General Comment:Increasing fines for unsafe mines is long overdue. However, it looks as though MSHA is not doing enough in this rule. The rule justification talks about the research and analysis used to get the new amounts for each penalty, but the background document from the MSHA website doesn't look like a real study at all. First, it has no signature, no date (I can't accept "July 2006" as an official date for a study this important) and it's not even on letterhead. There is no contact person, no address, no telephone, no publication number, nothing. That says volumes. Next, the sources that the document is based on are either sorely outdated or bogus. The references from the Department of Energy are from January 2005 and August 2005, and the reference from the Department of Interior is from January 2005. Surely these publications have been updated, and MSHA could either purchase them or check them out of the public library. One of the references is called "U.S. Dpt. of Labor, MSHA, Program Evaluation and Information Resources, 2004, 2005. HUH? That doesn't even mean anything. To make matters worse, as often as not, when one of these publications is cited by page number, the publication does not say what the economic study says it did.

Next, on page 3 the endnote says that the coal output numbers are from 2004. That was 2 years ago! If MSHA wanted to make this believable, someone would find the files where the 2005 numbers are stored and use them. How can anybody believe that people analyzed all the violations from 2005 using 2004 output?

It's a though somebody decided they had to gin up a study to make it look like they were really going to raise the fines, so they half-heartedly slapped whatever down onto scratch paper to make due.

We deserve better than that. The death rate in the mines is staggering, and it's MSHA's job to do something about it. That something includes an honest effort to finally raise the fines for unsafe mines to a level that will do some good.

Ronnye Harris

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