



Ballot Vote Sheet

TO: The Commission
Alberta E. Mills, Secretary

THROUGH: Austin C. Schlick, General Counsel
Jason K. Levine, Executive Director

FROM: Michael Rogers, Attorney, Regulatory Affairs
Daniel R. Vice, Assistant General Counsel,
Regulatory Affairs

SUBJECT: Supplemental Notice of Proposed Rulemaking to
Establish a Safety Standard Addressing Blade-
Contact Injuries on Table Saws; Request for
Extension of Comment Period

DATE: December 1, 2023

TIME CRITICAL BALLOT VOTE DUE: Tuesday, December 5, 2023

On November 1, 2023, the Commission published in the *Federal Register* a supplemental notice of proposed rulemaking (SNPR), in which it proposed a mandatory safety standard addressing blade-contact injuries on table saws. The SNPR invited the public to submit written comments during a 60-day comment period beginning on the SNPR publication date and ending on January 2, 2024. On November 22, 2023, the Power Tool Institute, Inc. (PTI) submitted a request to extend that comment period by 60 days.

The Office of the General Counsel is providing for Commission consideration the attached draft *Federal Register* notice that would extend the public comment period, if the Commission votes to do so. To expedite publication of the draft notice, the General Counsel has designated this matter as time critical pursuant to section V of the Commission's Decision Making Procedures.

Please indicate your vote on the following options:



Ballot Vote Sheet

I. Grant a 30-day extension and publish notice of the same in the *Federal Register*.

(Signature)

(Date)

II. Grant the requested 60-day extension and publish notice of the same in the *Federal Register*.

(Signature)

(Date)

III. Take other action specified below.

(Signature)

(Date)

IV. Do not approve an extension of the comment period or publication of the attached document in the *Federal Register*.

(Signature)

(Date)

Attachment: Draft *Federal Register* Notice: Notice of Proposed Rulemaking: Safety Standard for Table Saws; Notice of Extension of Comment Period

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Part 1264

[CPSC Docket No. 2011-0074]

Safety Standard Addressing Blade-Contact Injuries on Table Saws; Notice of Extension of Comment Period

AGENCY: Consumer Product Safety Commission.

ACTION: Extension of comment period.

SUMMARY: On November 1, 2023, the Consumer Product Safety Commission (Commission or CPSC) published in the *Federal Register* a supplemental notice of proposed rulemaking (SNPR) to promulgate a consumer product safety standard to address blade-contact injuries on table saws. The SNPR invited the public to submit written comments during a 60-day comment period beginning on the SNPR publication date and ending on January 2, 2024. In response to a request for an extension of the comment period, the Commission is extending the comment period to [INSERT DATE].

DATES: Submit comments by [INSERT DATE].

ADDRESSES: Submit comments on the proposed rule, identified by Docket No. CPSC–2011–0074, by any of the following methods:

Electronic Submissions: Submit electronic comments to the Federal eRulemaking Portal at: <https://www.regulations.gov>. Follow the instructions for submitting comments. CPSC typically does not accept comments submitted by electronic mail (e-mail), except as described below. CPSC encourages you to submit electronic comments by using the Federal eRulemaking Portal.

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Mail/Hand Delivery/Courier Written Submissions: Submit comments by mail/hand delivery/courier to: Office of the Secretary, Consumer Product Safety Commission, 4330 East West Highway, Bethesda, MD 20814; telephone: (301) 504-7479. If you wish to submit confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public, you may submit such comments by mail, hand delivery, or courier, or you may email them to: cpsc-os@cpsc.gov.

Instructions: All submissions must include the agency name and docket number. CPSC may post all comments without change, including any personal identifiers, contact information, or other personal information provided, to: www.regulations.gov. Do not submit through this website: confidential business information, trade secret information, or other sensitive or protected information that you do not want to be available to the public. If you wish to submit such information, please submit it according to the instructions for mail/hand delivery/courier written submissions.

Docket: For access to the docket to read background documents or comments received, go to: www.regulations.gov, and insert the docket number, CPSC–2011–0074, into the “Search” box, and follow the prompts.

SUPPLEMENTARY INFORMATION:

On October 18, 2023, the Commission voted to publish an SNPR in the *Federal Register*, to promulgate a consumer product safety standard for blade-contact injury hazards associated with table saws. The SNPR published on November 1, 2023, with a 60-day comment period that closes on January 2, 2024. 88 FR 74909.

On November 22, 2023, Susan Orenga, Executive Manager, Power Tool Institute, Inc. (PTI), submitted a request to the Commission to extend the comment period by 60 days. The Commission has considered this request to extend the comment period. To provide additional

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time for stakeholders to prepare comments for the rulemaking, the Commission will grant an extension of the comment period to [INSERT DATE].

Dated: _____

Alberta E. Mills,
Secretary, Consumer Product Safety Commission

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E-Mail: pti@powertoolinstitute.com URL: www.powertoolinstitute.com

November 22, 2023

Mr. Alexander Hoehn-Saric, Chairman
Consumer Product Safety Commission
4330 East-West Highway
Bethesda, MD 20814

Sent via email: AHoehnsaric@cpsc.gov

Re: Request for Extension of Public Comment Period for Notice of Proposed Rulemaking on Safety Standard Addressing Blade Contact Injuries on Table Saws, Docket No. CPSC-2011-0074

Dear Chairman Hoehn-Saric:

The Power Tool Institute, Inc. (“PTI”) hereby requests that the U.S. Consumer Product Safety Commission (“CPSC” or the “Commission”) extend the public comment period with respect to the Supplemental Notice of Proposed Rulemaking (“SNPR”), dated November 1, 2023, regarding the Safety Standard Addressing Blade Contact Injuries on Table Saws (Docket No. CPSC-2011-0074). PTI, the leading non-profit organization dedicated to power tool safety and education, needs additional time to prepare comments based on the following:

- PTI recently submitted an expedited FOIA request (#24-F-00059) for the Yang, Ted 2010-2021 Table Saw Blade-Contact Injury Trend Analysis. Bethesda, MD: U.S. Consumer Product Safety Commission. (May 23, 2023) which was included within the SNPR. That analysis is important for a review of the accident data driving the need for a rule and to perform a thorough cost benefit analysis on the rule. We were denied the expedited process and have not received the requested report.
- As the Commission is aware, critical to this rulemaking has been the study and evaluation of the patents that will be required to adhere to the rule, and while two patents may have expired, there are still many others that still need to be reviewed to ensure the rule would not create a monopoly, which will require additional time.
- In addition, within the 60-day comment period are several national holidays in which companies are closed for a duration of time, making review of the SNPR, collection of data, and compiling comments challenging.

Therefore, PTI requests a 60-day extension so that it can further analyze the issues at hand in SNPR, including resolving potential FOIA issues and engagement of necessary consultants for additional analysis.

Thank you for your consideration and please feel free to reach out to me with any questions.

Sincerely,

SUSAN ORENGA
Executive Manager

SO

pti

cc:

Alberta Mills, Secretary of the Commission, CPSC (amills@cpsc.gov)
Austin Schlick, General Counsel, CPSC (aschlick@cpsc.gov)