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May 2, 2011

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

RE: MSHA RIN 1219-AB64

Submission via electronic means

The American Industrial Hygiene Association (AIHA) expresses its appreciation to the Mine Safety and Health Administration (MSHA) for the opportunity to provide comments on the MSHA proposed rule regarding miners' exposure to respirable coal mine dust. The proposed rule was published in the Federal Register on October 19, 2010.

With more than 10,000 members, the AIHA is an international professional and scientific association dedicated to the elimination of environmental and occupational disease. AIHA and our members are committed to protecting and improving worker health and safety, and the health, safety and well-being of everyone in our communities.

AIHA has the same concerns as MSHA when it comes to the increase in black lung disease among the nation's coal miners. In reviewing the most recent data from NIOSH, it appears that even younger miners are showing evidence of advanced and debilitating lung disease from excessive dust exposure. AIHA supports the proposal that would lower the existing concentration limits for respirable coal mine dust in the hopes that this lower limit would better manage the health of these coal miners.

In addition to AIHA's support of MSHA efforts in lowering the exposure limits to respirable coal mine dust in this proposed rulemaking, AIHA also wishes to provide comments on the requirements of certified persons who perform dust sampling and who maintain and calibrate sampling equipment.

MSHA proposes to expand these requirements so that not only must individuals be certified by passing an MSHA examination to demonstrate competency in respirable coal mine dust; these individuals must also complete an MSHA course of instruction prior to certification. AIHA maintains that a certified industrial hygienist (CIH) is already qualified to conduct this sampling and should not be required to maintain a separate MSHA certification nor should the CIH be required to attend an MSHA instruction course.

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It is well recognized that a certified industrial hygienist is imminently qualified to conduct this sampling without the need of further instruction or certification. A CIH must have a college degree with 60 semester hours in undergraduate or graduate level courses in science, math, engineering and science based technology, four years broad based professional industrial hygiene experience, college or continuing education courses in IH fundamentals, controls and technology; as well as inclusion of air sampling and instrumentation covered on the CIH examination. To require a CIH to attend additional instruction and certification would incur additional costs and unneeded instruction for the CIH and MSHA. AIHA respectfully requests MSHA consider recognizing a certified industrial hygienist as having met the requirements to conduct air sampling of respirable coal mine dust.

AIHA appreciates the opportunity to work with MSHA to help achieve the mutual goal of protecting coal miners and we look forward to further opportunities to work with MSHA on this and similar issues and regulatory priorities.

If AIHA can be of any further assistance, please contact me. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael T. Brandt". The signature is fluid and cursive, with a large initial "M" and "B".

Michael T. Brandt, DrPH, CIH, PMP
AIHA President