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OSHA Updates 40-Year-Old Beryllium Permissible Exposure Limits

On January 6, 2017, the Occupational Safety and Health Administration ("OSHA") dramatically lowered its workplace permissible exposure limit ("PEL") to beryllium. This final rule replaces a 40-year-old PEL, making the new standards effective May 20, 2017.

Beryllium is a strong, lightweight metal used in the aerospace, electronics, energy, telecommunication, medical, and defense industries. It is highly toxic when beryllium-containing materials are processed in a way that releases airborne beryllium dust, fume, or mist into the workplace air that workers can inhale or come into contact with, potentially causing devastating lung diseases, including lung cancer.

The new beryllium standards for general industry, construction, and shipyards will require employers to take additional, practical measures to protect an estimated 62,000 workers from these serious risks. Recent scientific evidence shows that low-level exposures to beryllium can cause serious lung disease. The new rule revises previous beryllium permissible exposure limits, which were based on decades-old studies.

The final rule will reduce the eight-hour permissible exposure limit by ten times, from the previous level of 2.0 micrograms per cubic meter to 0.2 micrograms per cubic meter. Above that level, employers must take steps to reduce the airborne concentration of beryllium. The rule requires additional protections, including personal protective equipment, medical exams, other medical surveillance and training, as well. It also establishes a short-term exposure limit of 2.0 micrograms per cubic meter over a 15-minute sampling period.

OSHA estimates that – once in full effect – the rule will annually save the lives of 94 workers from beryllium-related diseases and prevent 46 new cases of beryllium-related disease. Workers in foundry and smelting operations, fabricating, machining, grinding beryllium metal and alloys, beryllium oxide ceramics manufacturing and dental lab work represent the majority of those at risk.

To give employers sufficient time to meet the requirements and put proper protections in place, the rule provides staggered compliance dates. Once the rule is effective, employers have one year to implement most of the standard's provisions. The final rule is available at the Federal Register website:

<https://www.federalregister.gov/documents/2017/01/09/2016-30409/occupational-exposure-to-beryllium>

For more information on the compliance dates and requirements of the beryllium standards and how they will affect your business, please contact Paul Schumacher at 216-685-1827 or pschumacher@dmclaw.com.