



October 7, 2019

OSHA Docket Office
Docket Number OSHA-2010-0034
RIN1218-AD18
Occupational Safety and Health Administration
U.S. Department of Labor, Room N-3653
200 Constitution Avenue NW
Washington, D.C. 20210

NRCA Comments to OSHA's Request for Information on Occupational Exposure to Respirable Crystalline Silica—Specified Exposure Control Methods

The National Roofing Contractors Association (NRCA) is one of the construction industry's most respected trade associations and the voice of roofing professionals and leading authority in the roofing industry for information, education, technology and advocacy. Founded in 1886, NRCA is a nonprofit association that represents all segments of the roofing industry, including contractors; manufacturers; distributors; architects; consultants; engineers; building owners; and county, city and state government agencies. NRCA's vision is the recognition of the professionalism of its members and uniting the roofing industry to that purpose. In striving to achieve its vision, NRCA regards worker safety as a primary goal in its mission and a key area of focus as the premier advocate for the roofing industry.

NRCA has nearly 4,000 members from all 50 states and 53 countries and is affiliated with 97 local, state, regional and international roofing contractor associations. NRCA contractor members range in size from companies with less than \$1 million in annual sales volumes (50 percent of the current membership) to large, commercial contractors with annual sales volumes of more than \$20 million. More than half perform both residential and commercial roofing work, and more than one-third have been in business for more than a quarter of a century.

Since OSHA proposed the rule on occupational exposure to respirable crystalline silica (RCS) in construction, NRCA, in partnership with many of its affiliate organizations, has conducted personal breathing zone sampling at many roofing jobsites involving a variety of roofing tasks. This objective data collection reflects the fact that, for most tasks performed in roofing, exposure to RCS is well below the action level set by the regulation. A remaining area of concern involves the cutting of clay and concrete tile and pavers using handheld power saws under Table 1, Equipment/task (ii) and the engineering and work practice control methods set out therein. Specifically, the cutting of these materials using Table 1 controls on sloped roof decks creates a serious safety hazard for roofing workers.

OSHA notes in this request for information that "...Table 1 was intended, in part, to accommodate situations where tasks will be performed in different environments and conditions." NRCA contends that this intention has been completely ignored with respect to the task listed in Table 1 (ii) as it may be performed in roofing. In our original comments to this rule, NRCA expressed its grave concern with requiring an engineering control that delivers water to a tool used by a worker on a

NATIONAL ROOFING CONTRACTORS ASSOCIATION



sloped roof surface. NRCA noted the immediate, life-threatening issue with this control that would significantly increase the potential for falls. This potential for personal injury is present without regard to the fact that a worker may be protected by a fall protection system. A slip, trip or fall is a hazard that must be avoided especially by a worker using a gas-powered saw with a 14-inch diamond blade. In addition, a worker who falls in a personal fall arrest system (PFAS) as a result of water being delivered to a power saw on a steep roof should not be reconciled to accept that danger by the consolation that the body harness that he or she is wearing will save the worker's life before he or she hits the ground. Being saved by a PFAS is a traumatic event that may cause severe injury not mitigated by the fact that no RCS will be inhaled by the worker because of the OSHA-mandated engineering control required by the RCS regulation. In its explanation of the final rule, OSHA dismissed NRCA's original concern with this resulting hazard with no discussion.

NRCA recognizes that, in some limited roofing projects involving clay and concrete tile on sloped roofs, materials may be effectively cut on the ground using water delivery. However, the vast majority of installations do not allow for this option and ignoring that fact runs contrary to necessary construction practices demanded by the market for proper installation of materials and waterproofing of structures. NRCA also is aware that worker protection must be assured in the performance of these tasks and suggests that an exception to water delivery be provided to allow for dry-cutting of concrete and clay roofing tile products if workers are protected with a respirator with an assigned protection factor of 25 (APF 25). This inclusion of a roofing exception will ensure worker safety from falls, the leading cause of death in our industry, and still provide protection from the limited duration exposures to RCS that may be present in concrete and clay roofing tile installations.

Respectfully submitted,

Reid Ribble
Chief Executive Officer
National Roofing Contractors Association

NATIONAL ROOFING CONTRACTORS ASSOCIATION