

From: Randy Harris [mailto:rharris@goldenpredator.com]

Sent: Thursday, October 09, 2008 2:49 PM

To: zzMSHA-Standards - Comments to Fed Reg Group

Subject: MSHA - 2008-0011 Alcohol and Drug-Free Mines: Policy, Prohibitions, Testing, Training and Assistance MSHA-2008-0011-00001Alcohol and Drug-Free Mines: Policy, Prohibitions, Testing, Training and Assistance

Comment on proposed MSHA Alcohol and Drug-Free Mines: Policy, Prohibitions, Testing, Training and Assistance

As with many of our fellow operators in Metal Non-Metal we have programs and assistance in place for our employees that may have problems. We will work an employee if they request help (Prior) to getting into situations of being under the influence.

We do not stand by and catch the employee under the influence after they have had an accident. I would find it very difficult to go to my General Manager and say O-BY THE WAY Joe the truck operator just ran over Randy the supervisor and killed him we need to go see Randy's wife and kids and tell them Daddy's not coming home, because poor old Joe didn't take his second chance seriously he needed a little speed to help him get past the shift....

No MSHA you go tell the loved ones, as for me **I say NO to this proposed knee jerk reaction** I do say to you stop trying to separate Coal from Metal non-Metal **it's all MINING**. I stick with Zero-Tolerance..

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