



Reply to the attention of:

NOV 14 2013

Mr. Jeff Buczkiewicz  
President  
Mason Contractors Association of America  
1481 Merchant Drive  
Algonquin, IL 60102

Dear Mr. Buczkiewicz:

Thank you for your letter to Assistant Secretary David Michaels, dated October 7, 2013, requesting an extension of the deadlines associated with OSHA's Notice of Proposed Rulemaking on Occupational Exposure to Crystalline Silica (78 FR 56273, 9/12/2013) and expressing other concerns about the rulemaking. I am responding to your inquiry on his behalf. We understand your concerns about the potential impacts of the proposed rule and the amount of time available for the public to participate in the rulemaking process.

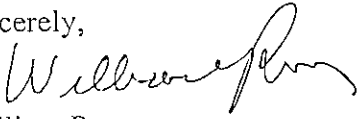
OSHA received requests from a number of stakeholders to extend the public comment deadline. The deadline to submit written comments and testimony is being extended by 47 days, from December 11, 2013 to January 27, 2014 to allow stakeholders additional time to comment on the proposed rule and supporting analyses. OSHA is also extending the deadline to submit notices of intention to appear at its informal public hearings by an additional 30 days, from November 12, 2013 to December 12, 2013. Public hearings are scheduled to begin on March 18, 2014 and are expected to continue for several weeks. The duration of the hearings will be determined by the number of parties who request to appear. A copy of the October 31, 2013 *Federal Register* notice announcing these extensions is enclosed. We believe that these extensions will provide sufficient time for stakeholders to fully participate in the rulemaking proceedings.

In your letter, you recommend that OSHA convene a new panel under the Small Business Regulatory Enforcement Fairness Act (SBREFA). However, the substantial input OSHA received from small businesses during the SBREFA review is still relevant today and is reflected in the proposed rule. The proposed rule is simply the next step in the process and we encourage small businesses to submit written comments in response to the proposal and to provide testimony at the public hearing.

You also requested that OSHA hold regional public hearings, in addition to the hearings scheduled in Washington D.C. Due to resource constraints, OSHA is unable to schedule additional public hearings. However, all stakeholders have the option of submitting written comments on the proposed rule. Input received from stakeholders will be carefully considered by the Agency, whether it is provided through hearing testimony or written comments.

Thank you again for sharing your concerns on the crystalline silica rulemaking. I look forward to the participation of the Mason Contractors Association of America and its members as the rulemaking proceeds.

Sincerely,

A handwritten signature in cursive script, appearing to read "William Perry".

William Perry  
Acting Director  
Directorate of Standards and Guidance

Enclosure: