

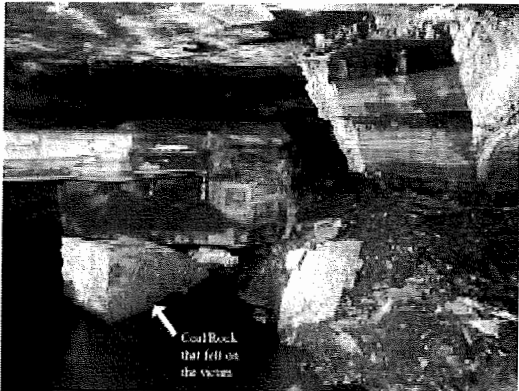
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**From:** Dave Cooper <davecooper928@yahoo.com>  
**Sent:** Wednesday, October 23, 2019 9:48 PM  
**To:** zzMSHA-Standards - Comments to Fed Reg Group  
**Subject:** Black Lung comments

Dear MSHA,

I am writing in regards to **Docket no. MSHA-2016-0013**

I recently saw a MSHA photo in the Lexington paper about a miner in Harlan KY who was killed in a rock fall. In the photo I noticed that it appears they were mining two or three thin seams of coal which were separated by about 3 feet (total) of rock.



After looking at this photo I understood why the miners are getting silicosis, they are mining through more rock than they are coal.

As all the thick seams have been depleted miners are being much more exposed to silica and so the rules have to be much more stringent to protect the health and safety of miners.

In 2014, MSHA reduced the coal dust standard from 2.0 to 1.5mg/m<sup>3</sup>. Though the 2014 coal dust rule was some progress, the silica standard for miners has not been updated since 1985. MSHA commenced a rulemaking process for a separate silica standard, but it was not completed. In spring 2016, the silica standard was listed as a "proposed rule" on the agency's rule list. However, in the spring 2019 list, the silica standard was no longer listed as a "proposed rule," but as in the "prerule stage" - the earliest stage of a rulemaking process.

In the years since MSHA received those formal recommendations from NIOSH, miners have continued to get Black Lung. Recent studies by NIOSH show alarming increases in the incidence of Black Lung and the rate of miners being diagnosed with the most severe form of the disease – Progressive Massive Fibrosis (PMF) – is the highest ever recorded. In addition, those miners diagnosed with PMF are often younger and have fewer years of

mining experience and exposure than those that have been afflicted by PMF prior to this recent resurgence.

We need protection for our miners. Let's put our voices together for people who no longer have breath.

I am not a miner but have been following the efforts of the Appalachian Citizens Law Center to protect miners for about 15 years.

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Dave Cooper -  
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