



July 24, 2023

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:

The Arizona Mining Association (AMA) and Arizona Rock Products Association (ARPA) respectfully request 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 in 43 specific areas within a 45-day comment period. That timeframe is insufficient to provide thoughtful and meaningful comments on all 43 sections.

The AMA is a non-profit corporation comprised of entities engaged in mining and mineral processing in Arizona. In 2022, AMA member companies produced approximately 74% of the nation's newly-mined copper, along with significant amounts of associated valuable co-products (e.g., gold, silver, selenium, tellurium and molybdenum). Arizona's hard rock mining industry employs approximately 13,645 people directly which supported an additional 47,262 indirectly and has an estimated direct and indirect impact on the Arizona economy of nearly \$14.2 billion. The AMA is the unified voice of responsible, sustainable, and safe mining in Arizona. Through our advocacy, we help Arizona continue to be a premier location for mining investment in the U.S.

The ARPA is the oldest mining related trade organization in Arizona and for 65 years has been providing representation for 60 member companies involved with the production of aggregates, asphaltic concrete, ready mix concrete, asphalt, lime products, and portland cement used in nearly every private and public construction project in Arizona. Arizona's aggregate mining industry employs approximately 8,116 people directly and 19,362 indirectly for a total of 27,478 and has an estimated direct and indirect impact on the Arizona economy of \$5.9 billion. Our producer members are combined with 78 associate members that provide related transportation, contracting, mining supplies and consulting services.

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. The AMA and ARPA kindly request that MSHA extend the comment period for 90 days and establish the comment deadline as November 24, 2023.

We appreciate your thoughtful consideration of these comments.

Sincerely,

A handwritten signature in black ink that reads "Steve Trussell". The signature is written in a cursive, flowing style.

Steve Trussell  
Executive Director  
Arizona Mining Association  
Arizona Rock Products Association