



Ray Labbe & Sons, Inc.

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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 No: MSHA-2023-0001

Dear Director Noe:

Ray Labbe & Sons, Inc. respectfully requests a 90-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 on 43 specific areas and given the complexity of the proposed, that timeframe is insufficient to provide thoughtful and meaningful comments on all questions.

The proposed rule requires a thorough examination of its technical aspects, economic impact, and feasibility which is critical to fully comprehend its potential compliance obligations. Furthermore, the MSHA request does not account for additional questions that may be formulated after their review of the rule especially related to technical feasibility, availability of sampling equipment, and new sampling, and surveillance requirements. A 90-day extension of the comment period will allow us to conduct research, gather data, and gain a better understanding of the impacts on our business. This additional time will also facilitate collaboration among the agency and regulated community, promoting a more inclusive and transparent rulemaking process.

In closing, the issues raised in the proposed rule are very complex and the rulemaking process will greatly benefit from providing sufficient time to review each of the questions presented, as well as the proposed regulatory text, in a comprehensive manner. Again, we kindly request that MSHA extend the comment period for an additional 90 days. We appreciate your consideration of our extension request.

Respectfully submitted,

Ryan Carrigan
Ray Labbe & Sons, Inc.
Vice President

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