

**COMMENTS OF THE
NORTH AMERICAN INSULATION MANUFACTURERS ASSOCIATION**

**DEPARTMENT OF LABOR
NATIONAL ADVISORY COMMITTEE ON
OCCUPATIONAL SAFETY AND HEALTH (NACOSH) MEETING
88 FED. REG. 25,710 (April 27, 2023)
DOCKET NO. OSHA-2023-0003
May 31, 2023**

My Name is Angus E. Crane, and I am the Executive Vice President and General Counsel for the North American Insulation Manufacturers Association (“NAIMA”). NAIMA is the trade association for manufacturers of fiber glass and rock and slag wool (also known as mineral wool) acoustical and insulation products. NAIMA appreciates the opportunity to present comments before NACOSH. NAIMA has previously submitted extensive written comments to the Occupational Safety and Health Administration’s (“OSHA”) Advanced Notice of Proposed Rulemaking (“ANPRM”) on “Heat Injury and Illness Prevention in Outdoor and Indoor Work Settings.” (See 86 Fed. Reg. 59,309 (October 27, 2021)). Heat injury and illness prevention is an important commitment for NAIMA’s member companies. Therefore, the work being contemplated by OSHA and NACOSH is directly relevant to NAIMA and its members.

In those comments, NAIMA sets forth a description of the manufacturing process for the production of fiber glass insulation products and the production of rock and slag wool insulation products. These manufacturing processes have similarities, but they are distinct in some respects as is reflected by the U.S. Environmental Protection Agency (“EPA”) regulating these industries with separate MACT Standards: the Wool Fiberglass Manufacturing Source Category and the Mineral Wool Production Source Category, which addresses rock and slag wool production. Both processes are heat intensive.

NAIMA’s comments presented a summary of the preventive measures employed to prevent and reduce heat stress in both of these industries. In addition, NAIMA’s comments summarized the approach to reporting and logging heat stress incidents. NAIMA also responded to a selection of OSHA’s questions where NAIMA deemed it had input that would be valuable to OSHA as they consider the appropriate elements for a Heat Stress Standard.

By providing those comments to OSHA, NAIMA shared with the Agency the industry’s extensive experience in safeguarding employees from heat stress injuries and illnesses. NAIMA urges OSHA to recommend guidance for safeguarding against heat stress related injuries and illnesses that can be applied to many different workplaces and to be sensitive to regional differences.

NAIMA urges OSHA to use caution in trying to create a nationwide standard for heat stress that would impose requirements which would likely not be applicable to all types of industries and all regions of the country. Each industry has unique and varied issues that individual industries have learned to address and effectively manage. Certain regions of the country would necessitate more stringent requirements and exhibit heat intensities not observed in other regions of the country.

Moreover, heat stress issues reveal great variability. The geographic location of a manufacturing plant changes greatly the concerns and precautions that have to be taken with respect to heat stress issues. In all experimental studies of humans exposed to hot environmental conditions, a wide variation in responses has been observed. The degree of variability in tolerance to hot environments is poorly understood. Nevertheless, some individuals exhibit poor tolerance to heat, and of this group, some may have hormonal issues that disrupt their ability to control fluids and electrolytes, which increases their susceptibility to heat injury. The variations can be affected by obesity, age, and level of physical fitness. The ability to acclimatize shows similar variability. Seasonal shifts in temperature may also result in variability that will be difficult to predict. Moreover, the level of environmental heat stress may be unpredictable and variable, and exposure time may vary with the task and with unforeseen critical events.

Therefore, to build flexibility and compatibility into any type of regulatory program, NAIMA urges OSHA not to impose a one-size-fits-all solution given the inherent unique risk found in various industries but not across all industries.

NAIMA urges OSHA to recognize that the place of employment will best understand the unique heat stress issues and how to address them. Therefore, guidance from OSHA would be very useful and helpful, but specific mandates or requirements might prove problematic and inapplicable.

Insulation products provide numerous benefits, including saving energy and reducing fuel costs, which in turn reduces pollution. These benefits are important to keep in mind as regulations are contemplated for this industry. The importance of insulation and associated infrastructure is further emphasized by the “essential industry” status given to insulation under the Inflation Reduction Act. OSHA has an opportunity to concretely support President Biden’s mandate by withholding burdensome regulations that threaten the viability of insulation manufacturers to produce the very products that help OSHA achieve its goals of reduced greenhouse gases.