

From: [Tom Harman](#)
To: [zzMSHA-Standards - Comments to Fed Reg Group](#)
Cc: [Tom Harman](#)
Subject: RIN 1219-AB36 Extension Request
Date: Tuesday, July 25, 2023 10:17:54 AM
Attachments: [Extension Request RIN 1219-AB36.pdf](#)

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Good morning,

Please see the attached document requesting an extension of the comment period for the subject proposed rule. Do not hesitate to contact me if you have any questions.

Thank you,
Tom Harman
202-870-2548

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July 24, 2023

S. Aromie Noe, Director
Office of Standards, Regulations, and Variances
Mine Safety and Health Administration
201 12th Street South
Arlington, Virginia 22202-5450
Electronic submission to zzMSHA-comments@dol.gov

Re: Extension Request to Comment Period for Lowering Miners' Exposure to Respirable Crystalline Silica and Improving Respiratory Protection, RIN 1219-AB36, Docket No. MSHA-2023-0001

Dear Ms. Noe:

The Portland Cement Association (PCA) respectfully requests a 60-day extension to the comment period for the proposed rule (PR), "Lowering Miners' Exposure to Respirable Crystalline Silica and Improving Respiratory Protection."¹ Granting the request for an extension will give additional time to analyze and understand the proposal and how it affects cement manufacturing employees and operations.

The provisions in the PR are complex. To prepare a thorough response about how cement manufacturing companies and miners are affected, PCA is surveying members for answers to the questions MSHA asks the public in commenting on the proposal.

For comparison, MSHA proposed a rule, "Lowering Miners' Exposure to Respirable Coal Mine Dust, Including Continuous Personal Dust Monitors,"² (CMDR). The comment period began on October 19, 2010, and ended on February 28, 2011. MSHA gave two extensions, the second of which ended on May 31, 2011. The comment period for the proposed CMDR was a total of 224 days. In addition, the CMDR occupied 93 pages in the Federal Register (FR). In contrast, today's PR for respirable crystalline silica fills 167 pages, or 80% longer.

In summary, with background information included, the PR is complicated and much longer than the similar CMDR published several years ago. For the reasons stated herein, PCA believes a 60-day extension is warranted to allow the public to study the rule and determine its effects.

Thank you,



Thomas Harman
Senior Director

¹ 88 Fed. Reg., No. 133, p 44852, July 13, 2023

² 75 Fed. Reg., No. 201, p 64412, October 19, 2010