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Salt Lake City, UT 84116

September 8, 2008

Patricia W. Silvey
Director, Office of Standards, Regulations & Variances
U.S. Department of Labor
Mine Safety and Health Administration
1100 Wilson Boulevard
Arlington, VA 22209-3939

Re: Interwest Mining Company Comments on MSHA's Proposed Rules
On the Utilization of Belt Air and the Composition and Fire Retardant Properties of Belt
Materials in Underground Coal Mining (73 Fed. Reg. 35026; RIN 1219-AB59)

Dear Ms. Silvey:

Below are the comments of Interwest Mining Company on the Mine Safety and Health Administration's (MSHA) Notice of Proposed Rulemaking (NPR) amending 30 C.F.R. Parts 6,14, 18, 48, and 75, published in the Federal Register for June 19, 2008. We wish to express our appreciation for having the opportunity to comment on this important rulemaking intended to implement the recommendations in the report of the Technical Study Panel (TSP) on the Utilization of Belt Air.

1. MSHA is requesting comments on including a requirement in the final rule which would limit methane levels in the belt entry when air from that entry is used to ventilate the working section. 75.323(b)(1) Already addresses the concentration of methane in belt air courses. Interwest Mining Company believes there is no need to change or add to the current regulation.
2. MSHA is considering including a specific requirement in the final rule that the mine operator make changes or adjustments to reduce the concentration of methane present in the belt entry as measured 200 feet outby the section loading point. Once again, 75.323(b)(1) Already addresses the concentration of methane in belt air courses. Interwest Mining Company believes there is no need to change or add to the current regulation.
3. MSHA is considering requiring that operators take action when methane between a range of 0.5 and 1.0 percent. MSHA is soliciting comments on the appropriateness of such a standard and in the specific level at which changes or adjustments should be made. 75.323(b)(1) addresses the concentration of methane in belt air courses. Interwest Mining Company believes that as long as the air ventilating the face(s) is less than 1 percent, that should satisfy

AB59-COMM-18

the regulation. The company does not believe there is a need to change or add to the current regulation.

4. The agency solicits comments on this provision for assuring that air from the belt entry does not increase miners exposure to respirable coal mine dust. The company would recommend that MSHA follow the criteria that are currently used in the Petition process. The concentration of respirable dust in the intake air coursed through a belt conveyor haulage way shall not exceed 1.0mg/3. Compliance with this requirement will be determined by establishing a designated area (DA) sampling location within 15 feet outby the working section belt tailpiece and sampled in accordance with 30 CFR 70.208. The specific DA sampling location shall be identified in the mine ventilation plan.
5. The agency solicits comments on whether a requirement to remotely re-open the regulator should be includes in the final rule. The value of such a provision, alternatives, rationale, safety benefits to miners, technological and economic feasibility, and date to support your comment. Interwest Mining Company has concerns regarding this proposal. The company believes this is best managed on a mine specific basis. Several factors must be considered, such as methane liberation and what effects reducing air flow to sections would create. Making a major air change with people in the mine would be a significant safety decision?

Conclusion

To conclude, Interwest Mining Company again wishes to thank the Mine Safety and Health Administration (MSHA) for allowing us to comment. Interwest Mining Company is hopeful that MSHA will carefully consider the company's comments and ask that the final rules adopted from the NPR reflect them. Should you have any questions about this letter, please do not hesitate to let me know.

Sincerely,

A handwritten signature in cursive script that reads "Ralph Sanich".

Ralph Sanich
Manager, Health and Safety
Interwest Mining Company