

June 8, 2020

Department of Labor and Industry
600 East Main Street, Suite 207
Richmond, VA 23219
Attn: Jay Withrow, Director, Legal Support

Subj: NOIRA - Heat Illness Prevention Standard

Dear Director Withrow,

The Virginia Transportation Construction Alliance represents more than 300 transportation contractor, aggregate producers, consultant engineers, suppliers and service providers who design, build, and maintain Virginia's transportation network. On behalf of our members, we are pleased to submit comments related the Virginia Safety and Health Codes Board Notice of Intended Regulatory Action (NOIRA) to initiate the regulatory process to a adopt regulation applicable to Heat Illness Prevention.

VTCA's members place protection of their employees, our most valuable resource, as a top priority through extensive safety programs, requirements, and adherence to proven existing regulatory standards. To successfully achieve the Board's objective to reduce/eliminate employee injuries, illnesses, and fatalities due to heat illnesses we strongly recommend that:

- the proposed regulations be specific and applicable to the covered industry as well as specific work activities. Road construction and the aggregate mining industry consist of specialized work environments. Providing effective protection of our workers require the application of preventive measures tailored to the specific activities found on our jobsites.
- new standards be based on existing, proven protection standards in the road construction industry.
- final regulations should be based on sound scientific information, data and real-life experience.
- safety is a heavily regulated element within the highway/road construction industry and the aggregate mining industry. New regulations intended to address heat exposure risks should be consistent with and complement existing federal, state, and local regulatory requirements.

Request for Participation on Regulatory Advisory Panel.

Given the breadth and importance of our industry to Virginia's economy and the direct impact this Rulemaking will have on our member's business and operations, we ask that VTCA be considered for participation on the Regulatory Advisory Panel that DOLI plans to form. We nominate the following individual:

Primary Member

Sandra Genter
Director of Safety
Allan Myers Construction
Attn: Sandra Genter
3900 Cokes Lane
Williamsburg VA 23188 571-437-4507
Sandra.Genter@allanmyers.com

VTCA looks forward to participating with VOSH on the study and the potential development of regulations for heat illness prevention.

Sincerely,

A handwritten signature in black ink, appearing to read "Gordon Dixon". The signature is fluid and cursive, with a large initial "G" and "D".

Gordon Dixon

EVP, Virginia Transportation Construction Alliance

Gordon@vtca.org