

March 23, 2020

To Whom it May Concern,

On behalf of the more than 400-member companies of the National Stone, Sand & Gravel Association (NSSGA), I write to express our request to classify the aggregates industry and its workers as “Essential Critical Infrastructure Workers” (ECIW) as defined by the Cybersecurity and Infrastructure Security Agency (CISA) at the Department of Homeland Security (DHS). While Congress and the White House utilize appropriate tools like ECIW designations to respond to the unprecedented public health and economic impacts due to the spread of COVID-19, we urge CISA to include our industry and workers while critical infrastructure projects and construction continue.

NSSGA is the leading voice and advocate for the aggregates industry, with member companies representing more than 90 percent of the crushed stone and 70 percent of the sand and gravel consumed annually in the United States. Our members employ more than 100,000 hard-working men and women and are responsible for the essential raw materials found in every home, building, road, bridge and public works project. The aggregates industry is at the top of the construction supply-chain, and companies who manufacture and distribute concrete and cement, asphalt, gravel, industrial sand and other unique products that utilize quarried rock rely upon our materials for their business to operate. Thus, the urgency and need to move our raw materials and products are vital for other companies in the manufacture sector, construction, agriculture, water treatment, energy and others to maintain their economic momentum during these turbulent times.

Despite the impacts of COVID-19, a majority of state Department of Transportation agencies continue to allow certain infrastructure and construction projects to continue, and as facilities are constructed to help those affected by COVID-19, our materials will be necessary to ensure such projects are completed as quickly as possible. An ECIW designation would help clear any misunderstanding with local officials and governors who have already deemed mining as “not essential” in states like Pennsylvania, because local quarries have unique products that go beyond traditional infrastructure and construction needs. For example, while our raw materials are essential for construction and infrastructure-related projects, we have various members and products that impact the agricultural, food production, energy and water treatment sectors.

For instance, we have producer members the Southeast who provide specific product for chicken feed as a result of the local rock they quarry. Their operation is critical as the suppliers and companies who depend upon this product are deemed essential by CISA and the FDA – if they do not receive this specific product for their chicken feed, they cannot adequately feed their chickens and thus cannot manufacture their food products. We have members in the Ohio Valley who quarry limestone and supply this product to various power generation clients and water treatment facilities. Limestone is natural water purifier and is effectively utilized in water treatment across the country, and if our members are barred from mining that limestone, it will create serious water treatment concerns for local water districts and municipalities. This same product is also utilized to filter the byproduct of chemical companies who can safely discharge their water. These are just a couple of examples of industry members who have distinct, yet vital product for suppliers outside of the traditional construction sector.

Further, our producers in Northern states, have atypical schedules due to harsh winters and thus, carry minimal supply in the winter months. These aggregate producers do not have enough supply to adequately service their partners for the foreseeable future and will run out of quarried rock if any sort of isolation or prohibition on mining is enacted. This is common for many producers outside of the Southeast where it is impossible to quarry rock year-round. It is imperative that our industry be deemed essential as many producers will not be able to provide their product to their diverse customer base.

Lastly, the Mine Safety and Health Administration (MSHA), which inspects aggregate producer facilities, continues their regular mine inspections, which underscores the need to keep facilities operational and ensure worker safety. Safety is the utmost priority for our industry and NSSGA hosted an industry webinar this past week with our members and MSHA officials to better understand the current landscape and MSHA's duties.

We understand the fluidity of this situation and appreciate the tireless work of CISA and other federal agencies as they coordinate and support local, state and national partners during this unique time. While CISA continues to engage stakeholders, solicit feedback and identify new challenges and solutions, our industry is ready to continue economic growth and we appreciate your consideration designating aggregates as "Essential Critical Infrastructure Workers". Thank you for your consideration, and I appreciate your leadership during these trying and uncertain times.

Sincerely,



Michael W. Johnson  
President and CEO  
National Stone, Sand and Gravel Association