

**AGREEMENT ESTABLISHING AN ALLIANCE
BETWEEN
THE MINE SAFETY AND HEALTH ADMINISTRATION
U.S. DEPARTMENT OF LABOR
AND
THE BITUMINOUS COAL OPERATORS' ASSOCIATION
AND
THE NATIONAL MINING ASSOCIATION**

The Mine Safety and Health Administration (MSHA) the Bituminous Coal Operators' Association (BCOA) and the National Mining Association (NMA) recognize and commit to a collaborative relationship to foster safe and healthful mining operations in the United States. MSHA, BCOA and NMA hereby form an Alliance, through the use of collective efforts, expertise and leadership, to foster a culture of injury prevention and dedicate the necessary resources to address the prevailing safety and health challenges of the mining industry.

MSHA, BCOA and NMA agree to establish an Alliance to promote safe and healthful working conditions for all miners by:

- Committing to assist MSHA in the achievement of their safety and health performance goals with objective performance metrics.
- Collaborating on special safety and health emphasis programs by developing and sharing best practices on effective approaches to controlling safety and health hazards in coal and metal/ nonmetal mines and preventing fatalities, injuries, near-misses, occupational diseases and illnesses.
- Developing and keeping current a centralized data bank of mine emergency preparedness capabilities, equipment and resources that will be available to mine safety personnel in the event of a mine emergency, disaster or rescue.
- Working together and implementing a cooperative strategy to address drug use - abuse among the nation's miners.

MSHA, BCOA and NMA will work together to achieve the following education and training goals:

- Develop and implement education and training programs to educate current and next generation miners and to preserve and transfer knowledge of safe and healthful work practices.
- Actively participating in mining related workshops, roundtable discussions and other forums to encourage the mining industry's development and sharing of best practices, to promote innovative and effective approaches to improve mine safety and health and to showcase pro-active prevention efforts.

MSHA, BCOA and NMA will work together to achieve the following technical assistance goals:


- Promoting the active involvement of equipment manufacturers and vendors in embracing respirable dust and noise control considerations in the design of equipment before and after they are purchased and introduced into the mining environment by mine operators.
- Conducting analyses of innovative technical solutions and promoting their implementation in the nation's mines, where applicable.

MSHA, BCOA and NMA will work together to achieve the following outreach and communication goals:

- Catalyzing the mining community in becoming stewards for miners' health and safety by pro-actively addressing immediate and long-term health and safety concerns.
- Raising awareness and demonstrating organizational commitment to miners by embracing safety and health as values and publicizing such commitment whenever Alliance leaders address groups.

An implementation team made up of representatives from all organizations, from headquarters and the field, will meet to determine processes for effective deliberation and decision making, develop a plan of action and establish deliverables, and identify the roles and responsibilities of the participants. In addition, they will meet at least semi-annually to monitor progress and share information on activities and results in achieving the goals of the Alliance. Reports of progress will be communicated to the leadership of MSHA, BCOA and NMA.

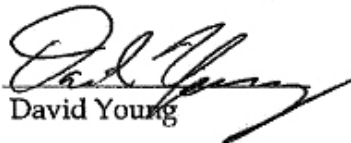
This Alliance may be terminated by any Alliance member for any reason at any time, provided a 30 day written notice is provided to all parties of the Alliance. This agreement may be modified at any time with the concurrence of all signatories.



David D. Lauriski

Assistant Secretary of Labor
Mine Safety and Health
Administration


Date: 9-28-04



David Young

President
Bituminous Coal Operators
Association

Date: 9-28-04



Jack Gerard

President and CEO
National Mining
Association

Date: Sept. 28, 2004