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Sent: Tuesday, November 11, 2008 1:49 PM
To: zzMSHA-Standards - Comments to Fed Reg Group
Subject: RIN 1219-AB41

AB41-COMM-162

November 6, 2008

Mine Safety and Health Administration
Office of Standards, Regulations, and Variances
1100 Wilson Blvd., Room 2350
Arlington, Virginia 22209-3939

RE: Proposed Rule, Alcohol- and Drug-Free Mines: Policy, Prohibitions, Testing, Training, and Assistance (RIN 1219-AB41)

Carmeuse Lime and Stone is pleased to present its comments on the proposed rule on the use of or impairment from alcohol and other drugs on mine property. Carmeuse Lime and Stone is located in Manitowoc, Wisconsin and employs 38 miners.

Carmeuse is a member of the National Lime Association, and fully supports the comments filed by NLA with respect to the proposed rule. Carmeuse agrees with NLA's members that "substance abuse among employees in the mine environment can create serious safety hazards to workers and others, and that there are strong reasons for each lime company to maintain an effective substance abuse program.

However, Carmeuse also agrees with NLA that there are important deficiencies in the proposed rule that must be corrected before it is finalized. The most important of these is the requirement that mine operators provide job security to miners who fail drug or alcohol tests for the first time. As NLA indicated, this provision would make mines that currently have a "zero tolerance" policy less safe, rather than safer.

Carmeuse's current drug and alcohol policy includes provisions for "post-accident" and "reasonable suspicion" drug and alcohol testing.

Carmeuse Lime and Stone appreciates the opportunity to comment on these important issues.

Very truly yours,

Donald Brisch

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