

Dana Mining Company LLC



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August 15, 2008

Mine Safety and Health Administration  
Office of Standards, Regulators, and Variances  
111 Wilson Boulevard, Room 2350  
Arlington, VA 22209-3939

Subject: RIN 1219-AB58  
June 16, 2008 Proposed Rules  
Refuge Alternatives for Underground Coal Mines

To Whom It May Concern:

Attached are comments relative to the Proposed Rules for Refuge Alternatives for Underground Coal Mines. I request that you seriously consider the information presented. The rules and guidelines that the state of West Virginia approved were followed. Additionally, the shelter was tested and passed by NIOSH.

Sincerely,

Steve Polce, Superintendent  
Prime No. 1 Mine

Enclosure

AB58-COMM-13

Listed below are comments relative to MSHA's proposed rules for refuge chambers:

1. Any state approved shelter should be approved for the life of that shelter as determined by the manufacturer's criteria and specifications, no matter what state it is installed.
2. Additional units of the same type should be allowed for future purchase. A lot of evaluation was undertaken initially to arrive at the currently used shelter. It would not be advisable to have different types of shelters installed in a mine that could possibly cause confusion. During a time of emergency, consistency is very important.
3. There would be much less paper work for all involved if shelters were approved by design criteria rather than individual model approval.
4. Both the square footage (15 sq. ft.) and volume size (60 cu. ft.) are too large, particularly the thinner the seam thickness becomes. For mines with approximately 40 inches or less of height, it will become impossible to install a twenty (20) person rigid shelter to meet the square footage requirement of the proposed law and be able to advance the unit as the section advances, much less get it installed initially. Additionally, it would also be impossible to purge a large enough space to occupy twenty (20) persons and satisfy the volume size of 60 cu. ft. per person. It should be noted that South Africa has used 6.46 sq. ft. (0.6 sq. meters) per person as their standard for their shelters since 1994. Why is it necessary to specify a minimum size (square footage) for the shelter? As long as the people and everything that is necessary to sustain life are in the shelter, and can effectively be used, there does not need to be a minimum size (It should be remembered that survival is the first concern, not to see how big the chamber can be made thereby making it more comfortable.)
5. With the differences in state laws and MSHA's proposal that the shelters be maintained between 1,000 and 2,000 feet of the face, a change is needed that

would require that the shelters be maintained a maximum of 2,000 feet from the face. That should satisfy both MSHA and the states that currently have laws in place.

6. Need to remove the requirement that the shelters be placed in crosscuts rather than remain in the entry. If tests that were conducted show that the shelter will survive, the shelter should be allowed to remain in the entry. This will reduce the amount of potential damage that may result from moving the shelter into and out of the crosscut as it is advanced towards the face area.

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**FACSIMILE TRANSMITTAL SHEET**

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TO: MSHA FROM: HARRY SPRINGER

COMPANY: \_\_\_\_\_ DATE: 8-15-08

FAX NUMBER: (202) 693-9441 TOTAL NO. OF PAGES INCLUDING COVER: 4

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RE: RIN 1219-AB58

- URGENT   
  FOR REVIEW   
  PLEASE COMMENT   
  PLEASE REPLY   
  PLEASE RECYCLE

NOTES/COMMENTS:

*PROPOSED RULES: REFUGE ALTERNATIVES  
 FOR UNDERGROUND COAL MINES.*

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