

**To:** Dravis, Samantha[dravis.samantha@epa.gov]  
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**Subject:** EPA air nominee to argue against OSHA silica rule

By Alex Guillén

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William Wehrum, the nominee to run EPA's air office, will argue in court next week that an Obama-era rule setting stricter limits for workers' exposure to respirable silica should be nullified, according to a court filing.

As an attorney at Hunton & Williams, Wehrum has represented several industry groups since last year in the challenge to the Occupational Safety and Health Administration regulation, including the National Stone, Sand & Gravel Association and the Brick Industry Association.

Wehrum confirmed today in a routine court filing that he will argue on behalf of the industry groups on Sept. 26. His nomination hearing before the Senate Environment and Public Works Committee is Wednesday.

The D.C. Circuit Court of Appeals said in August that Wehrum, whose nomination to EPA was announced on Sept. 7, will be allocated 12 minutes to argue that OSHA has not proven that there is a "significant risk" of health problems at exposures of 100 micrograms per cubic meter of air, or that any such risk would be reduced by the new limit of 50  $\mu\text{g}/\text{m}^3$ . Wehrum will also argue that the brick industry should have been excluded from the regulation.

Other attorneys will handle the remaining arguments against the rule. The arguments are slated to last 90 minutes total, and will be heard by Chief Judge Merrick Garland and Judges Karen LeCraft Henderson and David Tatel.

Neither Wehrum nor the industry groups immediately returned requests for comment today.

*To view online:*

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