**From:** James and Debbie [jdblank@charter.net]
**Sent:** Wednesday, November 24, 2004 1:42 AM
**To:** comments@msha.gov
**Subject:** RIN 1219-AB34

November 23, 2004

To: Mr. Marvin W. Nichols, Jr.

RE: 30 CFR Parts 18 and 75
High Voltage Continuous Mining Machines
Proposed Rule identified by RIN 1219-AB34

Dear Mr. Nichols

On Tuesday, November 16, 2004, I spoke at the public hearing held at the Sheraton Hotel in Birmingham, AL. Below is a copy of my comments.

Comments by James Blankenship
UMWA Local 2245, District 20
Employed at Jim Walter Resources #4 mine

On page 42813 of the proposed rules, it states: Although the proposed rule includes most requirements that were in the granted PFMs allowing the use of high voltage continuous mining machines, it does not include all the requirements.

Why not? If there were requirements in the PFMs, then someone at the mine site and MSHA thought they were needed. Why would MSHA leave out a safety feature?

Page 42814, you list the requirements that were omitted. They are as follows:

(1) Limiting the operating voltage of the continuous mining machine. The manufacturer specified 2,400 volts. Why would MSHA allow the operators to go all the way up to 4,160 volts without having to go through the procedure to gain approval to go to a higher voltage? This takes away the miners rights to have imput on proposed plans because there is a big difference between 2400 volts and 4160.

(2) The proposed rule does not include a limit in the number of splices in a high voltage trailing cable. If MSHA does not limit the number of splices, then they are exposing a miner to shock hazards. MSHA should not allow more than 3 permanent splices in a high voltage trailing cable and no splices within 75 ft of the continuous mining machine.

(3) The proposed rule does not prohibit all tape-type splices but instead proposes that all splices be made with a MSHA approved splice kit. By allowing this, MSHA is asking for someone to be electrocuted because no matter how well a taped-type splice is made, with the wear and tear on a trailing cable, it will become damaged and will expose miners to electrical hazards. So I ask you to allow only vulcanized splices in a high voltage trailing cable. Also, allow only 3 vulcanized splices and none within 75 ft of the continuous mining machine.

(4) MSHA failed to require management to train miners on high voltage continuous mining machine systems, stating that the training was already required under existing 30 CFR Part 48. 30 CFR Part 48.27 (3) only covers training of equipment and machine operators, it does not cover training for other miners that may have to work on or around high voltage mining machines. So I am asking that MSHA require the operators to train all miners on high voltage continuous mining machines.

Page 42820 Part (C) Onboard Power Circuits. I totally disagree with proposed paragraph (C) of 75.824. I think MSHA should require the operators to have a grounded-phase indicator light on each high voltage continuous mining machine so that miners could be warned if a grounded-phase condition exists so that they could take the safety procedures

to correct the grounded-phase condition as stated in paragraphs (C) (1) and (2) of the proposed rules.

Page 42821 Part 75.825 (F) Interlocks. It says MSHA is considering revising the requirement that interlocks de-energize high voltage circuits when covers and barriers are removed by adding an exception for trouble shooting control circuits. I totally disagree with this concept. MSHA should not allow a control circuit auxiliary switch that would allow covers or barriers to be removed while energized. MSHA is asking for miners to be electrocuted with this procedure because when removing covers or barriers a miner could come in contact with electrical components. MSHA should require power to be removed from the machine before any covers or barriers are removed. This is the only way to guarantee miners safety.

Page 42822 Part 75.827 Installation and Guarding of Trailing Cables. MSHA fails to require management to guard the part of the high voltage cable that is handled most by the miners. I am asking MSHA to require the operators to guard the high voltage miner cable with a non conductive conduit or guarding for a length of 75 ft from the continuous mining machine. This is the part of the cable that is the most likely to be damaged and that the miners handle most frequently.

Page 42823 Part 75.828 Trailing Cable Handling and Pulling. MSHA only requires handling energized high voltage trailing cables with properly tested and rated insulated gloves. Due to the fact that there are women and older miners as well as miners of different statures, the only way they will be able to handle the cable is for the cable to be against their body and not at arms length. So I am asking MSHA to require the operators to not only have insulated gloves but to require face shields, insulated aprons and other such types of personal protective equipment.

Page 42823 Part 75.829. In this section MSHA anticipated the need to use high voltage diesel generator sets to move high voltage continuous mining machines. MSHA states typically these power sources are not of significant size to power all motors on the continuous mining machine for mining or cutting purposes. This is probably a true statement today, but if MSHA allows high voltage diesel generators to be used by the operators to move the machine then the operators will find someone to build a high voltage generator that will power the mining machine for mining or cutting purposes. MSHA knows if there is a demand someone will build it. JWR's vice president of operations, Fred Kozel and JWR's #4 mine manager, Keith Shelvey stated during the recent hurricane and expected power outages that they wished they had a high voltage diesel generator so that they could keep the mines producing. So what does that tell you?

Page 42824 Part 75.829 (2) Onboard Step-Up Transformer. The proposed paragraph (C) (2) (iii) would require the transformer be securely installed and has a diagram showing the transformer mounted on the boom of the miner. I feel this is not a safe place to mount the transformer. MSHA should require a specific location where the transformer should be mounted on the continuous mining machine and how it should be mounted to prevent it falling off the machine and to minimize vibration.

75.829 (3) Diesel Generator Set. Again, MSHA talks about high voltage diesel generators. Again, I ask MSHA where is this permitted in the law and not to give the operators a blanket permit on high voltage generators.

Page 42829 Part 75.832 (D) Trailing Cable Inspections. The proposed rule only requires inspections on the high voltage trailing cable on production days and production shifts. This falls way short of what actually needs to be done. The trailing cable needs to be inspected on idle shifts before moving the miner because idle shifts are responsible for moving the miner as much as production shifts.

In closing, on the day of the hearing the panel heard from a cable manufacturer and an operator, Jim Walter Resources, that the high voltage trailing cables were safe to handle and didn't need special protection equipment. I ask the panel to realize that these individuals are not the ones handling the cables. There have been several PFMs that have been negotiated by the miners and the operators that provide more protection that the proposed rules, one in particularly, JWR's #4 mine and UMWA Local 2245.

I am asking MSHA not to propose the rules as they take away safety for the miners. When asked why would MSHA strip down safety on the high voltage miner plans, Mr. Bob Phillips responded by saying show me where someone has been killed or injured. I wonder why MSHA

would wait until someone is killed or injured before they would implement proper safety rules.

In the fore mentioned proposed rules, MSHA seems to be more concerned about cost savings for the operators instead of safety for the miners. We have an opportunity to do the right thing for the safety of the miners. So I am asking MSHA to withdraw these proposed rules and rewrite the rules considering the fore mentioned changes.

Again, we as UMWA safety committeemen, MSHA and the operators have the opportunity to do the right thing for the safety of the miners. If you have any questions or need any more information, please feel free to contact me at phone (205) 758-0276, address 13016 Raintree Circle, Duncanville, AL 35456, or email jdblank@charter.net . Thank you in advance for any consideration on this matter.

Respectfully

James A. Blankenship, Safety Committeeman
UMWA Local 2245, District 20