

Cooper, Kathy 2856

From: Lou Pianetti [lpianetti@alphanr.com]
Sent: Thursday, August 19, 2010 4:21 PM
To: EP, RegComments
Subject: Comments on Proposed Rulemaking 25 PA Code CH. 208 Board of Coal Mine Safety

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Dear Secretary Hanger:

I sincerely feel that this entire proposal to adopt Chapter 208 as put forth in the proposed rulemaking is unnecessary. MSHA standards addressing the various sections of proposed Chapter 208 are already in place and being enforced in the commonwealth. MSHA inspectors are at our mine sites essentially every day of the year checking for compliance of these and many other standards. The DEP should continue to enforce the state underground mining law as currently written and concentrate on its areas of strength; mainly certifications and equipment approvals.

Section 208.41 of the proposed rulemaking, specifically the requirement that the responsible person be on the surface in the event of a mine emergency is overly punitive to the operators of the state, unnecessary and will potentially provide a less safe working environment for our miners. MSHA recognized in its adoption of this standard that the vast majority of responsible individuals required will be certified mine officials such as Mine Superintendents, Mine Foremen and Assistant Mine Foremen. These individuals are directly responsible for maintaining and promoting a safe underground working environment for themselves and the states' miners. By keeping these individuals on the surface in the infinitesimal event of a mine emergency is counterproductive to the goal of maintaining safe coal mines in our state. Anyone who is paying attention will tell you of the shortage of these types of individuals willing to accept the major responsibilities assigned them relative to maintaining the health and safety of the workforces they supervise. They are also held to a higher level of accountability by both the state and federal government in the performance of their duties under the two laws.

Having these types of individuals, who are already in short supply sitting outside waiting for a mine emergency to occur is neither good business or conducive to maintaining a safe underground working environment. It is my sincere hope that the Board of Coal Mine safety will not adopt Chapter 208 and continue to foster the need for a safe and efficient coal industry for our commonwealth and nation.

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