering controls, training, prohibitions on dry sweeping, and medical surveillance, will save more than 600 lives each year and prevent more than 900 cases of silicosis each year.

I just want to show here on the screen pictures of airborne silica dust generated by a power saw cutting through concrete block with and without engineering controls. All it takes is water or air to control silica dust. These pictures make it abundantly clear how using simple controls reduces workers' and bystanders' exposure to silica dust.

While useful, statistics and pictures fail to communicate the true toll on affected workers and their families.

This includes workers like Dale McNabb, Tom Ward, and Tim Brown, who have submitted statements for the record. I ask unanimous consent to include the statements of Mr. McNabb, Mr. Ward, and Mr. Brown into the record.

Dale McNabb, who has joined us here today, is a tile setter from Warren, Michigan and a member of Bricklayers Local 2 in Michigan.

In his statement, Dale recounts his exposure to silica dust while working as a tile helper mixing cement and making cuts.

After Dale started wheezing, he went to doctors who confirmed his respiratory problems were caused by silica exposure.

Dale writes, "I loved my job and I took a lot of pride in my work. I would still be doing it today if my doctor hadn't told me I couldn't and that I might never work again because I breathed in silica dust."

"When I get exposed to dust now – and not just silica dust – it feels like I have a plastic bag over my head and someone's pulling it shut."

Also with us today is Tom Ward, a bricklayer from Detroit, Michigan. At thirteen, Tom lost his father to silicosis. In his statement, Tom shares this painful story.

Tom writes, "We got the official diagnosis – silicosis – when he was 34 years old. The hardest memory to live with is the last day he worked – he came in the door, fell to the floor and started crying. He said 'I can't do it anymore.'"

“It took just 5 years for silicosis to kill him. It was a slow and very painful process for my dad to experience at far too young an age, and for me, my sisters and for my mother to witness. In the end, his disease suffocated him.”

Tom, who is himself a construction worker exposed to silica dust, remains stunned at the lack of training on and awareness of the dangers of silica dust and the inconsistent use of engineering controls and personal protective equipment.

We are also joined by Tim Brown, a bricklayer from Milwaukee, Wisconsin and member of Bricklayers Local 8 who has worked in dust producing trades his entire life. In his statement, Tim recounts the lack of proper engineering controls on worksites and his eventual diagnosis of silicosis and sarcoidosis.

Tim writes, “I have a six year old daughter, Kai. She knows I’m sick, and she worries about me – she doesn’t want me to return to construction, but I’m not sure how to provide for her if I can’t.”

Dale, Tom, and Tim have testified in support of the new OSHA standard, so that others would not go through what they have endured.

As we deliberate today, Mr. Chairman, I hope we can keep in mind what these and so many other hard working Americans faced because OSHA’s silica standards were not protective enough. The 2.3 million workers, mostly in construction, who will gain protection under OSHA’s updated rule deserve our support.

I want to thank our witnesses for being here today, and look forward to their testimony.

Cutting a Concrete Block



Hand-Held Masonry Saw
without Control



Hand-Held Masonry Saw
with Control (Water)