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Examinations of Working Places in Metal and Nonmetal Mines

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Comment from Nick B, NA

Submitter Information

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Organization: NA

General Comment

Coming from an MSHA regulated MNM mine (that can be considered a chemical factory), this proposed rule will have several negative effects on the employees' safety and the feasibility of keeping this industry in the USA. Our facility has in excess of 1000 motors on site driving a large variety of equipment types. We have personnel working in or around almost all locations every day in a production environment that is ever changing.

First, the employees need to be engaged and take ownership of the facility in which they work and must be a part of a safe working environment. This rule would strip them of that obligation and make them less engaged in safety. In addition, the work place changes minute by minute, not just before the start of work. The hourly workers must always be examining their work area for changes and new unsafe conditions. Being competent in performing a job means being competent in performing a work place exam and identifying hazards.

Second, the proposed rule makes the false assumption that this can be done at no extra cost to the mine site. For some mines, this may be true, but for my industry this rule will require extra headcount to be able to cover all the various areas of operation. Given the size and complexity of our systems it will require more salaried headcount than hourly in order to perform the inspections timely enough to allow work to occur. Personnel costs are among the top 3 costs to operate and if they increase then it will become more advantageous to start importing product from a foreign country, thereby driving us out of business and shifting the money away from the US.

MSHA should be focusing on working with companies to keep employees safe, not trying to find new ways to penalize mine operators. If this new regulation goes through it will make the

AB87-COMM-32

8/25/2016

work place less safe, it will reduce the ownership of the hourly employees and cause undue hardship to the mine operators.