

November 25, 2013

Mr. William Perry
Acting Director
Directorate of Standards and Guidance
U.S. Department of Labor
OSHA
Washington D.C. 20210

We are in receipt of your letter extending ½ the time of our request for extension regarding the comment period associated with the rulemaking process regarding Occupational Exposure to Crystalline Silica. While we are grateful for an extension of any kind, the reality still exists that our ability to adequately review and prepare our comments is greatly diminished without the additional time we originally requested.

This rule is quite large and complex and we have already spent countless hours reviewing it and trying to gage the feasibility both technologically and financially of the proposed rule. In addition, while reviewing the rule, if there are areas we have issues with we would like to provide an alternative to that section. Given our compressed time frame makes any suggestions of alternatives nearly impossible as all of our resources and time currently are being spent on the evaluation and implication of the rule.

This rule took OMB nearly 10 years to review and comment. OMB has substantially more resources than the MCAA and we feel that our original request of 90 days was not out of line or excessive in order to reply to this complex rule. That being said, I again request that our original request for 90 days extension to the comment period and respective 90 push back to the filing deadline to appear and file comments and 90 day push back for the hearings themselves to begin, be carefully considered.

Lastly, I would ask OSHA to again seriously consider the re-convening the SEBREFA panel. Times have changed dramatically in the 10 year period since the original panel was convened. I have personally discussed the testimony of one participant on that panel and he has made very clear that testimony on that same panel today would elicit completely different testimony. Technology and financial positions have changed dramatically since the original panel was convened.

I look forward to hearing back from you as soon as possible as our planning is seriously impacted by your decision.

Sincerely,



Jeff Buczkiewicz
President
Mason Contractors Association of America