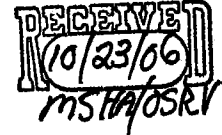


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Reference: Proposed MSHA Rule Changes

Sirs:

My concerns with the proposed changes relate to the amount of penalty will be largely based on the opinion of the inspector. In my experience with inspectors, no two inspectors view the suspect violation in the same manner. I personally have had back to back inspections with one finding no problems with a specific situation and the next inspection writing a violation (most of these instances are found in guarding).

In my opinion, If there are changes to be made in MSHA they need to begin with the constancy of the inspections. Especially if the proposed changes are made and the points on which the fine is based is determined mainly by the inspector in the field.

Thank you for my opportunity to comment.

Andrew Gauck