

Received MSHA/ACC  
May 30, 2006



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Approval and Certification Center  
Mine Safety and Health Administration  
B0x 251, Industrial Park Rd.  
Triadelphia, WV 26059

To those concerned,

I am writing this letter on behalf of Sandvik Mining and Construction Canada Inc. ( Sandvik, Formerly EIMCO) to address the recent notice published on the Federal Register March 28, 2006, regarding the review of EPA non-road compression ignition engines, relating to the degree of safety provided by CFR 30 Part 7, Subpart E.

As developers of Tier 2/3 electronic permissible engines and rubber tired diesel powered equipment for both permissible and non-permissible applications, we feel that allowing the widest variety and most advanced engine technology to be available as soon as possible would be a great benefit to the mining industry.

At this time we are unable to pursue the development of an EPA Tier 3 engine for permissible applications in the US market due to limitations currently imposed as part of CFR 30 Part 7. There is a significant amount of time and resources required for development of a permissible power package. The proposed modification will greatly improve the ability of Sandvik. to bring safe, clean engine technology to permissible applications.

Allowing EPA data will speed the time to market for many modern altitude capable engines, and improve the underground atmosphere. As the Tier/Stage ratings increase, it is becoming increasingly more difficult to develop diesel equipment, due to higher combustion temperatures, EGR systems, and more sophisticated electronic control systems. Revising CFR 30 Part 7, Subpart E will allow accelerated development of more productive, efficient equipment, with modern engines rated under both Subpart E and F.

This proposed change is the first step in moving towards a truly global engine offering. Harmonizing the standards of the EPA, MSHA and other such agencies as the European Union, will allow manufactures to market modern engine technology around the world.

Regards,

A handwritten signature in black ink, appearing to read "S. Fletcher", written over a horizontal line.

Steve Fletcher  
Senior Manager, Soft Rock Engineering

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**Sandvik Mining and Construction Canada Inc.**

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