



STATE OF WASHINGTON  
DEPARTMENT OF LABOR AND INDUSTRIES  
Division of Occupational Safety and Health  
P.O. Box 44600 • Olympia, Washington 98504-4600

2010 OCT 13 P 3:20

October 8, 2010

Patricia W. Silvey, Director  
Office of Standards, Regulations, and Variances  
U.S. Department of Labor, MSHA  
1100 Wilson Boulevard, Room 2350  
Arlington, VA 22209-3939

RE: Comment on Proposed Rulemaking for Safety and Health Management Programs for Mines, RIN 1219-AB71

Dear Director Silvey:

The Washington State Department of Labor and Industries, Division of Occupational Safety and Health (DOSH) appreciates the opportunity to provide input on the Mine Safety and Health Administration (MSHA) development of a proposed rule on comprehensive safety and health management programs at mines. As we will be unable to attend the public meetings scheduled to discuss this proposed rule, we are submitting the following comments.

DOSH supports the efforts of both the MSHA and the Occupational Safety and Health Administration (OSHA) to develop rules that require injury and illness prevention programs and we believe such programs are effective tools in improving workplace health and safety. We agree with the information contained in the Federal Register that effective programs generally include the six elements listed: management commitment; worker involvement; hazard identification; hazard prevention and control; safety and health training; and program evaluation. Washington State's own Accident Prevention Plan regulation requires employers develop and implement a program incorporating most of the above elements. Several other states also have comparable requirements.

While all the program elements listed above are important, DOSH believes the most critical are the hazard identification and hazard prevention and control requirements. These elements require an employer identify hazards that could lead to serious injury or illness and plan and implement control measures through the use of the hierarchy of controls.

These have been called the "find and fix" requirements.



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DOSH encourages MSHA in this rulemaking effort and supports the objectives of preventing injuries and illnesses, maintaining compliance with other MSHA standards and regulations, and involving participation from management and workers.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael A. Silverstein". The signature is fluid and cursive, with a long horizontal stroke at the end.

Michael A. Silverstein, M.D., MPH

Assistant Director

Division of Occupational Safety and Health