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**POCAHONTAS MINE RESCUE  
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**November 7, 2007**

M.S.H.S.  
Office of Standards, Regulations, and Variances  
Patarcia Silver  
1100 Wilson Boulevard, Room 2350  
Arlington, VA 22209-3959

**COMMENTS ON MINE RESCUE TEAMS  
RIN 1219-AB53**

Dear Ms. Silver:

Our Mine Rescue Association would like to take this time to comment on the new standards being proposed under 30 CFT Parts 49 and 75 for mine rescue teams and equipment.

We operate a non-profit mine rescue association that covers small mines and just a few mines barely over 36, which under the new guidelines makes them a large mine.

We feel that all the mines are small. In any case, we only cover 25 mines at this time. We operate in McDowell County in West Virginia. We have been in existence for 17 years. We have two teams. We represent small mines that are not able to financially have mine rescue teams and stations.

Under the new Miner Act, Section 49.186 deals with increasing from 40 to 64 hours. This rule increases over 50 percent the cost for each mine rescue employee. Mine rescue personnel receive at least the same amount of pay as a regular coal miner's pay.

Also, you must consider the impact to retain current members. The utilization of more hours, also hours not mentioned for mine rescue training on the field to get ready for contests. This field training is not mentioned in the new proposed rules.

Also, you must realize that employees from small mines or small-large mines work usually 5-6 days a week. Their mine rescue training is then done usually on Sunday.

Small mines don't have the luxury of large companies allowing their people to practice during regular work hours.

Small mines are crippled when someone is off. The small mines have skeleton work crews and are financially strapped to have people off.

Under Section 49.20 two mine rescue teams must be familiar with the operations of each coal mine covered by physically training at each mine site covered and to go inside annually.

Under 49.20 (a) (2) the team must participate in two local mine rescue contests. These two rules 49.20 and 49.20 (a) (2) not only adds more money spent but makes it harder to retain current members to the mine rescue team.

You must realize that the team is a volunteer team. Not all people have the time, passion, and dedication to be a mine rescue member.

Additionally, the cost of starting up a team, buying apparatus, accessories, and having a station by meeting the standards of the classification for large mines (more than 36 miners) is a figure that is too small and needs to be adjusted upward to a larger figure.

All the mines that we cover are already within the one hour time travel from the mine rescue station to the mine site.

We would like to have our station to be grandfathered into the system for use by all 25 mines.

At this time, two of the mines are over 36 for large mines. One is over by only one miner and the other by less than 10 miners.

We are located less than 20 minutes to these 2 mines. These two mines are owned by two different owners. Under the new law they would have to start up a new team and a station.

We currently have four mine rescue team members of our association working at these two mines.

If they are made to start their own teams, we will be forced to close our mine rescue association for lack of certified members.

We would ask that you grandfather our station to these two mines so that two mine rescue teams and stations won't be started and have the closing of two mine rescue teams and a station that covers 23 other mines. Like I've mentioned before, there is only 20 minutes separating our station and those two mines.

Our association represents 25 mines in McDowell County. We also feel that the proposed rule under 40.20 covering familiarity with operations of underground coal mines would require too much time for our volunteer team. It would take too much time

for every member of two teams to go to each mine bi-annually or quarterly and also go underground annually at each mine.

We feel that two people from the association would be enough to cover this proposed regulation.

The training for each mine which included escape ways, ventilation, etc. should be given to each mine rescue station every 6 months along with the ventilation update every 6 months and also a 6 month mine map. This would take care of the new law and the mine rescue station would have plans and map updates to be posted at the mine rescue station every 6 months. These plans and maps would be gone over at the station with the members. This would take place of the teams going to the mines and would still have two men going to each mine for familiarity.

The amount of time spent by the rescue team members is being tremendously increased by contract mine rescue teams to cover mines by these new regulations.

If we cover 25 mines, then we must go to these mines with our two teams and instructor twenty-five times every 6 months or 26 weeks. They would also have to go to the "large mine" two times in 26 weeks.

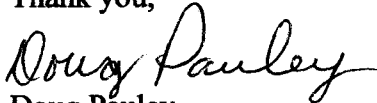
These volunteer members will soon quit due to all the extra time traveling to the mines and time at the mine site.

I haven't mentioned the money spent on wages for them. There is no doubt that small mines are being regulated out of the coal business.

Some new proposal needs to be added to cover small mine rescue teams or grant petitions for modification to Section 49.20.

We hope that our comments are very helpful. Clearly more work needs to be done to help our present mine rescue teams for small mines.

Thank you,



Doug Pauley

Board Member

Pocahontas Mine Rescue Association