Friday, October 30, 2026 at 11:48:12 AM Pacific Daylight Time

Subject: TCNA Comments on "Prohibition of Manufacture & Fabrication Artificial Stone with 1.0% or more Crystalline Silica – 10-22-2026 Discussion Draft"
Date: Thursday, October 29, 2026 at 5:20:35 PM Pacific Daylight Time
From: Grant Davidson
To: DIR RS
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29 October 2026

Dear California Division of Occupational Safety and Health,

Please find our timely submitted comments, below, concerning the " Updated Draft Standard for Comment - Prohibition of Fabrication and Manufacture of Artificial Stone with 1.0% or more Crystalline Silica."

Comment 1: The draft language for Section 5204.1 subsection (g)(1)(B)(2) requires documentation of a laboratory analysis for each product SKU using X-ray Diffraction from a laboratory accredited in accordance with section 5204 Appendix A. Is the intent that the XRD methodologies listed in the referenced Appendix A are the only permissible ones able to be used to demonstrate compliance?

While each of the methods listed in Appendix A are suitable for analyzing airborne respirable crystalline silica samples, we do not believe they are the most appropriate nor efficient methods for determining crystalline silica content in bulk product samples. For example, the listed methods include particle-size requirements and sample preparation procedures designed for airborne dust analysis that may not be necessary nor optimal for bulk material characterization. Other established analytical “best practices” can provide more efficient and reliable approaches for evaluating crystalline silica content in solid products. We would welcome the opportunity to provide additional technical information to Cal/OSHA regarding such, if desired. If the methods listed in Section 5204 Appendix A are the only permissible methods, we have the following comments:

1. The reference to Appendix A in subsection (g)(1)(B)(2) creates a possibility for confusion, since Appendix A specifies both XRD and infrared methods. We kindly request that Cal/OSHA consider clarifying whether only XRD methods are intended.
2. The regulation should also explicitly distinguish bulk-sampling and analytical procedures designed to measure crystalline silica in solid materials.
3. The reference materials used to prepare calibration curves for the NIOSH 7500 method and others—including NIST SRM 1878a (quartz), NIST SRM 1879a (cristobalite), and USGS 210-75-0043 (tridymite suspensions)—have reportedly been unavailable for some time. This could restrict testing to a relatively small number of laboratories that already possess the necessary reference materials and can perform the established procedures. Given the potentially significant volume of testing that could result from the proposed requirements, we kindly suggest that Cal/OSHA consider other test methods or available standards for calibration to avoid imposing unnecessary methodological restrictions that could create testing bottlenecks, delays, or increased costs.

Comment 2: The proposed title of Section 5204.1 uses the term “Artificial Stone Slabs or Panels Containing 1.0% or More Crystalline Silica,” which may be ambiguous to some as to whether the term “artificial stone” is intended to apply to both slabs and panels or only to slabs. To eliminate potential confusion regarding the scope of the regulation, we kindly request that Cal/OSHA clarify the title by revising the wording to “Artificial Stone Slabs or Artificial Stone Panels Containing 1.0% or More Crystalline Silica” to explicitly establish that the term “artificial stone” applies to both product forms. Further, we request this same clarification be made where applicable throughout the document.

Thank you for your consideration of our comments and for your continued efforts to regulate occupational exposures to respirable crystalline silica.

Sincerely,

Grant Davidson
Standards Development Engineer

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