Dear Ms. McConnell:

The National Stone, Sand and Gravel Association (“NSSGA”)\(^1\) and Portland Cement Association (“PCA”)\(^2\) with allied trade associations the National Asphalt Pavement Association (“NAPA”)\(^3\) and the National Ready Mixed Concrete Association (“NRMCA”)\(^4\) (hereinafter “associations,” “we,” and “our”) jointly request a 60-day extension of the public comment period for MSHA’s Request for Information for Respirable Silica (Quartz). (“RFI”).

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\(^1\) The NSSGA is a trade association representing crushed stone, sand and gravel producers (consisting of approximately 6,000 operations) throughout the United States. Crushed stone, sand and gravel contains varying levels of crystalline silica (quartz). The NSSGA Industrial Sand Division members mine and process industrial sand, which consists almost entirely of crystalline silica (quartz).

\(^2\) PCA is a trade association that serves America’s cement manufacturers and its members represent 92 percent of the United States’ cement production. Portland cement is manufactured by combining precise proportions of raw materials, some of which may contain crystalline silica, which are then fired in a rotary kiln at high temperatures to form new chemical compounds, predominantly forms of calcium silicate.

\(^3\) NAPA represents the interests of the asphalt pavement producers and contractors on the national level before Congress, government and regulatory agencies, and national trade and business organizations. Overall, the U.S. asphalt industry employs 260,000 people and produces more than 350 million tons of asphalt each year. More than 1,100 companies are members of NAPA, some of which quarry aggregate that may contain crystalline silica in varying quantities.

\(^4\) NRMCA represents more than 2,250 companies and more than 135,000 American workers who manufacture and deliver ready mixed concrete (RMC). Its members include national and multinational companies that operate in every U.S. congressional district. The industry includes more than 77,500 RMC trucks and 6,500 RMC plants. Roughly 85% of all RMC companies in the U.S. are small businesses. From roads and bridges, to homes and high-rises, our built environment could not be realized without RMC. This important building material is created by combining fine and coarse aggregates— which may contain crystalline silica in varying quantities— cement and water.
The requested information and any resulting proposed changes to the existing MSHA regulations regarding miners’ exposures to quartz in respirable dust may have significant impact to the operations of association member companies. Our member company operations are a significant part of the U.S. economy, employ more than one-half-million workers, and support a large and very diverse group of additional industries. The crushed stone, sand and gravel, cement, asphalt, and ready mixed concrete are essential to all construction activities, whether it is residential construction, commercial construction or highway and other infrastructure projects. Additionally, the industrial sand mined and processed by NSSGA members is used in glass manufacturing and as a proppant in oil and gas production, among many other uses. Therefore, it is critical that interested stakeholders have sufficient time to appropriately respond to MSHA.

Our associations need additional time to gather information and formulate comments in response to the MSHA RFI. Because our members have mined, processed, and manufactured materials containing crystalline silica for decades, and because of the diversity of operations inherent in our industries, we believe that members have accumulated potentially valuable information that can be the basis of comments to MSHA. But, for the same reasons, and because of the time demands of competing matters at member companies, we do not believe that we can adequately respond to the MSHA RFI by the current October 28, 2019 deadline for comments.

We appreciate your attention to our request and encourage you to extend the comment period an additional 60 days to allow for a thorough response to the RFI. If you have any questions, please contact John Ulizio at julizio@nssga.org (703.526.1085) or Libby Pritchard at lpritchard@cement.org (703.678.9483).

Respectfully,

NATIONAL STONE, SAND AND GRAVEL ASSOCIATION

[Signature]
Michael W. Johnson
President and CEO

NATIONAL ASPHALT PAVEMENT ASSOCIATION

[Signature]
Howard Marks, Ph.D.
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PORTLAND CEMENT ASSOCIATION

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NATIONAL READY MIXED CONCRETE ASSOCIATION

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