



January 19, 2010

OSHA Docket Office
Docket No. OSHA-2009-0023
Technical Data Center, Room N-2625
U.S. Department of Labor
200 Constitution Avenue, NW
Washington, DC 20210

RE: Combustible Dust Advance Notice of Proposed Rulemaking

Dear Sir/ Dear Madam:

The U. S. Poultry & Egg Association, the National Chicken Council, the National Turkey Federation and the Georgia Poultry Federation are non-profit trade associations representing the producers and processors of chickens, turkeys, other poultry, eggs and affiliated industry suppliers. We submitted our initial comments on January 8, 2010.

As part of our business many of our members operate feed mills and grain elevators. Following our review of the National Grain and Feed Association's (NGFA) comment letter dated January 19, 2010 we wish to provide additional comments in support of the NGFA's position. NGFA's letter provides substantial background information on a long history of association sponsored research and education which have been instrumental in the development of the existing grain handling standard.

Grain Handling Facilities Standard, CFR 1910.272

As stated in our January 8, 2010 comment letter, we believe the existing grain handling standard has proven to be effective in controlling the exposure and that feed mills and elevators should continue to be covered under CFR 1910.272. During this rulemaking process, we also urge OSHA to refrain from proposing any major changes to the grain handling standard and to exempt industries under the scope of CFR 1910.272 from a general industry combustible dust standard. We submit that the current standard has worked quite well and proven itself as balanced and helpful in protecting lives and reducing injury levels.

Definition of Combustible Dust

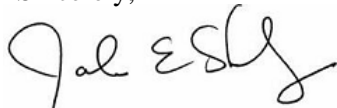
In our January 8, 2010 letter we suggested that any definition of combustible dust within the context of the proposed standard address all five elements required for an explosion- fuel, oxygen, ignition, dispersal, & confinement and proposed language that included a dust accumulation action level to trigger the applicability of any proposed standard. The NGFA letter

references the 1/8 inch cleaning standard (in priority areas around bucket elevators) currently in CFR 1910.272, compliance with which has led to a dramatic reduction in explosions in grain facilities. Based on the success of the current grain handling standard, NGFA's research, and as outlined in the NGFA comment letter, the anticipated economic impact on industry to comply with stricter housekeeping standards, our associations support the position that 1/8 in. is an appropriate action level to trigger applicability of any proposed standard.

We would like to emphasize, however, that we strongly believe that a new or revised standard would have limited applicability for many industries and encourage OSHA to limit the scope of any new combustible dust standard to those industries which have experienced more frequent explosions and fires or have previously been identified as having the potential for dust explosions and fires, as outlined in the Combustible Dust National Emphasis Program.

If you have any questions or require additional information concerning our comments, please do not hesitate to contact Paul Pressley of the U.S. Poultry & Egg Association at 770-493-9401, Stephen Pretanik of the National Chicken Council at 202-296-2622, Hilary Thesmar of the National Turkey Federation at 202-898-0100 or Mike Giles of the Georgia Poultry Federation at 770-532-0473.

Sincerely,



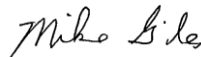
John Starkey
U.S. Poultry & Egg Association



George Watts
National Chicken Council



Joel Brandenberger
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Mike Giles
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