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To: [zzMSHA-Standards - Comments to Fed Reg Group](#)
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Subject: Letter - Request for an Extension of the Comment Period for Lowering Miners" Exposure to Respirable Crystalline Silica and Improving Respiratory Protection (RIN 1219-AB36)
Date: Wednesday, July 26, 2023 4:14:16 PM
Attachments: [image001.png](#)
[2023.07.26 Silica Rule Extension Letter.pdf](#)

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Please see attached letter from Mr. E. Patrick Brady, ACNR Corporate Director of Safety.

Thank you,

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July 26, 2023

S. Aromie Noe, Director
Office of Standards, Regulations, and Variances, MSHA
Suite 4E401
201 12th Street South
Arlington, VA 22202-5450

RE: Request for an Extension of the Comment Period for Lowering Miners' Exposure to Respirable Crystalline Silica and Improving Respiratory Protection (RIN 1219-AB36)

Dear Director Noe:

American Consolidated Natural Resources, Inc. (ACNR) respectfully requests a 60-day extension of the comment period for the Department of Labor's Mine Safety and Health Administration proposed rule regarding respirable crystalline silica and respiratory protection (Docket No. MSHA-2023-001, RIN 1219-AB36) published in the Federal Register on July 13, 2023.

A 60-day extension of the comment period will allow ACNR, Inc. needed time to review, at a minimum, the forty-three questions of significance posed by MSHA that will require extensive research and analysis before any meaningful comments can be considered for submittal to MSHA. There are also several other issues that need considered including but not limited to availability of sampling equipment and certified laboratories, implementation of additional respirable dust sampling and protocols, technical feasibility, and compliance enforcement. The short comment period does not allot ample time to review any additional comments or questions raised during the public meetings being held August 3rd, 10th, and 21st.

The allotted comment period provided for the proposed MSHA rule does not provide ample time to allow ACNR, Inc. and other members of the mining community to properly review, research, and develop meaningful comments that could be valuable in finalizing such an important rule pertaining to respirable crystalline silica and respiratory protection (Docket No. MSHA-2023-001, RIN 1219-AB36).

Sincerely,

American Consolidated Natural Resources, Inc.

E. Patrick Brady

E. Patrick Brady
Corporate Director of Safety