



# MAINE

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AGGREGATE ASSOCIATION

Post Office Box 243  
Kents Hill, Maine 04349

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 Maine Aggregate Association 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.

We are a state and nationally recognized mining association which represents a significant number of operations and mining affiliates that will be directly impacted by the MSHA proposed rule, with a large percentage of firms being small businesses.

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 by our members 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 all stakeholders to conduct research, gather data, and engage with the firms each represents with a focus on understanding the impacts, especially on small businesses. 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, the Maine Aggregate Association and its members who are represented in this letter kindly request that MSHA extend the comment period for an additional 90 days. We appreciate your consideration of our extension request.

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Ryan Carrigan", is written over a horizontal line.

Ryan Carrigan, President  
Maine Aggregate Association