

# PUBLIC SUBMISSION

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**Docket:** MSHA-2008-0011

Alcohol- and Drug-Free Mines: Policy, Prohibitions, Testing, Training, and Assistance

**Comment On:** MSHA-2008-0011-0001

Alcohol- and Drug-Free Mines: Policy, Prohibitions, Testing, Training, and Assistance

**Document:** MSHA-2008-0011-DRAFT-0002

Comment from Billy Orick, Twin Pines Coal

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## Submitter Information

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## General Comment

We currently have a zero tolerance drug policy that has been working very well for our company. Our zero tolerance policy would fit perfectly with the proposed law except for one section Subpart E, 66.400 (b) Mine operators shall not terminate...

We operate 5 mines with 15 - 30 employees per shift. We do not have extra people, we have to run our operations at a bear minimum. All our jobs would be considered "Safety Sensitive". We cannot keep a job open while someone is off for an indetermined time for treatment. We also feel there is a great liability to our company by knowingly putting someone back to work who fail a drug test. We currently train all of our employees' about the zero tolerance policy we meet with all locations quarterly at a minimum to discuss drug abuse and its dangers in the work force. This section of the law is unacceptable for our business.

*AB41-COMM-4*