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Exposure of Underground Miners to Diesel Exhaust

Comment On: MSHA-2014-0031-0076

Exposure of Underground Miners to Diesel Exhaust: Request for Information; Reopening of Rulemaking Record; Extension of Comment Period

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Comment from e e, NA

Submitter Information

Name: e e

Organization: NA

General Comment

"Back to Basics" concept return Government agencies from its freewheeling past administrative pursuits to its mission according to the explicit decrees of Congress. This view of governing should guide Agencies, rather than efforts that cost to middle class families, the poor, hinder small American business, demonize oil and gas and to end run Congress in the Federal Register or on the courthouse steps. Government solutions should be proportional to the problems they are tasked by congress to solve. Agency should focus on innovative problem solving and partnerships with the states and the private sector that leverage their resources and expertise. Achieving environmental improvements cannot be done in isolation from economic growth. Opportunities for prosperous economic growth and clean air, water, and land are lost without effective infrastructure investments that align with community needs, especially infrastructure investments that repair existing systems, support revitalization of existing communities, take advantage of new ideas that help poor, middle class and puts American people first. Agency plays a role in supporting infrastructure investment by optimizing and aligning its relevant programs to catalyze other resources. Better partner is recognizing that a one-size-fits-all strategy to achieve environmental outcomes has not, and will not, work. Unique challenges face by each region, and the one-size-fits-all mentality of the previous administration. This type of top-down regulation does not foster a cooperative relationship with the states. better partner through compliance assistance and compliance assurance. improve its processes and reinvigorate the rule of law as it administers environmental regulations. Over the years, outside the regulatory process, well-funded special interest groups have

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attempted to use lawsuits to force Federal agencies - especially EPA - to issue regulations that advance their priorities. At some point, this exercise of "Sue-and-Settle" and the practice of acquiescence through consent decrees or settlement agreements, which were often crafted behind closed doors and without the transparency of the rulemaking process, became all too common. the days of routinely paying tens of thousands of dollars in attorney's fees to these groups with which are swiftly settle. Need a more transparent process in which impacted parties and states have a voice and creates more awareness for the general public. Policies and rules should reflect common sense, consistent with Agency statutory authorities, and the public will benefit from greater regulatory and economic certainty.

An important aspect of how Agencies must now look at the rule of law is with respect to its own authorities under the law. Reversing an attitude and approach under the previous administration that one can simply reimagine authority under statutes. For far too long, the Agencies pursued initiatives which exceeded the authority granted to it by Congress, or circumvented the will of Congress completely. As an Agency, must ensure regulations are acting within the parameters which Congress has laid out for us. For too long, Agencies has failed to provide the regulatory consistency and certainty the regulated community needs. performing the work that is necessary to meet mission of protecting human health and the environment. With support from state and local partners- and by working with colleagues in Congress, can make a real difference to communities across America.

An Agency's Duty Includes The Obligation To Give Adequate Consideration To The Full Scope Of Costs And Risk Trade-Offs. to consider costs is not satisfied by its decision simply to consider some costs, or the subset of costs it prefers to consider. Rather, the agency is required to consider all relevant costs. should not confine its decision simply to opining that agencies must consider "costs" in the abstract, because such a course would leave agencies the option of artificially truncating their analysis by considering only some costs and not all relevant ones.