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MSHA/OSRV

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From: Mike Dexter [mailto:mdexter@hecla-mining.com]
Sent: Wednesday, November 09, 2005 2:50 PM
To: zzMSHA-Standards - Comments to Fed Reg Group
Subject: RIN 1219-AB41

The purpose of this email is to voice my opinion against MSHA assuming any position of regulation of the mining industry relating to Drug and Alcohol use. My reasons follow.

The implementation of one broad brush approach to the whole industry would either be unfair to some parties who have a grasp on their particular situation and have dealt with it properly, or it would be too lenient as relates to others who have not dealt with any problems particular to their situation. I have dealt with substance abuse policies in three different regions in the West, and each presented its own unique set of circumstances. I question the ability of the Agency to understand these unique circumstances. I fear what might be the result of a "one size fits all" regulation.

On a personal level I have a strong opinion that the federal government should have no role in how private enterprises choose to deal with the subject, beyond their current authority.

If representatives of the Agency perceive a problem they already have the required authority to deal with it through 57.20001. Any further requirement is unnecessary.

A common comment from Agency employees is that they are currently stretched so thin that they can't accomplish all of their responsibilities now. It would seem that to add something as potentially burdensome as oversight of Drug and Alcohol would mean that they would be less effective with their current responsibilities, or else MSHA will have to add significant staff, which I also believe to be undesirable.

Thank you for the opportunity to comment on this subject.

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