



February 11, 2014

OSHA Docket Office
Docket No. OSHA-2010-0034
U.S. Department of Labor
Room N-2625
200 Constitution Avenue NW
Washington, DC 20210

AB36-COMM-50-4

Re: Comments of the American Chemistry Council Crystalline Silica Panel
on OSHA's Proposed Occupational Health Standard for Crystalline Silica
Docket No. OSHA-2010-0034; 78 Fed. Reg. 56274 (September 12, 2013)

Dear Sir/Madam:

On behalf of the Crystalline Silica Panel of the American Chemistry Council ("Panel"), I am pleased to submit the Panel's Comments on OSHA's Proposed Occupational Health Standard for Crystalline Silica. 78 Fed. Reg. 56274 (September 12, 2013).¹ The Panel's Comments and associated Attachments consist of the following items:

- This cover letter.
- The Comments of the American Chemistry Council Crystalline Silica Panel ("Panel Comments").
- Attachment 1 to the Panel Comments: OSHA's summary of IMIS data for the period January 1, 1992 through December 31, 2002.
- Attachment 2 to the Panel Comments: Comment of Dr. Peter Morfeld on Epidemiological Issues Related to OSHA's Proposal of an Occupational Health Standard for Crystalline Silica (February 7, 2014).

¹ Panel members include the American Foundry Society, American Petroleum Institute, Badger Mining Corporation, Concrete and Masonry Silica Coalition, ExxonMobil Corporation, Fairmont Minerals Ltd., International Diatomite Producers Association, Lafarge North America Aggregates and Concrete, Lehigh Hanson, National Industrial Sand Association, National Stone, Sand & Gravel Association, Specialty Granules, Inc., North American Insulation Manufacturers Association, The Refractories Institute, Unimin Corporation, U.S. Silica Company and Vulcan Materials Company. The Concrete and Masonry Silica Coalition includes the following members: American Concrete Pipe Association; Brick Industry Association; Interlocking Concrete Pavement Institute; National Concrete Masonry Association; National Precast Concrete Association; National Ready-Mixed Concrete Association, Prestressed/Post-Tensioned Concrete Institute; and Portland Cement Association.



- Attachment 3 to the Panel Comments: Summary of Credentials of Louis Anthony Cox, Jr., Ph.D.
- Attachment 4 to the Panel Comments: Comments of Louis Anthony Cox, Jr., Ph.D. on OSHA's Preliminary Quantitative Risk Assessment for Crystalline Silica (February 7, 2014).
- Attachment 5 to the Panel Comments: Comments of Patrick A. Hessel, Ph.D. on the American Conference of Governmental Industrial Hygienists Notice of Intended Change in the TLV for Quartz and Cristobalite (May 24, 2005).
- Attachment 6 to the Panel Comments: P. Vacek *et al.*, A Study of the Relationship between Mortality and Silica Exposure in the Vermont Granite Industry: Final Report (November 16, 2009).
- Attachment 7 to the Panel Comments: Roy J. Rando, M.S.P.H., ScD, C.I.H., Estimates of Exposure to Crystalline Silica in Epidemiological Investigations of Industrial Sand Production Workers: Critical Review and Comparison of the Papers by Rando, et al. and Sanderson, et al. (July 24, 2004).
- Attachment 8 to the Panel Comments: Critique of OSHA's Cost Models for the Proposed Crystalline Silica Standard and Explanation of the Modifications to Those Cost Models Made by URS Corporation (February 7, 2014). This Critique refers to an underlying workbook of Excel spreadsheets that is contained on an electronic disk, which is being submitted to the OSHA Docket Office along with a hard copy version of the Panel Comments and Attachments.
- Attachment 9 to the Panel Comments: Preliminary Letter Report of Environomics to the American Chemistry Council's Crystalline Silica Panel Regarding the Economic Impact of the Occupational Safety and Health Administration's Proposed Standard for Occupational Exposure to Respirable Crystalline Silica (February 7, 2014). This Letter Report refers to an underlying workbook of Excel spreadsheets that is contained on an electronic disk, which is being submitted to the OSHA Docket Office along with a hard copy version of the Panel Comments and Attachments.
- Attachment 10 to the Panel Comments: Sandra C. Wroblewski, CIH, Silica Sampling and Analytical Concerns.
- Attachment 11 to the Panel Comments: Comments of Cardno ChemRisk on OSHA's Discussion of the Adequacy of Sampling and Analytical Methods for Measuring Respirable Crystalline Silica at Exposure Levels of 25 and 50 $\mu\text{g}/\text{m}^3$ (February 7, 2014).
- Attachment 12 to the Panel Comments: Comments of URS Corporation on the Analytical Methods Discussion in OSHA's Notice of Proposed Rulemaking for a Crystalline Silica Standard and in the Associated Preliminary Economic Analysis (PEA) Document (February 7, 2014).
- Attachment 13 to the Panel Comments: Letter of May 1, 2012 from Drew R. Van Orden of RJ Lee Group to Jackson Morrill of the American Chemistry Council, describing the preparation of filters for a five laboratory round-robin performance study.
- Attachment 14 to the Panel Comments: Louis Anthony Cox, Jr., Ph.D., Statistical Assessment of Performance Tests for the Analysis of Respirable Crystalline Silica (Quartz) by Commercial Laboratories Using XRD (August 16, 2013).

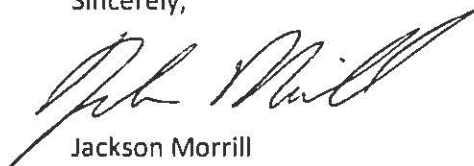


Each of the items identified in the bulleted list above is being submitted to Docket No. OSHA-2010-0034 both electronically and in hard copy format. The only exception, as noted above, are the workbooks of Excel spreadsheets supporting Attachments 8 and 9 to the Panel Comments. Those spreadsheets are contained on electronic disks that are being submitted to the Docket Office with the hard copy version of our Comments.

Because of time constraints and the extreme size and complexity of the supporting documentary record in this proceeding, the Panel's consultants have not been able to complete their full analysis of the likely economic impact of the Proposed Crystalline Silica Standard. They are continuing to work on those issues, and we expect to submit additional analyses of the Proposed Standard's economic impact on or before the date on which the Panel makes its appearance at the Public Hearing.

If you have any questions about this submission of the Panel's Comments and Attachments, please contact me at Jackson_morrill@americanchemistry.com; or at (202) 249-6712.

Sincerely,



Jackson Morrill

Director, Crystalline Silica Panel

Attachments

