



April 2, 2014

OSHA Docket Office
Docket No. OSHA-2010-0034
RIN No. 1218-AB70
U.S. Dept. of Labor
200 Constitution Avenue, NW
Washington, DC 20210

Good morning. My name is William Good, and I am the Executive Vice President of the National Roofing Contractors Association – NRCA. NRCA was founded in 1886, and today has more than 3,600 members in all 50 states and some 54 foreign countries. Our members perform about two-thirds of the roofing work that is done in the U.S.

I appreciate the opportunity to comment on OSHA's proposed new rule on occupational exposure to crystalline silica.

Let me begin by saying the obvious: our members want to reduce, wherever possible, exposures to harmful substances, including silica. Silica exposures in roofing, however, are rare, and are generally limited to operations where tile roofs are being installed or replaced, because the tiles need to be cut to fit in place on the roof. Tile roofing represents less than 10 percent of the residential roofing market, and the residential roofing market is only about one-third of the total roofing market. And from earlier studies, we know that typically the only person at risk during tile roof operations is the person actually using the saw to cut the tiles. We want to do everything we can to protect that person, but it is a very small percentage of the roofing workforce.

In roofing, as OSHA understands very well, our overriding safety concern is falls. Falls occur from the edge of roofs, through roofs and from ladders. The best safety practices in the industry include keeping roofing workers away from the edge of the roof, protecting them from tripping on the roof, and minimizing their trips up and down ladders.

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Unfortunately, we fear that the new proposed silica rule will dramatically increase the risk of falls, because of the unique nature of roofing work. Let me explain.

The rule would require engineering controls to be used as the first resort to control silica emissions. For roofing, engineering controls mean we either use wetting or vacuuming. Both introduce new tripping hazards on the jobsite, because both involve adding hoses on the rooftop. In addition, wet tiles are slippery tiles, and on a roof that is pitched, we don't want workers moving around on slippery surfaces.

We also know that attaching vacuums to hand-held saws on the rooftop, in addition to being cumbersome and creating tripping hazards, is not always effective. That's because of the nature of the roofing operation: cutting tiles on the roof involves a lot of movement, and the vacuums just don't work well in those conditions.

One seemingly easy solution would be to wet the tiles on the ground while they are being cut. But there are two problems with that: First, the tiles need to be cut to fit corners and edges on the rooftop; if they don't, the roof won't perform well. That can only be done properly on the rooftop. Second, cutting tiles on the ground means someone will have to transport them to the rooftop, which means either exposing more workers to the roof edge, or having more workers climb up and down ladders, or both.

The proposed rule also provides for the use of respirators when engineering controls alone don't work – and in some circumstances requires their use in addition to engineering controls. We know that respirators constrict the user's field of vision, make it more difficult to communicate, and can create shortness of breath. We also know that when roofing workers are required to wear respirators, they will simply take them off, because of these difficulties. I'd ask you to consider doing roofing work in, say, Phoenix in August wearing a respirator.

My point today is a simple one. Ours is a unique industry, with unique hazards, and a one-size-fits-all approach to reducing silica exposures not only won't work for us, but will likely, in fact, create other hazards that are more immediate and more life-threatening.



State officials in both California and Arizona, working with NIOSH, labor and management, have studied the issue of silica exposures to roofing workers and have concluded that conventional engineering controls, such as wetting and vacuuming, are not effective, and that half-mask respirators are not practical. In those states, work practices have been approved until and unless better long-term solutions can be found. We think the exception that was made in those states for roofing work is appropriate, and we ask OSHA to take a similar approach in this rulemaking.

Let me also comment briefly on OSHA's cost estimates for complying with the proposed rule. OSHA estimates the full cost of compliance would be about \$500 per year for a typical small business. Virtually all roofing contractors are small businesses, and we can't begin to imagine how they could comply for anywhere near \$500 per year. The cost of the equipment for engineering controls for just one roofing crew is estimated to be more than \$2,000, and many contractors operate with several crews. And that's just the equipment cost, never mind the cost of air monitoring, medical surveillance, training and the like.

As is always the case, higher costs for compliance for a small part of the industry will simply encourage unprofessional contractors to do nothing and take their chances. That is not good for NRCA, for OSHA or for the cause of worker safety.

It would be far better, we think, for us to work with OSHA and work with the United Union of Roofers, Waterproofers and Allied Workers – with whom we have had ongoing dialogue on this issue – and arrive at workable, practical solutions.

We think an exception from the rule for tile roofing work is appropriate, because we want to be certain that any solutions promulgated by OSHA do not create life-threatening situations on the roof – situations we are all trying so hard to avoid.

Thank you again for this opportunity.

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