

#3144.

Kathy Cooper

From: Edinger, Laura <ledinger@pa.gov>
Sent: Tuesday, April 17, 2018 3:19 PM
To: IRRRC; 'Environment-Committee@pasenate.com'; 'eregop@pahousegop.com'; 'environmentalcommittee@pahouse.net'; 'Pankake, Adam'
Cc: Shirley, Jessica; Chiaruttini, Alexandra; Stefanko, John; Carson, Colvin; Iole, Joseph
Subject: Board of Coal Mine Safety Withdrawal of Regulation #7-526

Good Afternoon,

This message serves as notification of the withdrawal of Regulation #7-526 (IRRC #3144): Proximity Detection Systems.

The Board of Coal Mine Safety voted at its meeting on March 5, 2018 to withdraw the proposed rulemaking.

The rulemaking was published as proposed on March 19, 2016 with a 30-day public comment period. No public comments were received. IRRRC issued a no comment letter and indicated the rulemaking would be deemed approved if no revisions were made from proposed to final.

This rulemaking would have added regulatory provisions making Federal regulations independently enforceable by the Commonwealth related to proximity detection systems. The Board initially tabled this regulation for consideration at its December 13, 2016 due to concerns related to implementation. In short, the proximity detection equipment required by the Federal regulation, and to become independently enforceable by the proposed rulemaking here, interfered with other important, required safety devices in the mine, rendering the proximity detection equipment subject to failure. These implementation concerns were ongoing through 2017. The Board voted to formally withdraw the regulation with the intention of beginning the process again at a future time to best protect the safety of miners in Pennsylvania.

Thank you,
Laura

Laura Fusare Edinger | Regulatory Coordinator
Department of Environmental Protection | Policy Office
Rachel Carson State Office Building
400 Market Street | Harrisburg, PA
Phone: 717.772.3277 | Fax: 717.783.8926
Email: ledinger@pa.gov
www.dep.pa.gov

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