

# PUBLIC SUBMISSION

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**Docket:** MSHA-2014-0030

Examinations of Working Places in Metal and Nonmetal Mines. 30 CFR Parts 56 and 57

**Comment On:** MSHA-2014-0030-0178

Examinations of Working Places in Metal and Nonmetal Mines - Proposed rule; delay of effective date.

**Document:** MSHA-2014-0030-0200

Comment from Josh Roberts, United Mine Workers of America

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## Submitter Information

**Name:** Josh Roberts

**Organization:** United Mine Workers of America

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## General Comment

See attached file(s)

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## Attachments

MNM Exam Rule Delay Comments

AB87-COMM-142

9/26/2017

**United Mine Workers of America**  
**Comments On**  
**The Proposed Delay of the Effective Date for Examinations**  
**of Working Places in Metal and Nonmetal Mines**

The Mine Safety and Health Administration (MSHA) is soliciting comments on the issue of whether to extend the effective date of the Examinations of Working Places in Metal and Nonmetal Mines from October 7, 2017, to March 2, 2018. The agency asks whether this extension offers an appropriate length of time for MSHA to provide stakeholders training and compliance assistance to the Metal and Nonmetal Mining Community. The agency is planning informational stakeholder meetings around the country to provide compliance assistance to assure that mine operators can adjust schedules, develop additional recordkeeping capacity and modify their current business practices in order to comply with the rule. The UMWA understands that some time is necessary for the introduction of any new standard to adapt practices and procedures to achieve compliance. In noting that, we believe that an additional delay of six months is excessive. The new exam rule simply mirrors examination requirements that have historically been required in the coal industry. Therefore, a template has long been established already in the coal industry for such recordkeeping requirements. Examination recordkeeping books, computer programs, etc. are already available for easy transfer to achieve compliance in the metal and nonmetal mining community.

These requirements are nothing new. Historically, the coal mining community has conducted pre-shift and on-shift examinations with recordkeeping requirements. Additionally, it is the UMWA's understanding that many Authorized Representatives of the Secretary have already transferred from the coal sector to the metal and nonmetal sector, taking countless years of experience in recognizing and reporting hazards with them. Therefore, this should be an easy transition for the metal and nonmetal mining community being that record books, training programs, work practices, and so forth are a longstanding requirement in the coal mining community. A simple introduction and training should be all that is necessary for a smooth transition into compliance with this standard.

Therefore, it is our position that and second delay of this rule of six months is completely unnecessary. While MSHA continues to delay this rule miners are being exposed to hazards that could be identified and corrected by proper workplace examinations.