



October 3, 2013

The Honorable David Michaels, Ph.D., MPH  
Assistant Secretary  
Occupational Safety and Health Administration  
U.S. Department of Labor  
200 Constitution Avenue, N.W.  
Washington, D.C. 20210

**Re: Docket ID OSHA- 2010-0034, Occupational Exposure to Respirable Crystalline Silica**

Dear Assistant Secretary Michaels:

The National Electrical Contractors Association (NECA) respectfully requests that the Occupational Safety and Health Administration (OSHA) grant a ninety (90) day extension for developing meaningful substantive written comments in response to and for consideration in the above-referenced proposed rulemaking, published in the *Federal Register* on September 12, 2013, at 78 Fed. Reg. 56274.

NECA is the voice of the \$130 billion electrical construction industry that brings power, light, and communication technology to buildings and communities across the U.S. NECA members are electrical contractors who work in all aspects of electrical construction. While most NECA members qualify as small businesses, large, multi-area electrical contracting firms are also members of the association.

In the U.S., electrical contracting is an industry made up of over 70,000 electrical contracting firms employing over 650,000 electrical workers. NECA contractors are the technical professionals responsible for the most innovative and safest electrical construction in the U.S. NECA contractors uphold high standards for superior performance and safety in the workplace and we are committed to delivering quality results and employing all required safety related work practices.

The proposed rule on Occupational Exposure to Respirable Silica has significant implications on NECA members and their workers. To that end, NECA appreciates the opportunity to provide input to OSHA's proposed rule and is obligated to do so on behalf of its members. We must carefully analyze the provisions of the rule and supporting material to determine its impact. The document is extensive and complicated in multiple sections. The deadline is in our opinion to be unreasonable to provide the required meaningful participation. NECA does agree that the proposed rule must be effective with its many new provisions to yield positive results. There are various portions that can be improved and rendered practical and

NATIONAL ELECTRICAL CONTRACTORS ASSOCIATION

3 Bethesda Metro Center \* Suite 1100 \* Bethesda, MD 20814 \* 301 657 3110 \* 301 215 4500 FAX

WWW.NECANET.ORG



implementable. The amount of time between now and the December 11, 2013 deadline is insufficient.

There is no question that OSHA wants the best and most meaningful input in this rulemaking process before it graduates to the final rule stage. NECA is therefore formally requesting a 90-day extension for the comment period and also requesting that the public hearing dates scheduled for March be adjusted accordingly with a 90-day extension. This would also allow the agency sufficient time to analyze stakeholder comments and suggested improvements to the proposed rule before the hearings commence.

Thank you for your consideration in this important matter. If any additional information is needed I can be reached at 301-215-4521, or email at [michael.johnston@necanet.org](mailto:michael.johnston@necanet.org).

Sincerely,

A handwritten signature in blue ink that reads "Michael J. Johnston". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael J. Johnston  
Executive Director Standards and Safety – NECA

c: Daniel G. Walter, NECA Vice President and COO