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Thursday, November 07, 2019

Deputy Assistant Secretary Loren E. Sweatt
Office of Department of Labor
Office of Occupational Safety and Health Administration
200 Constitution Avenue, N.W.
Washington, D.C. 20210

RE: Docket No. OSHA-H005C-2006-0870 - Occupational Exposure to Beryllium and Beryllium Compounds in Construction and Shipyard Sectors

Dear Deputy Assistant Secretary Sweatt:

The Shipbuilders Council of America (SCA) is pleased to offer comments to the Occupational Safety and Health Administration (OSHA) pursuant to its Notice of Proposed Rulemaking (NPRM) on Occupational Exposure to Beryllium and Beryllium Compounds in Construction and Shipyard Sectors "Docket No. OSHA-H005C-2006-0870"

The SCA is the only national trade association representing U.S. shipyards engaged in the repairing and also building of military and other government vessels, commercial vessels, and those companies providing goods and services to the industry. The Council represents 38 companies that own and operate over 80 shipyards, with facilities on all three U.S. coasts, the Great Lakes, the inland waterways system, Alaska and Hawaii. SCA also represents 115 partner and supplier members that provide goods and services to the shipyard industrial base.

ABRASIVE BLASTING

In shipyards beryllium is primarily encountered in abrasive blasting operations. Coal slag particulates are used as a blast grit for removing paints, coatings, and rust from steel components prior to painting and coating. These coal slags contain beryllium in trace amounts. In many cases, coal slags were a replacement for silica- containing grit materials due to the hazard posed by silica particulates.

Abrasive blasting is used on external surfaces, interior vessel compartments, and subassemblies of vessels. As far as regulated areas are concerned, the spent grit and coatings that are removed are managed in a very responsible manner to prevent secondary exposures. Similarly, physical containments are used to prevent airborne beryllium to enter the general atmosphere and breathing zone of secondary employees.



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Abrasive blasting generates copious amounts of respirable particulates. Although the hierarchy of controls would suggest that engineering controls, such as substitution of a non-beryllium abrasive, might be successful in reducing beryllium exposures below PEL's, because of the very nature of abrasive blasting, shipyards must ultimately utilize personal protective equipment programs (PPE) to protect employees.

Abrasive blasters in shipyards have been very effectively protected by the use of full body protection and positive pressure air fed hoods for many years, irrespective of the grit used. Additionally, abrasive blasting is currently subject to dozens of OSHA rules designed to increase worker safety.

There are very few isolated other uses of beryllium in shipyards such as non-sparking tools and some very minor spot weld electrodes, but these are infrequently used, and intermittent. Shipyards have been protecting abrasive blasters for many years.

MEDICAL SURVEILLANCE

As written, shipyards would be required to institute a medical surveillance program for personnel in beryllium regulated areas. This would include ensuring that temporary labor hired for blasting operations are being monitored by their parent companies.

Many shipyards have on-site medical facilities that are used to provide medical surveillance and treatment of occupational injuries and illnesses, and experience demonstrates that personal protective programs have been effective in preventing diseases associated with exposure to beryllium.

Accordingly, shipyards have been, and will continue to provide ample protection to employees who may work in operations involving beryllium with the current medical surveillance programs in place.

CONCLUSION

We ask that OSHA continues to acknowledge the technological and economic difficulties of implementing engineering solutions for the control of beryllium exposures from abrasive blasting operations, and allow shipyards to continue to employ proven and effective PPE programs to protect employees from the hazards posed by beryllium and its alloys.

SCA would like to be a resource to OSHA as this NPRM moves forward and is developed to more appropriately reflect the requirements of the shipbuilding industry.



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Thank you again for the opportunity to comment on this rule, and I look forward to continuing to work with you in the future.

Sincerely,

Matt Paxton
President, Shipbuilders Council of America