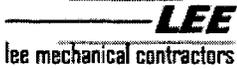

From: Travis Parker <tparker@leemechanical.com>
Sent: Thursday, September 22, 2016 10:34 AM
To: zzMSHA-Standards - Comments to Fed Reg Group
Subject: 56/57.18002 Comments
Attachments: MSHA Rule Change Letter.pdf

SEP 22 2016

Please see attached PDF with comments on the proposed rule change to 56/57.18002

Thank you

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Proud Member

AB87COMM-49

Dear Sir or Madam

The purpose of this letter is to provide comments on the proposals related to 30 CFR 56.18002 & 57.18002 regulations. As a Contractor, I believe that we have an interesting perspective of standards under the 30 CFR.

56/57.18002(a)

The proposal to conduct examinations prior to working in a "working place" is a valid request and based upon incidents that I have investigated and read about. If a proper workplace examination were conducted, most accidents could be avoided or prevented.

The second proposal under this standard number, "be conducted within a specified time period" is also valid. As a contractor, our Mine Clients require us to conduct our workplace examinations prior to being allowed to work, even to the point of removing our employees from the site because a workplace examination was not conducted prior to work beginning. Many of those clients don't hold their mining employees to that same standard. It is my opinion that "2 Hours" as mentioning in the proposal is slightly too long, at least as a contractor. Though if one employee is the competent person responsible for multiple areas, then there may need to be an extended time to allow for them to inspect each area properly.

Third, should there be a minimum experience level or knowledge to show knowledge? My experience would say that with proper training a minimum expectation should not be needed, but training materials from MSHA for expected knowledge would be useful to help establish base training programs. If support documentation would be required, a basic knowledge questionnaire for workplace examinations would be a helpful tool for MSHA to provide Mine Operators and Contractors.

56/57.18002(a)(1)

The proposal to require communicating conditions that could affect health or safety is a much needed proposal. What is the purpose of completing a workplace examination if miners are not going to be informed about the issues that are present, could become present, or change during the tasks.

Adding something else to consider about with this, as a contractor we complete a JSA (Job Safety Analysis) for our work areas to also address and assess the hazards of the work to be performed. On the JSA we have each member of the crew sign or print their names to acknowledge that they had been communication about the hazards present or potential hazards that may become present. The same practice of each employee in the workplace to sign/print their names as communication verification may be worth considering.

56/57.18002(b)(2)

The proposal to require the Competent Person who conducted the inspection to sign and date it reasonable and it would be a valuable addition to the standards.

56/57.18002(b)(2)(i-iii)

The proposal for adding the "description of the action taken to correct the adverse condition; the date that the corrective action was taken; the name of the person who made the record of the corrective action and the date the action was taken" does not bring a safer workplace for miners. In my opinion this is not necessary and only allows for MSHA to point fingers at miners whose only involvement may be in the repair or solution of safety and health issues and to issue paperwork violations to mine operators and contractors. The administrative burden for larger mining operations or contractors would be a daunting task to be done correctly especially for a contractor who works in mines across the country as we do.

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