



## NATIONAL INDUSTRIAL SAND ASSOCIATION

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### **The Nation's Largest Sand Producers Say a Proposed Occupational Safety and Health Administration (OSHA) Silica Rule is Needed to Protect Workers**

Below is a statement from Mark Ellis, president of the National Industrial Sand Association (NISA), on comments submitted to OSHA on February 9, 2014, with regard to OSHA's Proposed Rule Regarding Occupational Exposure to Respirable Crystalline Silica. NISA represents the country's leading sand producing companies. Excerpts from NISA's comments are included below.

“We believe the position outlined in our comments is a smart, pragmatic and effective solution that will eliminate new cases of silicosis without unnecessarily costing jobs and hurting the economy.

“In its proposed new silica rule OSHA repeatedly cites the sand industry as a model for its new worker protection provisions. The sand industry's best practices in protecting workers for more than 30 years have successfully eliminated new cases of silicosis from its companies' workplaces under the current permissible exposure limit.

“The National Industrial Sand Association (NISA) strongly supports the new worker protection provisions in OSHA's proposed silica rule, including exposure monitoring, medical surveillance of workers, and mandatory dust controls. But, we also strongly believe that OSHA's proposed drastic reduction in the permissible exposure limit is not necessary to protect workers and will unnecessarily cost jobs and hurt the national economy.

Excerpts from the Executive Summary of the National Industrial Sand Association's comments on OSHA's Proposed Rule Regarding Occupational Exposure to Respirable Crystalline Silica:

- NISA strongly supports the “NISA Solution”: a comprehensive standard, in the form of a variant of OSHA's Alternative #1: the current PEL of 100  $\mu\text{g}/\text{m}^3$  and an action level of 50  $\mu\text{g}/\text{m}^3$ , with exposure monitoring and medical surveillance triggered by exposures *above the action level* (not the PEL).

- NISA's own data, drawn from 11 NISA members over a period of 19 years, show that implementation of the SPP [NISA's Silicosis Prevention Program] by those companies has eliminated the creation of new silicosis cases among those companies' employees. This experience demonstrates that the current PEL is adequate to substantially reduce significant risk of material health impairment from silicosis sufficient to meet the requirements of Section 6(b) of the OSH Act if supported by the proposed ancillary provisions, triggered by an action level of  $50 \mu\text{g}/\text{m}^3$ , and if the current PEL is strictly complied with.
- OSHA really has no basis to say that the  $100 \mu\text{g}/\text{m}^3$  PEL is not protective for general industry given the likelihood that one-third of all workplaces exposures are actually in excess of the PEL.

For the full text of NISA's comments to OSHA go to: <http://www.sand.org/Comments-on-OSHA-Proposed-Silica-Rule>.

"The National Industrial Sand Association (NISA) is a trade association representing the major North American producers and processors of industrial sand (sometimes called silica sand). Founded in 1936, NISA is committed to advancing research and maintaining a dialogue with industry, legislators, regulatory agencies and the scientific community with respect to issues of concern to the industrial sand industry, including the potential health effects associated with the inhalation of respirable crystalline silica." For more information go to: <http://www.sand.org/>.

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