

cc: Ralph

BITUMINOUS COAL OPERATORS' ASSOCIATION, INC.
918 SIXTEENTH STREET, N.W. • SUITE 303
WASHINGTON, DC 20906-2971

202-1785-5195

July 9, 1993

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Dr. Richard W. Niemeier
Director, Division of Standards Development
and Technology Transfer
Department of Health and Human Services
Centers for Disease Control
National Institute for Occupational Safety & Health
4676 Columbia Parkway
Cincinnati, OH 45226-1998

Dear Dr. Niemeier:

This is in response to your letter dated June 28, 1993, received here on July 6, transmitting a copy of a draft document entitled Criteria for a Recommended Standard: Occupational Exposure to Respirable Coal Mine Dust, and asking for my review and comments on the draft.

Your letter states the copy of the draft is for my use only and asks that I not copy it or distribute it to others. However, NIOSH published in the Federal Register of July 8, 1993 a notice of the peer review meeting to be held July 29-30, 1993, for the purpose of discussing the draft criteria, and invited public participation and comment. In view of that notice, and the fact that your letter was addressed to me as an officer of this interest-group organization, I have taken the liberty to distribute copies to member companies of this organization. Those members have been informed that the document still is in draft form and does not reflect NIOSH policy at this time.

Given the sheer volume of the draft criteria and the some 600 referenced documents, it is unrealistic for NIOSH to expect any meaningful input to be developed prior to the July meeting in Cincinnati or by the August 13 date which you indicate is necessary to complete the document in a "timely manner." We understand the draft has been in preparation by NIOSH for about two years, and we note that the contributions of numerous NIOSH personnel have been acknowledged. Moreover, we have been advised by the Criteria Document Manager that the references or a compendium of them is not readily available at NIOSH for examination by outside reviewers.

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For those reasons, we suggest that if NIOSH sincerely is interested in receiving meaningful competent review from outside sources, a period of at least six months will be allowed for examination of the draft and the references.

The issues addressed by the draft criteria are of overwhelming significance to the coal mining industry, and we urge that you extend the date for receipt of comments until mid-January 1994.

Sincerely,

A handwritten signature in black ink that reads "Robert L. Vines". The signature is written in a cursive style with a large, prominent initial "R".

Robert L. Vines

Vice President - Health and Safety

RLV/lf