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**From:** Manuel, Jim [mailto:JamesManuelJr@consolenergy.com]  
**Sent:** Thursday, October 23, 2008 2:49 PM  
**To:** zzMSHA-Standards - Comments to Fed Reg Group  
**Subject:** Alcohol and Drug Testing

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"ZERO TOLERANCE" SHOULD BE THE STANDARD.

If a person is at work with illegal drugs in their system or in their possession they should be fired and criminal charges filed against them.

I have worked for over 31 years in the industry and have been subjected to intoxicated fellow employees on the job. How many accidents can be contributed to employees under the influence? One is too many. No one should have to work with employees in this state. If safety of the workforce is the number one concern of MSHA then there is no other standard but "ZERO TOLERANCE"

Giving a second chance does not help the employee injured by an intoxicated employee's actions. Equal consideration should be given to the employees who were subjected to the hazard that the irresponsible intoxicated employee exposed them.

This is a personal comment and I am not submitting it on behalf of my company.

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