

CALIFORNIA INDUSTRIAL HYGIENE COUNCIL



Senator Caroline Menjivar
Co-author Assembly Member Celeste Rodriguez
1020 N Street, Room 155
Sacramento, CA 95814

July 9, 2025

**RE: SB 20 Occupational safety: fabrication activities on slab solid surface products.
SUPPORT IF AMENDED**

Dear Senator Menjivar,

The California Industrial Hygiene Council (CIHC) appreciates the opportunity to provide comments on SB 20, and CIHC would like to offer our support for SB 20, as amended on May 23, 2025. However, CIHC is concerned that this bill will cause confusion for the regulated community by the use of terminology and definitions that are not the same as currently used in Cal/OSHA's regulation at Title 8 CCR 5204, Occupational Exposures to Respirable Crystalline Silica (8 CCR 5204). CIHC appreciates that amendments have already been made to reconcile bill language with 8 CCR 5204 regulatory language; however, CIHC proposes that the bill focus on fabrication shop certification rather than health and safety requirements that are already detailed in 8 CCR 5204. This would include removing Labor Code sections 6359.1, 6359.15, 6359.2, and 6359.3 from the bill. If removal of the above-mentioned labor codes is not to occur, CIHC recommends additional amendments to further reconcile bill language with 8 CCR 5204.

Below is a summation of CIHC's concerns for your consideration:

- 6359.1(f) – Effective wet methods
CIHC agrees that wet methods, generally, can be an effective engineering control to minimize the generation of airborne dust.
However, specifically related to 6359.1(f)(3), Water-jet cutting/high pressure water can generate aerosol or disturb settled dust, potentially increasing exposure to airborne particles containing silica. We would argue that this does not qualify as an “effective wet method”.
- 6359.1(g)(1) – Fabrication activities
CIHC appreciates aligning the definition with 8 CCR 5204.
- 6359.1(g)(2) – Fabrication activities
CIHC suggests considering adding all exemptions as noted in 8 CCR 5204(a)(3)(A-D).
- 6359.1(j)(1) – Slab solid surface product

CIHC suggests further defining “slab solid surface products” with additional language such as providing percentages of silica rather than stating “substance containing crystalline silica”. As noted in the bill, silica is a common mineral, and small percentages of silica can be found in most building materials.

]to workers. CIHC suggests using the definition provided in 8 CCR 5204(b)(8).

- 6359.3(a)(3) – Training Curriculum

CIHC proposes that the department consult and confer with at least one Certified Industrial Hygienist (CIH) in establishing training curriculum along with apprenticeship programs, trade associations and others. CIHs are uniquely qualified to assure workers are adequately trained in hazard recognition, evaluation and control.

Additionally, CIHC proposes that the training curriculum includes all elements outlined in 8 CCR 5204(l)(4)(A).

- 6359.4(b)(1)(D) – Air Monitoring Program

CIHC proposes that this subsection be amended for consistency with “qualified person” as defined in 8 CCR 5204(b)(11).

Additionally, CIHC proposes that the bill includes language noting that air monitoring be performed in accordance with 8 CCR 5204(d).

- 6359.4(b)(2) – Inspection of Fabrication Shops

The qualifications for 3rd party certification needs better definition. CIHC suggests that CIHs are uniquely qualified to establish compliance with the regulations on this serious occupational health hazard.

- 6359.5(a)(1&2) – Supplying Slab Solid Surface Product

CIHC suggests that “person” needs better definition to assure that it is not applicable to a member of the general public. Cal/OSHA does not have the authority to issue citations to private citizens.

In summary, CIHC would like the bill to 1) focus on fabrication shop certification and reference 8 CCR 5204 rather than include specific health and safety requirements in the bill; or 2) be aligned with and reference the existing Cal/OSHA’s regulation, Title 8 CCR 5204, Occupational Exposures to Respirable Crystalline Silica (8 CCR 5204) when discussing all matters noted above.

CIHC represents occupational and environmental health professionals in California to advance public policy for the improvement of the health and safety of workers and the community.

Respectfully,



Pamela Murcell, MS, CIH
Legislative and Regulatory Consultant
(916) 712-4547

kwa-saacramento@att.net

Megan Canright Racicot, MPH, CIH
President, CA Industrial Hygiene Council