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COLORADO MINING ASSOCIATION

DATE: 11/16/07

Send to: Mine Safety & Health Admin
Attention: Patricia W. Silvey
Office Location: Washington, D.C.
Fax Number: 202.693.9441
RIN 1219-AB53

From: Stuart Anderson
Office Location: Denver, CO
Phone Number: 303.575.9199
Number of Pages, Including Cover: 5

- URGENT
- REPLY ASAP
- PLEASE COMMENT
- PLEASE REVIEW
- FOR YOUR INFORMATION

COMMENTS:



Colorado Mining Association
216 16th Street, Suite 1250
303-575-9199 | 303-575-9194

1219-AB53-COMM-29

From: Stuart Sanderson [SSanderson@coloradomining.org]

Sent: Friday, November 16, 2007 4:00 PM

To: zzMSHA-Standards - Comments to Fed Reg Group

Subject: RIN 1219-AB53 Mine Rescue Team Rulemaking

Attachments: DOC111607.pdf

To: MSHA -

CC: CMA Safety Committee

Attached are the comments of the Colorado Mining Association in the above styled rulemaking.

Stuart A. Sanderson
President
Colorado Mining Association
216 16th Street, Suite 1250
Denver, CO 80202
303/575-9199, fax 575-9194

-----Original Message-----

From: scanner

Sent: Friday, November 16, 2007 1:09 PM

To: Stuart Sanderson

Subject: Scanned from e351c 11/16/2007 13:09

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DOC111607.pdf



THE COLORADO MINING ASSOCIATION

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November 12, 2007

Patricia W. Silvey
Director of Office of Standards, Regulations, and Variances
Office of Standards, Regulations, and Variances
Mine Safety and Health Administration
1100 Wilson Boulevard, Room 2350
Arlington, VA 22209-3939

Re: RIN 1219-AB53 Mine Rescue Teams

Dear Ms. Silvey:

The Colorado Mining Association appreciates the opportunity to comment on MSHA's proposed regulation entitled "Mine Rescue Teams and Equipment", published in the Federal Register on September 6, 2007

These comments reflect the unified views of the members of the Colorado Mining Association (CMA), which currently represents seven underground coal mines in the State of Colorado. CMA, founded in 1876 and incorporated in 1897, is an industry association whose members include the producers of coal, metals and other minerals throughout Colorado and the west. Our 700 members also include individuals and organizations providing services and supplies to the industry.

Comments on specific sections of the proposed regulation are as follows:

30 CFR 49.12(f)

Requiring each coal mine to be served by a mine rescue team located within 1 hour ground travel time from the mine rescue station is not always feasible for some western coal mines. Specifically, one of our members, the McClane Canyon Mine, has contracted its mine rescue services with the nearest mine located approximately 75 miles away. This is well within the existing requirement of a two hour travel time, however, it will not comply with the proposed regulation.

Being a smaller operation at this time with only 19 underground employees, the mine would be forced into recruiting 63% of their workforce in order to form two mine rescue teams. This raises a concern that some people not necessarily interested in mine rescue activities may join teams simply to fill a vacancy to allow continued operations. This would not enhance the safety of mine rescue teams, but may be a deterrent in the event of actual mine rescue activities. In addition, similar problems exist when geographically isolated mines are

in either the start-up mode or the recovery mode where the number of employees at the mine may be insufficient to fully staff two mine rescue teams.

To obtain the majority of equipment required for two mine rescue teams, the McClane Canyon mine estimates a total cost of over \$144,000. The cost excludes cap lamps, an oxygen pump to refill oxygen cylinders, the building to house the equipment and associated costs related to utilities for the building (lighting, heating, electrical, etc.). Such costs are prohibitive to small operations.

To allow continued operations at the small and geographically isolated mines, the Colorado Mining Association recommends 30 CFR 49.12(f) be amended to allow a two hour ground travel time from the designated mine rescue station. This appears to be the intent of 30 CFR 49.13, however, acceptable ground travel time is not specified. In addition, the Colorado Mining Association recommends increasing the total underground employment of small and remote mines to at least 50 for similar reasons stated above. With only 36 underground employees, 33% of the work force would be required to participate in mine rescue activities, which may not be practical or desired by many of the employees.

30 CFR 49.19

The Colorado Mining Association supports mine operators having a mine rescue notification plan outlining the procedures to follow in notifying mine rescue teams in the event of an emergency. However, MSHA should not require personal information such as home addresses and phone numbers of the mine rescue team members to be included in that posting since some team members have unpublished phone numbers. This personal information, including their phone numbers can be stored in a readily accessible area to those employees designated by the mine operator with responsibility for notifying mine rescue personnel in the event of an emergency.

30 CFR 49.20

Although the Colorado Mining Association supports mine rescue contests as one means of training mine rescue teams, the proposed regulation raises many unanswered questions for mine operators. First, what happens when a mine rescue team member is unable to attend one of the contests due to sickness, injury, or personal conflicts such as pre-scheduled vacation? Is that team member now ineligible to participate in mine rescue activities? What about scheduling conflicts where a mine rescue contest is scheduled for the exact same time as a mine operator's longwall move where all employees are required to be at work in order to safely complete the longwall move? Are the well qualified teams then ineligible to respond to a request for their services simply because of scheduling conflicts?

The Colorado Mining Association raises the concern that western mine rescue contests have recently become more of a ventilation exercise, rather than a true training exercise where mine rescue team members perform actual functions that they would be required to perform

in an actual mine emergency. In an actual mine emergency, the ventilation changes simulated at the mine rescue contests would be determined by the command center with the assistance of well qualified mine ventilation engineers. The mine rescue teams are further required to comply with contest rules such as “breaking the intersection plane” that has nothing to do with real life mine emergency scenarios. Such training only raises conflicts when mine rescue teams are required to sort out contest rules versus real situations.

Mine rescue contests also require extended absences from the mining operations. With only one mine rescue contest in Colorado, mine operators would be required to send their mine rescue teams to other states in order to meet the two mine rescue contest requirement (unless they participate in a two day contest within the state). Traveling to and from the contests, with two days of competition, requires the mine rescue team to be gone for at least four to five days for each competition. This imposes a burden on some operators, especially the smaller operators. Even for larger operators, it imposes a burden. For example, one large operator in Colorado has a total of 19 employees on the mine rescue teams with 12 of them being foreman. During the mine rescue contests, less skilled employees are required to fill in for the absent supervisors.

To be less burdensome on mine operators, the Colorado Mining Association recommends two alternatives to actual mine rescue contests. First, some mine operators have inter-company mine rescue training sessions where several mine rescue teams complete a mine rescue scenario under apparatus in actual mining conditions. Although the scenario is not “judged” as defined in the proposed regulation, the teams are critiqued and provided with input on better approaches to solving the problem by well qualified mine rescue trainers. Mine rescue team members report that this hands-on training in the actual underground mining environment has provided more valuable training when compared to a field exercise associated with a mine rescue contest. Such training, although not “judged” or timed, should be considered equivalent to participating in a mine rescue contest as authorized in 30 CFR 75.49(c).

Second, the Colorado Mine Safety and Training Program (MSTP) in conjunction with the Colorado School of Mines operates an underground mine rescue training facility in Idaho Springs, Colorado. For the past 35 years, hundreds of mine rescue teams from around the country and western MSHA mine rescue teams have received realistic underground mine rescue training at the Edgar Mine Rescue Training Facility. The training includes the following items:

- Emergency response decision making skills are developed and enhanced using the foundation that the MSHA mine rescue contest rules provide.
- Team safety and team building are highly emphasized.
- Incident Command training has been incorporated into the training scenarios allowing companies to test their Emergency Response Plans during realistic scenarios.
- The mine rescue teams experience the importance of the command center and its role.

- Scenarios are set up in a real underground mine, where real ventilation changes are required by mine rescue teams, including the construction and removal of ventilation controls.
- The uniqueness of the training and the facility is that very little simulation is used.
- Teams experience heavy smoke (theatrical smoke) and are trained in the many different techniques to allow them to safely and thoroughly explore when visibility is limited.
- The mine rescue teams are exposed to many different tools that other teams have shared and are using in actual underground responses. They also become more experienced with their own equipment such as gas meters, communication systems, and first aid equipment.

The Colorado Mining Association believes that the realistic type of training given at the Edgar Mine Rescue Training Facility and is highly beneficial to mine rescue teams. Such training should also be counted as an alternate to participation in local mine rescue contests as authorized in 30 CFR 49.60(c).

Both of these alternatives are less burdensome on Colorado coal mine operators. This type of training is more efficient and realistic for the mine rescue teams that can be completed in one or two days, versus four or five days when compared to the current mine rescue contests.

Other training sites that have been reported as providing more realistic mine rescue training include MSHA's Training Academy, the Lake Lynn facility, and the Denver Fire Academy, where actual hands-on fire fighting is provided to the team members. Such hands-on fire fighting is far more effective than simulations at mine rescue contests.

The Colorado Mining Association appreciates the opportunity of commenting on the proposed regulation.

Sincerely,

A handwritten signature in cursive script, appearing to read "Stuart Sanderson", with a long horizontal flourish extending to the right.

Stuart Sanderson
President
Colorado Mining Association