



# USMWF

United Support & Memorial for Workplace Fatalities

**July 25, 2013 Written Comments for the  
CSB Public Meeting on Key Safety Recommendations  
and Initiating the CSB Most Wanted Program**

**Mark Miser**

I have always valued the in-depth investigations and recommendations the CSB has issued. Our family was able to finally piece together the unknown circumstances of my brother's last moments. For such a small organization CSB does their research. I find them comparable to the National Fire Protection Association (NFPA) in their diligence.

The CSB has brought combustible dust to the attention of OSHA since 2002, one year before my brother was so tragically killed. Combustible dust regulation was introduced to the 112th Congress and re-introduced in the 113<sup>th</sup> Congress. Combustible dust has also been on OSHA's regulatory agenda, well off and on since the President Obama's first term. We really need to take a hard stance and let our government know we will not stand down until combustible dust is controlled. I believe we can achieve this with the help of the CSB and other determined organizations like ours.

Having said that, I feel the whole system to protect American workers is marginal at best. Instead of protection agencies working together for the common interest of employees and their employers, they let politics get in the way of progress. According to Dr Celeste Monforton<sup>1</sup>, only three worker safety and health rules have been established in President Obama's administration. I ask, are our leaders really that busy?

**Even if a rule does make it to the *Office of Management and Budget (OMB)* it is held hostage.** OIRA review is limited by Executive Order to only 90 days, yet some collect dust for over two years. The system is a train wreck and it seems each organization designed to protect workers is disconnected. This makes it very difficult from the families stand point; who do we need to challenge? OSHA, Our Congressmen and women, The President? Who is this country serving if not the people who pay taxes?

Why is it acceptable for families and their communities to needlessly suffer? And why are we here today asking if Combustible Dust need be on the most wanted regulations list with the status "Open- Unacceptable Response."? Without question, it should be, it should at the very least remain on the agenda until a comprehensive Combustible Dust Regulation is finally issued by OSHA.

---

<sup>1</sup> OSHA action on worker safety standards during Presidential election years  
<http://scienceblogs.com/thepumphandle/2012/08/28/osha-action-on-worker-safety-standards-during-presidential-election-years/>