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**From:** Green, Edward <EGreen@crowell.com>  
**Sent:** Thursday, January 26, 2017 5:35 PM  
**To:** Silvey, Patricia - MSHA; McConnell, Sheila A - MSHA; Jessica E. Kogel PhD (kqy7@cdc.gov); Matette, Rudy J. (CDC/NIOSH/PMRD)  
**Cc:** Mark Ellis (markellis@ima-na.org); zzMSHA-Standards - Comments to Fed Reg Group  
**Subject:** FW: Diesel Exhaust Health Effects Partnership  
**Attachments:** IMA-NA Comments on the Diesel Exhaust Health Effects Partnership Charter.docx; IMA-NA Comments on the Diesel Exhaust Health Effects Partnership Charter.pdf

JAN 26 2017

Hello all. Mark Ellis was kind enough to place into the Docket suggested revisions to the draft charter of the NIOSH-MSHA Diesel Exhaust Health Effects Partnership (attached). In your role as contact persons for the Partnership, I want you to know these also represent the view of Murray Energy Corporation and the Interwest Mining Co. business unit of PacifiCorp.

Ed

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AB86-COMM-23

## NIOSH-MSHA Diesel Exhaust Health Effects Partnership

### Purpose and Goals

Epidemiological studies by the National Institute for Occupational Safety and Health (NIOSH) and the National Cancer Institute have found that diesel exhaust exposure increases miners' risk of death due to lung cancer. In June 2012, the International Agency for Research on Cancer classified diesel exhaust as a human carcinogen. On June 8, 2016, the Mine Safety and Health Administration published a notice requesting information and data on the effectiveness of the Agency's existing standards. The overall purpose of the partnership is to provide an informal forum to help safeguard the health of mine workers with regard to the use of diesel powered equipment and the emissions, both gaseous and particulate, from such equipment.

The partnership is neither constituted to carry out negotiated rulemaking, nor to function as a federal advisory committee. The specific goals of the partnership are as follows:

- Provide a forum for review, evaluation and discussion of the specific technical and scientific questions, such as those posed in the Mine Safety and Health Administration's (MSHA's) Request for Information on Exposure of Underground Miners to Diesel Exhaust (Docket No. MSHA-2014-0031). This includes identifying existing controls and best practices used by mine operators to reduce miners' exposure to diesel exhaust.
- Provide a forum for the exchange of the scientific findings to date on the health effects of diesel exhaust.
- Provide a forum for industry, manufacturers, academia and others to present their testing and research verification findings.
- Provide a forum for providing input on research gaps and technologically and economically feasible technical direction with respect to diesel powered exhaust concerns.

The partnership will operate with the following principles:

- Use the latest and best available scientific methods and procedures in the accomplishment of the work
- Work closely, openly and in a spirit of cooperation with all organizations,
- Consensus will be desirable, but not necessary
- Share, in a transparent fashion, all information with all partners

**Comment [M1]:** Address economic and technological feasibility.

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### Partnership Timeline

The partnership will convene for the first meeting on December 8, 2016. It is anticipated the partnership will develop a schedule of meetings and deliverables at the first meeting.

### Partnership Composition

The partnership will be organized, managed and co-chaired jointly by NIOSH and MSHA. Invited organizations will include representatives from labor, industry, trade associations, engine manufacturers, academia, health professionals, and State and Federal organizations. Consideration will be given by NIOSH and MSHA to organizing partnership working groups such as a working group focused on health effects issues and working groups on technological issues such as engines, aftertreatment, ventilation, maintenance, and training

### Points of Contact

#### NIOSH

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