308 Summer Drive
Coraopolis, PA 15108
October 9, 2019

Ms. Shelia A. McConnell
Office of Standards and Variances
201 12th Street South, suite 4E401
Arlington, VA 22202-5452

Dear Ms. McConnell,

The letter is in response to MSHA's Request for Information on a possible silica exposure rule (Docket No. MSHA 2016-0013). I have several questions concerning the possible rule.

First, will the rule be a separate rule like the noise rule (Part 62) or will the rule be incorporated into the existing rules (Parts 56.5001, 57.5001, 70.101, 71.101, and 90.101)?

Second, other organizations referenced as having lower permissible exposure levels for silica have different definitions of a respirable dust. Their aerosol size distributions differ from Coal Mine Safety and Health size distribution for coal mine dust. These organizations have different amounts of aerosols in different sizes. For example, their 50% aerosol cutoff size differs (when 50% of the inhaled dust is retained by the lungs). How would their permissible exposure levels compare to MSHA's permissible exposures if the size distributions were identical?

Does MSHA intend to change its definition of respirable dust to that of the American Conference of Governmental Industrial Hygienists or another organization? If MSHA changes its definition, how will it affect other aerosols regulated by MSHA such as silver dust and coal mine dust?

Does MSHA intend to establish a rule similar to Part 90 for miners incurring silicosis? The rule would include pay retention and transfer to a less dusty job.

For good verbal communication a signal to noise ratio of 10 decibels needed. With elastomeric respirators, this is hard to achieve. It is easier to achieve this signal to noise ratio with a paper dust mask; however, in my experience maintaining a good face seal is difficult. Paper dust masks are easy to move and thus break the face seal once donned. In my experience miners usually removed their respirators for verbally communicating with fellow miners. Removing the respirator for even short period of time greatly affects the protection afforded by a respirator.

Powered air purifying respirators (PAPR) make communication easier. The chin is not restrained making it easier to talk. With the motor on the belt, the motor noise would minimally interfere with hearing with verbal communication.

The newer ANSI respirator standard (ANSI Z88.2-2015) should be included in the new rule. The older standard (ANSI Z88.2-1969) is inadequate to provide adequate protection to the respirator wearer. The new standard recommends that engineering and administrative controls be employed before resorting to respiratory protection. This complies with prudent industrial hygiene practice. If adopted, will the new ANSI respirator standard apply to all contaminants or just to silica?

Administrative controls are feasible in many cases. The miner may work only part of the shift in very dusty environments. Rotating with another miner who works in a less dusty environment could keep each miner exposure to silica less than permitted. Some work can be scheduled during less dusty times during the day or week.

In metal and nonmetal mines the ventilation rules are not as stringent as in coal mines. Updating the ventilation rules will greater reduce silica exposure to metal and nonmetal miners. Requiring metal and nonmetal underground mines to have a ventilation plan with evaluation points requiring specific ventilation amounts will enhance the protection of miners from excessive silica exposure. I have been in many underground metal and nonmetal mines where the smoke from a miner's cigarette wafted to the ceiling and was not swept away by ventilation.

Thank you for allowing me to ask questions and submit comments concerning a possible new silica rule.

Sincerely,

M Valoski

Michael Valoski

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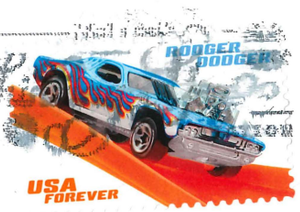

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