



VIA ELECTRONIC SUBMISSION

Nov. 5, 2021

James Frederick
Deputy Assistant Secretary of Labor,
Occupational Safety and Health
U.S. Department of Labor
200 Constitution Ave. NW
Washington, DC 20210

Re: Advance Notice of Proposed Rulemaking on Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings; RIN 1218-AA39

For the Docket:

On behalf of Associated Builders and Contractors, a national construction industry trade association with 69 chapters representing more than 21,000 members, I write to respectfully request an extension of the public comment period on the above-referenced advance notice of proposed rulemaking published by the U.S. Department of Labor's Occupational Safety and Health Administration in the Federal Register on Oct. 27, 2021, at 86 Fed. Reg. 59309.

Issues surrounding heat exposure and the means to address it on the variety of construction worksites in different geographic regions across the country are extremely complex. The ANPRM has 114 questions that are intended to solicit information on the topics related to assessing the nature and magnitude of occupational illness, injuries and fatalities occurring due to hazardous heat; how hazardous heat exposure and risk varies across industries, occupations and job tasks; how business size may influence the practices and interventions implemented to prevent heat-related injuries and illnesses and the challenges experienced by businesses of varying sizes; and more.

Providing only 60 days to submit this critical information to OSHA is insufficient, particularly given the volume and wide range of data and information the agency is seeking.

ABC requests that the comment period be extended to Feb. 24, 2022, i.e., 120 days from the date of the published notice, to analyze and gather the information OSHA is seeking and draft meaningful comments on the health, risk and other issues relevant to the rulemaking from the perspective of the construction industry.

ABC appreciates your consideration of this request. This rulemaking is of critical importance to our membership and the construction industry at large, and ABC firmly believes that this extension will result in a more robust record for OSHA's consideration.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ben Brubeck". The signature is fluid and cursive, with the first name "Ben" and last name "Brubeck" clearly distinguishable.

Ben Brubeck
Vice President of Regulatory, Labor and State Affairs