

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

From: JToler@Pcsphosphate.com [mailto:JToler@Pcsphosphate.com]

Sent: Monday, March 01, 2010 2:55 PM

To: zzMSHA-Standards - Comments to Fed Reg Group

Subject: "RIN 1219-AB63"

2010 MAR -1 A 9:58

(See attached file: RIN 1219AB - 2010.pdf)

John Toler  
General Foreman, I/E - Mining  
Potash Corp  
PCS Phosphate  
1530 NC HWY 306 South  
Aurora, NC 27806  
Mobile: (252) 531-0084  
Office: (252) 322-8230  
Fax: (252) 322-8068  
jtoler@pcsphosphate.com

2010 MAR -1 A 9:58

Date: February 24, 2010

To: Mine Safety and Health Administration  
Office of Standards, Regulations, and Variances  
1100 Wilson Boulevard, Room 2350  
Arlington, Virginia 22209-3939

RE: RIN 1219AB

In response to the final rule set forth in the notice of 12/29/2009, 2009finl/E9-30607.asp, the following objections are put forth:

To whom it concerns:

On behalf of PCS Phosphate in Aurora, North Carolina, I am writing in regard to RIN 1219AB63 and specifically Sec. 50.10 Immediate notification (d) any other accident. In hopes of clarifying the language, I would like to recommend the following change: "(d) any other accident as defined in Part 50.2 (h) 4-12". This change would assist in alleviating misinterpretation of the meaning of "any other accident" by a Mine Operator.

With the current language (d) "any other accident" could be interpreted by a Mine Operator or an MSHA Inspector as any incident, even an incident that results in only first aid treatment. Our opinion is this would be unduly burdensome to expect all incidents be reported within the 15 minute time frame.

Thank you for your time and attention in this important matter.

Regards,

  
PCS Phosphate

Cc: zzMSHA-comments@dol.gov

AB63-COMM-14