

OSHA's Proposed Crystalline Silica Rule: How You Can Participate

OSHA's notice-and-comment rulemaking process relies heavily on input from the public, including the regulated community and other stakeholders. OSHA encourages members of the public to participate in the silica rulemaking by submitting comments on the proposal and by providing testimony and evidence at the informal public hearings that the Agency will hold after the comment period ends.

What opportunities are there for participation?

OSHA's Notice of Proposed Rulemaking (NPRM) on Occupational Exposure to Crystalline Silica was published in the *Federal Register* on September 12, 2013 so that members of the public can review it and submit comments during the public comment period. The proposed rule is available on the *Federal Register* web page at <https://federalregister.gov/a/2013-20997>. You can find supporting documents on OSHA's Silica Rulemaking web page at www.osha.gov/silica.

OSHA has scheduled public hearings to allow interested persons to make oral presentations on the issues raised in the proposed rule. The hearings are informal administrative proceedings convened for the purpose of

gathering and clarifying information. They are overseen by an administrative law judge. Following the public hearings, OSHA will publish a transcript of the hearings and make it available to the public in the rulemaking docket.

How will my participation impact the rulemaking?

OSHA reviews and analyzes all the material in the public rulemaking record in order to determine if and how it should proceed with rulemaking. The Agency makes its decisions based on the evidence in the rulemaking record as a whole. If OSHA issues a final rule, the preamble to the final rule would discuss significant issues raised in comments and testimony received on the proposal.

How can I review the materials submitted to OSHA?

All testimony, comments, and other materials submitted to the rulemaking docket are or will be listed online at www.regulations.gov (Docket ID# OSHA-2010-0034); however, some information (e.g., copyrighted material) is not publicly available to read or download through that website. All submissions to the docket, including copyrighted material, are available for inspection and, where permissible, copying at the OSHA Docket Office, U.S. Department of Labor, Room N-2625, 200 Constitution Avenue, NW, Washington, DC 20210.

How do I participate in the public hearings?

The public hearings will begin on Tuesday, March 18, 2014, in the auditorium of the U.S. Department of Labor's Frances Perkins Building, 200 Constitution Avenue, NW, Washington, DC, 20210, and will conclude on Friday, April 4, 2014.

The [hearing schedule](#) provides the dates each participant will testify and be available for questions. The [hearing procedures](#) provide detailed information about how the hearing will be conducted.

Members of the public are welcome to attend to listen to testimony from OSHA, its expert witnesses, and other interested parties. Those members of the public who filed a timely written notice of intention to appear can also ask questions of agency officials and other witnesses during the hearing.

How do I submit post-hearing comments and briefs?

After the close of the public hearings, members of the public who filed a timely written notice of intention to appear prior to the hearings will be able submit additional comments. Evidence and data relevant to the proceeding must be submitted within 45 days of the close of the hearing. Final briefs, arguments, and summations must be submitted 90 days after the close of the hearing. Post-hearing comments and briefs can be submitted by:

- Visiting the Federal e-Rulemaking Portal at www.regulations.gov, Docket ID# OSHA-2010-0034.
- Faxing OSHA's Docket Office at 202-693-1648 (for comments of 10 pages or less).
- Sending hard-copy documents (via regular mail, express delivery, courier, or hand delivery) to the OSHA Docket Office, Technical Data Center, Room N-2625, OSHA, U.S. Department of Labor, 200 Constitution Avenue, NW, Washington, DC 20210.

This is one in a series of informational fact sheets highlighting OSHA programs, policies or standards. It does not impose any new compliance requirements. For a comprehensive list of compliance requirements of OSHA standards or regulations, refer to Title 29 of the Code of Federal Regulations. This information will be made available to sensory-impaired individuals upon request. The voice phone is (202) 693-1999; teletypewriter (TTY) number: (877) 889-5627.

For assistance, contact us. We can help. It's confidential.



www.osha.gov (800) 321-OSHA (6742)



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