

July 25, 2023



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S. Aromie Noe, Director
Office of Standards, Regulations, and Variances
Mine Safety and Health Administration (MSHA)
201 12th Street South
Suite 4E401
Arlington, Virginia 22202-5450

Re: RIN 1219-AB36, Docket Number: MSHA-2023-0001

Dear Director Noe:

Sims 360 Health and Safety Solutions is a member of the Nevada Mining Association (NVMA). Along with NVMA, Sims 360 Health and Safety Solutions, respectfully requests a 120-day extension to the comment period provided in MSHA's proposed RIN 1219-AB36, *Lowering Miners' Exposure: Respirable Crystalline Silica and Improving Respiratory Protection*, as published in the Federal Register on July 13, 2023. MSHA has requested comments in 43 specific areas within a 45-day comment period. That timeframe is insufficient to provide thoughtful and meaningful comments on all 43 sections.

Sims 360 Health and Safety Solutions became a member of the NVMA in 2021. First organized in 1913, NVMA consists of more than 500 companies that comprise Nevada's mining industry and rely, in whole or in part, on this state's foundational industry. These member companies are engaged across the broad spectrum of the industry in Nevada, from exploration and discovery to development and construction, to operation and production, to closure and reclamation. NVMA provides a voice for Nevada's mining industry in federal, state, and local policy matters, community engagement, public education, and workforce development. In particular, NVMA works closely with its member operators to ensure that the Nevada mining workforce goes home safe and healthy every day.

The proposed rule has extensive implications, and a thorough examination of its technical aspects, economic impact, and feasibility is essential for successful implementation. Extension of the comment period will allow all stakeholders, including industry representatives, trade associations, safety experts, and labor organizations, to conduct research, gather data, and engage in constructive dialogue. This additional time will also facilitate collaboration among the interested parties, promoting a more inclusive and transparent rulemaking process. It also allows sufficient time to address questions or concerns raised during the comment period.

The final rulemaking process will be greatly enhanced by providing sufficient time to review each of the 43 sections in a comprehensive and collaborative manner. Sims 360 Health and Safety Solutions along with the NVMA kindly requests that MSHA extend the comment period for 120 days and establish the comment deadline as December 26, 2023.

We appreciate your thoughtful consideration of these comments.

Sincerely,

A handwritten signature in black ink, appearing to read "Lara Sims", is written over a light blue circular stamp that contains the text "RECEIVED".

Lara Sims
Managing Owner
Sims 360 Health and Safety Solutions

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OSR

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