MOSH INSTRUCTION:

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| **INSTRUCTION NUMBER:** 23-7 | **EFFECTIVE DATE:** March 10, 2023 |
| **SUBJECT:** Inspection Procedures for Respirable Crystalline Silica Standards | **ISSUANCE DATE:** March 10, 2023 |
| **CANCELLATION:** None | **EXPIRATION:** Effective until replaced by a new Instruction |

**Purpose:** This Instruction provides guidance to MOSH personnel for performing compliance inspections and consultation site visits involving OSHA’s Respirable Crystalline Silica Standards, 29 CFR 1910.1053 and 29 CFR 1926.1153.

**Scope:** MOSH-wide

**References:** OSHA Compliance Directive CPL 02-02-080 Inspection Procedures for the Respirable Crystalline Silica Standards

MOSH Field Operations Manual (FOM)

MOSH Standard Notice 18-3 and 18-4

COMAR 09.12.22

**Contact:** Chief of MOSH Compliance Services. See MOSH Website for Current Information

<https://www.labor.maryland.gov/labor/mosh/>

1. **Action:**
   1. MOSH compliance and consultation personnel may utilize OSHA CPL 02-02-080 for informational purposes and guidance in conducting respirable crystalline silica related inspections.
   2. Supervisors shall ensure that this instruction is reviewed with all operations staff, compliance officers, outreach, and consultation staff involved in enforcement or outreach.
   3. This is a non-mandatory reference document for MOSH personnel to supplement internal procedures and training.
2. **Background:** 
   1. Effective 7/16/2018, MOSH Standard Notice 18-3 adopted the [Respirable Crystalline Silica](https://www.dllr.state.md.us/labor/standards/sn18-3.doc) federal standard in General Industry: 29 CFR Part 1910.1053.
   2. Effective 7/16/2018, MOSH Standard Notice 18-4 adopted the [Respirable Crystalline Silica](https://www.dllr.state.md.us/labor/standards/sn18-4.doc) federal standard in Construction: 29 CFR Part 1926.1153.
3. **Procedures:** 
   1. Wherever CPL 02-02-080 conflicts with the MOSH FOM, the FOM shall take precedence.
   2. Wherever CPL 02-02-080 references job titles, manuals, and offices, the equivalent MOSH job title, manual, or office is applicable.
   3. Violations shall be grouped and classified in accordance with MOSH policies and procedures in the MOSH FOM.
   4. Wherever the CPL 02-02-080 references medical records or privacy, COMAR 09.12.22 Personally Identifiable Employee Medical Information, is applicable.

By and Under the Authority of:



Michael A. Penn CSP, SMS

Acting Assistant Commissioner

cc: Matthew S. Helminiak, Commissioner, Division of Labor and Industry

All MOSH Staff

Maryland Department of Labor Assistant Attorneys General

OSHA Region III