



215 Pennsylvania Avenue, SE • Washington, D.C. 20003 • 202/546-4996 • www.citizen.org

June 5, 2012

Dr. David Michaels
Assistant Secretary
Occupational Safety and Health Administration
U.S. Department of Labor
200 Constitution Avenue N.W., Room S2315
20001

Dr. John Howard
Director
National Institute for Occupational Safety and Health
395 E Street, S.W., Suite 9200
Patriots Plaza Building
Washington, DC 20201

Mr. Joseph Main
Assistant Secretary
Mine Safety and Health Administration
U.S. Department of Labor
1100 Wilson Boulevard, 21st Floor
Arlington, VA 22209

Dear Dr. Michaels, Dr. Howard and Mr. Main:

We are writing on behalf of our 250,000 members and partner organizations in support of a communication you received from the American Federation of Labor-Congress of Industrial Organizations (AFL-CIO), United Mine Workers of America (UMWA) and the United Steelworkers of America (USWA) on May 22, 2012 concerning the serious risks posted to workers in the shale gas extraction industry. Specifically, in hydraulic fracturing industry (fracking), an industry in which workers have high levels of contact with dangerous “crystalline silica,” and by doing so have placed their lives in jeopardy.



215 Pennsylvania Avenue, SE • Washington, D.C. 20003 • 202/546-4996 • www.citizen.org

As the AFL-CIO, USWA and UMWA letter to you has pointed out; a recent report from NIOSH claimed that a two year assessment of the chemical health risk in the fracking industry identified high level of worker exposure to crystalline silica. Many of these exposures were well in excess of “permissible and recommended levels,” putting workers in danger of the catastrophic effects of crystalline silica.

Workers in the fracking industry are being exposed to the irreversible effects of breathing crystalline silica dust, which includes contracting potentially fatal diseases such as lung cancer, tuberculosis and silicosis. In spite of these lethal consequences in the fracking industry and otherwise, the regulatory process regarding crystalline silica has not stayed current and is in dire need of modernization. Even the Occupational Safety and Health Administration (OSHA) has acknowledged that its current silica dust standard is obsolete (75 Fed. Reg. 79.603 December 20, 2010) and has drafted a new standard, which has been held up in the White House’s Office of Information and Regulatory Affairs for over a year now.

With the current standard in place, OSHA estimates that silicosis contributed to, or caused the deaths of 200 to 300 workers per year from 1990 to 1996 and says that many more silicosis-related deaths have gone undetected. The Centers for Disease Control and Prevention says silicosis kills more than 200 workers per year and disables hundreds more, claiming more than 14,000 lives since 1968.¹

Although crystalline silica and its effects can be found in many industries such as construction, foundry and metal; the demand for crystalline silica in the hydraulic fracturing industry is a growing concern. NIOSH has stated that massive quantities of crystalline silica sand are used in the hydraulic fracturing process; up to four million pounds per well. As the hydraulic fracturing industry continues to expand, more workers will be subjected to the hazards of crystalline silica.

According to the union letter “high levels of crystalline silica exposure are generated at many points in the hydraulic fracturing process, including release from all sand moving operations, loading operations and sand transfer activities.” Exposure to crystalline silica is affecting a large amount of workers through these segmented occupations during the material handling process.

¹ “New OSHA Silica Rules Looming.” Paint Square. April 14, 2011. <http://bit.ly/LL6IzR>



215 Pennsylvania Avenue, SE • Washington, D.C. 20003 • 202/546-4996 • www.citizen.org

If your agencies do not take the appropriate steps to mitigate the hazards from crystalline silica, workers in the fracking industry will continue to be subjected to its constant effects and the fatality rate will continue to increase. So, in concurrence with the AFL-CIO, USWA and UMWA we respectfully request:

- OSHA and NIOSH immediately issue a joint “hazard alert” that identifies the occupational safety and health hazards in the fracking industry with a special focus on crystalline silica exposures, and recommend appropriate effective control measures to protect workers.
- MSHA identify and evaluate the mines and quarries that are mining and processing crystalline silica sand and assess mine workers exposures to crystalline silica at those facilities and ensure that exposure is controlled.
- OSHA work to shine a light on the delays to the new silica dust standard developed to replace (75 Fed. Reg. 79.603 December 20, 2010) which has been held up in the White House’s Office of Information and Regulatory Affairs for over a year now.

American workers in the fracking industry can wait no longer for more protective crystalline silica rules to be implemented with so many lives at stake. We highly encourage OSHA, NIOSH, and MSHA to expedite these workplace safety and health protections for crystalline silica. Thank you for your time and for taking our comments into consideration.

Sincerely,

Keith Wrightson
Worker Safety and Health Advocate
Public Citizen-Congress Watch
(202)-454-5139



215 Pennsylvania Avenue, SE • Washington, D.C. 20003 • 202/546-4996 • www.citizen.org



215 Pennsylvania Avenue, SE • Washington, D.C. 20003 • 202/546-4996 • www.citizen.org