

IS OSHA'S NEW SILICA RULE DUST IN THE WIND? LIKELY NOT. COURT REJECTS SEVERAL CHALLENGES TO THE NEW STANDARD

Publication
Mar 1, 2018

Travis Vance authored the *Rock Road Recycle* article "Is OSHA's New Silica Rule Dust in the Wind? Likely not. Court Rejects the Several Challenges to New Standard." After OSHA published the new, strict Occupational Exposure to Respirable Crystalline Silica Rule limiting worker exposure to crystalline silica, it faced challenges.

Travis explains there is a differential standard afforded to OSHA in the rulemaking process. OSHA does not have to support its decisions with the "best" or "newest" evidence. As long as OSHA supports its reasoning with "substantial evidence," the Court will not "choose a particular side as the 'right one' in a scientific dispute."

Numerous industry groups claimed OSHA made the rule too stringent while several unions complained it wasn't severe enough. Both the industry groups and the unions requested the review of several issues. The court rejected all of the industries challenges and only one from the unions.

To read the full article, visit [Rock Road Recycle](#).

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