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Proximity Detection Systems for Mobile Machines in Underground Mines

Comment On: MSHA-2014-0019-0096
Proximity Detection Systems for Mobile Machines in Underground Mines

Document: MSHA-2014-0019-0106
Comment from Darrell Smith, Industrial Minerals Association - North America

Submitter Information

Name: Darrell Smith
Organization: Industrial Minerals Association - North America

General Comment

See attached file(s)

Attachments

IMA-NA Proximity Detection Comments December 14, 2015

AB78-COMM-17

Industrial Minerals Association — North America

December 14, 2015

Mine Safety and Health Administration
Office of Standards, Regulations and Variances
201 12th Street South
Suite 4E401
Arlington, VA 22209-3939

RE: Comments on Proximity Detection Systems for Mobile Machines in Underground Mines (Docket No. MSHA-2014-0019)

To Whom it May Concern:

The Industrial Minerals Association - North America (IMA-NA) is pleased to submit comments on the Mine Safety and Health Administration's (MSHA) Proposed Rule on Proximity Detection Systems for Mobile Machines in Underground Mines. The proposal would require underground coal mine operators to equip coal hauling machines and scoops with proximity detection systems, and MSHA expressed interest in the further application of these proposed requirements to include underground metal and nonmetal mines. IMA-NA is offering comments on the latter point because our membership is exclusive to nonmetal mines in the industrial minerals industry. We also address the request by MSHA for comments on reflective clothing.

IMA-NA is the representative voice of companies that extract and process a vital and beneficial group of raw materials known as industrial minerals. Industrial minerals are the ingredients for many of the products used in everyday life, and our companies and the people they employ are proud of their industry and the socially responsible methods they use to deliver these beneficial resources. IMA-NA represents ball clay, barite, bentonite, borates, calcium carbonate, diatomite, feldspar, industrial sand, kaolin, magnesia, soda ash, talc and wollastonite.

IMA-NA and its membership always have been strongly supportive of initiatives that promise to improve the safety and health of the American miner. IMA-NA maintains an alliance with MSHA, and recently we have been on record in the support of going beyond regulatory requirements relative to confined space entry and silicosis prevention. In concept, IMA-NA supports the deployment of technology that will prevent pinning, crushing and striking accidents involving heavy equipment and miners. In fact, some of our operators have voluntarily installed such equipment already, and we support such voluntary implementation if the operator deems it appropriate and feasible. However, MSHA states in its proposal that "mining conditions in underground metal and nonmetal mines are not the same as conditions in underground coal mines." For this reason, IMA-NA does have concerns that would need to be addressed prior to IMA-NA lending its support to this proposition.

1. The case for the use of proximity detection in underground coal mines is the result of extensive research by MSHA. As MSHA states, "The Agency's experience with the use of proximity detection systems in the United States has focused on underground coal mines." Too often, metal and nonmetal mines are caught up in legislative and regulatory initiatives that should be solely focused on the unique environment that is underground coal. Metal and nonmetal mines, in many instances, simply do not present the same type and degree of hazard as underground coal mining does. In fact, metal and nonmetal mines often differ in their hazard profiles. As stated by MSHA in the proposal, the risk from this type of hazard is markedly lower in underground metal and nonmetal mines than in underground coal mines. The reasons behind these lower risks include larger, less constricted spaces, fewer instances of dismounting from machinery, effective work practice controls, and less use of remote-controlled equipment. MSHA needs to engage in a thorough investigation as to the costs and benefits of proximity detection in underground metal and nonmetal mines prior to proceeding with any regulatory response proposal focused on this industry sector. Is there a real hazard? What is the history of such accidents in metal and nonmetal? Is proximity detection equipment the best alternative?
2. IMA-NA also is concerned about the "newness" of the technology. Several companies already are preparing next generation products that hold greater promise than existing equipment. Will the current technology prove effective and reliable? Will there be rapid advancements in this space that make investment in the current technology unwise?
3. IMA-NA also is concerned about the cost of this technology relative to the degree of hazard. It is clear that the type of hazard to be eliminated by proximity detection is not the greatest hazard faced by metal and nonmetal underground miners. MSHA will need to determine if they believe the cost is worth the benefit. On face value, the costs seem rather high for the number of accidents that have occurred (five fatalities since 1984). Every life matters, but MSHA has failed to demonstrate that the proposed regulation is the least costly alternative means to address the perceived hazard effectively. Is there a better use for this money in preventing another type of risk in the industry?
4. The proposed rule also asked for feedback on the use of reflective clothing. Such clothing is commonplace among many of our members, and IMA-NA does not object to such a requirement. We do ask that the standard be performance based so as not to require the change out of existing clothing.

IMA-NA stands ready to assist MSHA in understanding the need, or lack thereof, for proximity detection in our mines, and we are ready to support an alternative initiative that proves both feasible and effective in the protection of the miner.

Sincerely,

Darrell K. Smith

Darrell K. Smith, Ph.D., CIH
Executive Vice president