

DATE: February 27, 2018

SUBJECT: Occupational Safety and Health
Respirable Crystalline Silica Rule Specifications

TO: District Executives

FROM: George W. McAuley, Jr., P.E. /s/
Deputy Secretary for Highway Administration

The intent of this Strike-Off Letter is to implement revisions to Publication 408, Section 107.08 Occupational Safety and Health, specification for Respirable Crystalline Silica (RCS).

The revisions will be incorporated into the next change to Pub 408, and are initially issued as a Standard Special Provision (a00045) Changes to Specifications: Section 107), with instructions that it be included in all projects let after March 1, 2018.

In order to establish consistency of operations, those projects currently under construction, as well as projects let on or before March 1, 2018, that have not yet advanced to the construction phase, are to be amended to incorporate the above Standard Special Provision by utilizing the ECMS Authorization for Contract Work. It should be noted that an ECMS Authorization for Contract Work cannot be created until a project advances to "Construction" status.

The procedure for the ECMS Authorization for Contract Work is attached.

If the Authorization is not acknowledged by the Contractor within 7 calendar days of receipt, the Department will continue to administer the project in accordance with the existing specifications.

If there is concurrence with this Authorization, the following information is to be submitted by the Contractor by March 16, 2018:

A written exposure control plan for RCS, as per 29 CFR 1926.1153(g) to also include:

- A description of the tasks on the project that involve exposure to RCS.
- A description of the engineering controls, work practices, and respiratory protection required to limit worker exposure to RCS for each task.

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- A description of the housekeeping measures used to limit worker exposure to RCS.
- A description of the procedures used to restrict access to work areas when necessary, to minimize the number of workers exposed to RCS and their level of exposure.

The Department and Industry are working together to identify any needed changes to the current specifications to ensure there is no conflict with OSHA regulations.

If you have any questions or concerns, please contact Joseph F. Cribben, P.E., at 717.783.9759 or jcribben@pa.gov.

Attachment

481/GB/jdm

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REVISIONS TO THE SPECIFICATIONS GOVERNING SUBMISSION OF A WRITTEN EXPOSURE CONTROL PLAN FOR RESPIRABLE CRYSTALLINE SILICA

Background

The revisions will be incorporated into the next change to Pub 408, and are initially issued as a Standard Special Provision (a00045) Changes to Specifications: Section 107), with instructions that it be included in all projects let after March 1, 2018.

In order to establish consistency of operations, those projects currently under construction, as well as projects let on or before March 1, 2018 that have not yet advanced to the construction phase, are to be amended to incorporate the above Standard Special Provision by utilizing the ECMS Authorization for Contract Work. It should be noted that an ECMS Authorization for Contract Work cannot be created until a project advances to "Construction" status.

Procedure

- An "Accepted" Authorization for Contract Work will be needed to document the incorporation of the above Standard Special Provision into the contract.
- When creating the Authorization, indicate the type of work as Additional Work by selecting YES from the drop down list (select NO for Extra Work at a Negotiated Price and Extra Work on a Force Account Basis), and enter zero in the Working Days and Calendar Days fields.
- The required **Scope of Work** statement should read:

This is to request your acceptance of a no cost amendment to the contract, from this point forward in coordination with recently issued revisions to Publication 408, Section 107.08. As a result, the Department hereby requests that the contract be amended to incorporate the new specification language, which governs the submission of a written exposure control plan for respirable crystalline silica.

- The entry in the **Description / Comments** field should read:

Please review the attached Standard Special Provision and, by acknowledging this Authorization, indicate your concurrence with having the remainder of the project administered in accordance with the revised terms and conditions cited therein. If this Authorization is not acknowledged within 7 calendar days of receipt, the Department will continue to administer the project in accordance with the existing specifications.

If there is concurrence with this Authorization, the following information is to be submitted by March 16, 2018:

A written exposure control plan for RCS, as per 29 CFR 1926.1153(g) to also include:

- A description of the tasks on the project that involve exposure to RCS.

- A description of the engineering controls, work practices, and respiratory protection required to limit worker exposure to RCS for each task.
 - A description of the housekeeping measures used to limit worker exposure to RCS.
 - A description of the procedures used to restrict access to work areas when necessary, to minimize the number of workers exposed to RCS and their level of exposure.
- Save the conceptual Authorization.

Link the Standard Special Provision cited above to the Authorization by first clicking the 'New' button associated with the **Special Provisions** section. From the "Work Order Authorization Special Provision" screen, initiate the search for the Special Provision within the **Detail** section by clicking on the 'magnifying glass' icon associated with the **Index or Category** field. From the "Standard Special Provision Selection List" screen, limit the number of Available Records by using the 'Filter' function to reduce the list of SSPs to only those that have an 'Index' designation of 'C' (for Changes to Specifications Related). Click on the 'Go' button and scan the Seq ID column of the resulting filtered list for number a00045. Once located, link the Special Provision to the Authorization by clicking on the + symbol in the Add column.

- Save & Exit the "Work Order Authorization Special Provision" screen.
- Save the completed Authorization and use the 'Workflow' button to submit it to the Contractor.
- When the Authorization is acknowledged by the Contractor, update the Authorization status to "Accepted". Since the subject contract amendment will have no impact on contract items or item quantities, the processing of a follow-up Work Order will not be necessary. If the Contractor fails to acknowledge the Authorization, the Authorization status should be updated to "Work Not Completed". Contractor requests for "Clarification" will have to be addressed on a case-by-case basis.
- For assistance with the Authorization procedure, please contact John Burnett, Bureau of Project Delivery at 717.783.7969 or via email: joburnett@pa.gov