



November 8, 2021

Ms. Jessica Senk
Director
Office of Standards, Regulations, and Variances
Mine Safety and Health Administration
201 12th Street South
Suite 4E401
Arlington, VA 22202-5452

AB91-COMM 28

Re: RIN 1219-AB91; Docket No. MSHA 2018-0016, *Safety Program for Surface Mobile Equipment*

Filed via the Federal eRulemaking Portal: <http://www.regulations.gov>

Dear Ms. Senk:

The Industrial Minerals Association–North America (“IMA-NA”) is pleased to submit the following comments in response to the Mine Safety and Health Administration’s (“MSHA”) Proposed Rule to require that mine operators employing six or more miners develop and implement a written safety program for mobile and powered haulage equipment (excluding belt conveyors) at surface mines and surface areas of underground mines, which was published in the September 9, 2021 *Federal Register* (86 Fed. Reg. 50496).

IMA-NA is the representative voice of companies that extract and process a vital and beneficial group of raw materials known as industrial minerals. Industrial minerals are the ingredients for many of the products essential to our everyday lives such as glass, ceramics, paper, plastics, paint and coatings, cosmetics, pharmaceuticals, and laundry detergent. IMA-NA’s companies and the people they employ are proud of their industry and the socially responsible methods they use to deliver these beneficial products. Industrial minerals include ball clay, barite, bentonite, borates, calcium carbonate, diatomite, feldspar, industrial sand, kaolin, salt, soda ash (trona), talc, and wollastonite. IMA-NA also represents associate member companies that support producers of industrial minerals.

The safety and health of IMA-NA member company employees is of paramount concern to all IMA-NA members. Accordingly, we recognize and appreciate the impetus behind MSHA’s proposed rule for surface mobile equipment safety. Historically, accidents classified as powered haulage under MSHA’s definition have consistently represented approximately 7 to 8 percent of all mining-related accidents. Yet powered haulage accidents tend to be more consequential than other types, and until recently the percentage of annual total fatalities caused by powered haulage generally fluctuated between one quarter and one third. In 2017, however, powered haulage

fatalities spiked to 50 percent and continued at roughly half (48%) in 2018. MSHA consequently launched a Powered Haulage Initiative, and IMA-NA was pleased to contribute to that effort through our formal alliance with the Agency. That initiative succeeded in reducing powered haulage fatalities in 2020 to the second-lowest rate since 1983, with no mining-related deaths due to failure to wear a seat belt, for the first time in history.

Regrettably, fatalities have surged in 2021, with 45% so far this year classified as powered haulage. In the spirit of constructively contributing to MSHA's effort to again drive down accidents and fatalities, IMA-NA respectfully offers our comments on the proposed rule. Our comments are based on extensive consultation with our members, and are structured to be responsive to specific questions MSHA posed in the proposed rule, as follows:

Comments on requiring a written safety program for mine operators employing six or more miners, and whether the Agency should require all mine operators, regardless of size, to develop a written safety program:

IMA-NA appreciates that MSHA proposes to require a written safety program, rather than a safety plan that would require approval, initially and then repeatedly for each update, by the relevant District Manager. We further appreciate that MSHA does not mandate adoption of specific technologies, but allows each operator the flexibility to craft an initial written safety program based on that operator's mine size, mining methods, number and types of equipment, climatic conditions, etc., and to update such program at least annually or "whenever necessary to manage safety risks associated with their surface mobile equipment appropriately."

MSHA's approach accommodates the often-stark differences across mine operations and operator capabilities. For example, in service of mobile equipment safety some large operators have engineered their surface roads in a way that completely segregates large from small vehicles, a safety practice not achievable at smaller mines. Others are adopting cutting-edge safety technologies that prevent vehicle collisions but require internet connectivity, where other mines operate in remote areas that lack internet service or near urban areas where intensive electromagnetic activity can interfere with such systems. IMA-NA members require and value this flexibility to optimize mobile equipment safety based on their particular conditions and capabilities.

We do have concerns, however, regarding the proposed rule's definition of surface mobile equipment as: "wheeled, skid-mounted, track-mounted, or rail-mounted equipment capable of moving or being moved, and any powered equipment that transports people, equipment, or materials, excluding belt conveyors, at surface areas of underground metal and nonmetal mines." While we appreciate that MSHA seeks to address all forms of surface mobile equipment that historically have been involved in fatalities, we submit that the phrase "wheeled, skid-mounted, track-mounted, or rail-mounted equipment capable of moving or being moved" is overly expansive and in an enforcement context could be applied to equipment well beyond the scope of what MSHA intends. For example, a skid-mounted portable generator is capable of being moved but would not generally be considered mobile equipment or powered haulage. To cite just one other example, MSHA classifies wheelbarrow-related accidents as non-powered haulage (Handbook Number: PH20-I-4, *Accident Investigation Procedures*, December 2020, p. 68), yet under the proposed rule's definition, a piece of wheeled equipment capable of being moved for purposes of transporting

equipment or materials could describe a wheelbarrow. We therefore suggest that MSHA amend the definition to read in its entirety as follows: “*Surface mobile equipment* means any powered equipment that transports people, equipment, or materials, excluding belt conveyors, at surface coal mines and surface work areas of underground coal mines.” (italics in original).

We also have concerns regarding MSHA’s requirement that a mine designate a “responsible person” with “authority and responsibility to evaluate and update a written safety program for surface mobile equipment.” Both 30 CFR § 46.3 and MSHA’s Program Policy Manual (VOL. III, *Interpretation and Guidelines on Enforcement of the 1977 Act*, May 16, 1996) define “responsible person” as the “person designated by the operator who is responsible for the health and safety training at the mine. This person may be the production-operator or independent contractor.” Based on this language, IMA-NA proposes substituting “mine operator or independent contractor,” or “production-operator or independent contractor,” for “responsible person” in the final rule to allow for greater flexibility. If MSHA ultimately decides to retain the “responsible person” designation in its final rule, IMA-NA requests that the Agency further clarify this designation. We submit that the responsible person should not be considered an agent of the operator under Sections 110(c) and 110(d) of the Mine Act solely on the basis of being responsible for the mine’s Safety Program for Surface Mobile Equipment under the proposed rule. IMA-NA requests that MSHA clarify this issue in the final rule, just as the Agency’s *Compliance Guideline for MSHA’s Part 46 Training Regulations* document does for the “competent person” designation: “A person who is designated by the production-operator or the independent contractor as a competent person who is qualified to instruct miners and evaluate whether training is effective does not become an agent of the operator under Sections 110(c) and 110(d) of the Mine Act solely because of that assignment. Section 46.9(b)(5) requires that the person designated by the operator in the MSHA-approved training plan as responsible for health and safety training must certify that each miner has completed the required training. If the competent person and the designated person are the same, then that person could be liable as an agent of a corporate operator for knowingly permitting miners to work who have not received applicable Part 46 training.”

IMA-NA agrees that the final rule should assure that a mine’s written safety program remains relevant and up to date. We do, however, have concerns regarding proposed language in §§ 56.23003(b) and 57.23003(b) that the responsible person “evaluate and update the written safety program at least annually or as mining conditions or practices change, accidents or injuries occur, or as surface mobile equipment changes, or modifications are made.” While IMA-NA disagrees with the designation of a “responsible person,” specifically we are concerned with the lack of definition around terms such as “mining conditions or practices” and “accidents or injuries.” Mining conditions, for example, can change frequently and rapidly, such as changes in weather conditions. Similarly, the proposed rule does not stipulate the types or quantities of accidents or injuries that would prompt an evaluation and update of a written safety program. Does MSHA intend to limit the types of accidents to a specific category, such as Immediately Reportable Accidents and Injuries? If so, does the Agency have in mind a specific threshold quantity or rate of such injuries? Moreover, what if a given accident was unrelated to powered haulage? Ideally, in the final rule MSHA would require that the responsible person simply “evaluate and update the written safety program at least annually.” Short of truncating the proposed language in this manner, we recommend substituting language found elsewhere (Section D) in the draft rule: “evaluate and update the written safety program at least annually or *whenever necessary to manage safety risks*

associated with their surface mobile equipment appropriately.” [added language in italics]. If this language is not acceptable to the Agency, IMA-NA recommends that MSHA explicitly define and qualify the original language to provide greater clarity.

We also propose clarifying §§ 56.23003(a)(2) and 57.23003(a)(2) to read: “develop and maintain procedures and schedules for routine maintenance and non-routine repairs for surface mobile equipment *related to the safe operation of the equipment*” [added language in italics]. We further propose clarifying §§ 56.23003(a)(3) and 57.23003(a)(3) to read: “identify currently available and newly emerging feasible technologies *and/or methods* that can enhance safety at the mine and evaluate whether to adopt them” [modified language in italics]. Allowing operators the opportunity to assess what works most safely for their operation may identify that “methods” are a better solution than technology. For instance, showing haul truck drivers and loader operators at a six-miner crushing plant with five pieces of mobile equipment (loader, haul truck, skid steer, maintenance truck, and foreman’s truck) the plan view of blind spots for their equipment and making all employees walk through an exercise identifying these blind spots, may be more effective than technology-based solutions.

When MSHA is evaluating an operator’s program under §§ 56.23003(a)(3) or 57.23003(a)(3), what criteria will the Agency use to evaluate feasible technologies (and our insertion of “and/or methods,” if agreed to)? As MSHA acknowledges in the preamble, during the 2018 Request for Information (RFI) process industry expressed comments that cautioned MSHA to “avoid excessive costs and unintended consequences that do not address the root cause of accidents.” (86 FR 50498). This is concerning, since MSHA has not identified how it will use its broad discretion to require or mandate operators deploy feasible technologies.

We do not believe that MSHA should second-guess an operator’s evaluation of what it needs to remain safe. If an operator shows MSHA a reasonable hazard assessment that involves evaluation of technologies and methods (including best practices), then MSHA should drop the issue and not force operators to install technology that does not achieve discrete benefits. MSHA states in the Preamble (86 FR 50503) that this proposed rule will reduce fatalities and injuries by 80%. To achieve this, we recommend that MSHA apply the Pareto principle and focus on the 20% of activities that will achieve this result, which does not include forcing technology upon operators that have a reasonable “method” to achieve the same result.

It is clear from MSHA’s 2018 RFI that operators are concerned that MSHA inspectors will overemphasize technologies as a means to address the root cause of powered haulage accidents and cite an operator for an inadequate program. Doing so would present the operator with a quandary: agree to MSHA’s abatement terms, or take a citation and seek expedited hearing, neither of which is a suitable option. As a way to avoid the inevitable inspector or district official and operator who cannot agree what “feasible technologies” means, MSHA and the operator need an off-ramp to provide some level of enforcement consistency before disagreements proliferate. IMA-NA suggests that before MSHA can cite an operator for an inadequate program under §§ 56.23003(a)(3) or 57.23003(a)(3), it should send the operator a letter from the District Manager setting forth the alleged deficiencies in the program and providing for a conference between the operator and MSHA to discuss such alleged deficiencies. If the parties are unable to reach a resolution, the matter should escalate to the appropriate Regional Administrator for review before MSHA renders a final decision. This

pre-citation letter approach has been used under Part 75 when MSHA is alleging an operator's ventilation or roof control plan is inadequate. Thus the precedent exists as a guide to prevent unnecessary inconsistencies and disputes. Whether MSHA will include such a process in this regulation is yet to be determined, but at a minimum with a rule of this magnitude that is ripe for interpretation, a process to ensure enforcement consistency needs to be considered. What MSHA should not do is effectively turn the operator program approach as set forth under §§ 56.23003 or 57.23003 into a "program approval" process through the citation abatement process.

Regarding whether the Agency should require all mine operators, regardless of size, to develop a written safety program versus only those with six or more miners, IMA-NA seeks clarification on how MSHA intends to define this threshold. Specifically, we note that the draft rule refers variously to six or more "employees" and six or more "miners." It would be helpful if the final rule were to refer consistently to employees or miners, so that companies can determine definitively whether they should count non-miner employees toward the threshold. More important, IMA-NA seeks clarification on whether the Agency intends to define the rule's threshold based on a companywide headcount, or on the number of employees at a given worksite. Assuming that the Agency applies a companywide definition, and counts total employees not just miners, all of IMA-NA's producer members would exceed the threshold.

This is not to say, however, that IMA-NA's producer members will be capable of easily absorbing the cost of the proposed rule. Unlike multinational metal/nonmetal mining companies with large workforces and generous profit margins, a significant percentage of the industrial minerals sector would qualify as a small business under Small Business Administration definitions, even if not for exemption under MSHA's proposed rule. And where global mining companies typically operate on net profit margins ranging from 10% to 25%, industrial minerals are low-margin products that require significant financial commitments to long-term projects—and higher post-extraction processing costs relative to other sectors. Falling above the rule's small business threshold but well below the scope and resources of larger metal/nonmetal mining companies, industrial minerals producers will, in a relative sense, be disproportionately impacted financially by the proposed rule.

Whether the 6-month compliance period provides mine operators sufficient time to develop and implement a written safety program, and to designate a responsible person:

IMA-NA believes that the proposed compliance period does not provide mine operators sufficient time to comply with the final rule. IMA-NA respectfully requests a longer, phased compliance period.

There is ample precedent for a phased approach. For example, in 2008 MSHA provided operators with a four-phase compliance schedule during the first 12 months after the effective date for *Flame-Resistant Conveyor Belt, Fire Prevention and Detection, and Use of Air From the Belt Entry* and—explicitly in response to comments received on the proposed rule—provided another nine years to fully to comply with the final rule. Similarly, in 2010 MSHA proposed its rule on *Lowering Miners' Exposure to Respirable Coal Mine Dust, Including Continuous Personal Dust Monitors*. That rule took effect on August 1, 2014, but some

components were phased in over the ensuing two years, with full compliance not required until August 1, 2016.

While the proposed surface mobile equipment rule does not match the flame-resistant conveyor belt or respirable coal mine dust rule in scope, our members have expressed concerns with the compliance timeline. To some extent, the proposed rule could be a technology-forcing measure, inasmuch as it would “require that the program include actions the mine operator would take to evaluate currently available and newly emerging feasible technologies that can enhance safety and evaluate whether to adopt them. The safety program would include a process by which operators would periodically evaluate new and existing technologies that could enhance safety.” Regarding specific technologies, the timeline by which a given technology would be evaluated and deployed must be established based on the type of equipment in question, site-specific factors, and other externalities, and should not be considered strictly within the confines of MSHA’s regulatory text.

On this point, one overarching, immediate concern is that MSHA will publish the rule amid what Treasury Secretary Janet Yellen described on October 13 as “huge bottlenecks in supply chains.” Like every other industry, mine operators are struggling with supply shortages that show no signs of abating: on October 17, Transportation Secretary Pete Buttigieg forecasted that shortages “will continue into next year,” and as recently as October 22, Federal Reserve Chairman Jerome Powell warned of “longer and more persistent bottlenecks.”

Similarly, in 2017 the Federal Communications Commission promulgated a rule (see 47 CFR § 15.37) that could impede an operator’s adoption of radar-based object detection systems. After January 1, 2022, no one will be allowed to import, sell or install a wideband or ultra-wideband radar system in the 23.12-29 GHz frequency band or the 22-29 GHz band, unless repairing or replacing an existing system installed before the sunset date, or if it is technically infeasible to replace an existing system with one that operates in the 76-81 GHz band. Different manufacturers currently are at various stages in the process of switching to a different frequency. The worldwide microchip shortage has interrupted this transition, and installing a radar system on a grandfathered machine after January 1, 2022 may require additional modifications that will vary significantly. All things considered, IMA-NA proposes that stakeholders be granted 12 months to develop and implement a written safety program.

Regarding who would administer a mine’s written safety program, again, we propose substituting “mine operator or independent contractor” or “production-operator or independent contractor” for “responsible person.” If, however, the Agency retains the requirement to designate a responsible person, we request an additional phase of six months to comply with this requirement, for a total 18 months following the final rule’s effective date. This would allow adequate time to incorporate any additional training elements developed by the responsible person into the following year’s regularly scheduled annual refresher training.

Estimates on associated training costs:

According to the draft rule, “Proposed §§ 56.23003(a)(4), 57.23003(a)(4) and 77.2103(a)(4) would require operators to train miners and other persons at the mine necessary to perform work (e.g., office workers) to identify and address or avoid hazards related to surface mobile equipment.” Regarding this requirement, “MSHA estimates that there would be no

incremental training costs, because this proposed rule requires no new or additional training. Training costs are already accounted for in training required by existing standards in 30 CFR parts 46, 48, and 77, which address mine hazard awareness and safety measures.”

IMA-NA disagrees that there would be “no incremental training costs,” and estimates that there would be at least modest incremental training costs. While it is true that training on an operator’s written safety program for surface mobile equipment could and should be synchronized with and incorporated as efficiently as possible into the training required by existing standards in 30 CFR Parts 46, 48, and 77, IMA-NA anticipates incremental costs associated with: initially incorporating the mine’s safety program into existing training materials; training the mine’s responsible person (if such person was not involved with writing the mine’s safety program for surface mobile equipment); and training employees who normally would not participate in the training required by existing standards in 30 CFR Parts 46, 48, and 77.

Regarding the training of those who normally would not participate in required training, proposed §§ 56.23003(a)(4), 57.23003(a)(4) and 77.2103(a)(4) would “require operators to train miners and other persons at the mine necessary to perform work (e.g., office workers) to identify and address or avoid hazards related to surface mobile equipment.” IMA-NA notes that non-miners have not historically contributed in any significant measure to fatalities classified as powered haulage, and we do not believe it is necessary to include such employees here. For training purposes, MSHA’s Program Policy Manual currently defines “miner” as “a person, including any operator or supervisor, who works at a mine and who is engaged in mining operations. This definition includes independent contractors and employees of independent contractors who are engaged in mining operations; and construction workers who are exposed to hazards of mining operations for frequent or extended periods. The definition of ‘miner’ does not include scientific workers; delivery workers; customers (including commercial over-the-road truck drivers); vendors; or visitors.” Because MSHA applies such an expansive definition of “miner,” and driven by a desire to safeguard the lives and health of all their employees, our producer members typically err on the side of caution and already include in required training non-miners whose role at times requires them to enter the production area and potentially become exposed to hazards. If MSHA retains this requirement, we request that the Agency disambiguate “other persons at the mine necessary to perform work” by providing more-concise language. Otherwise, for training purposes the language as drafted effectively would expand the definition of “miner” to all employees.

Further regarding training, 30 CFR Part 46 does not require a competent person to be an MSHA-approved trainer, versus Part 48 which requires an MSHA-approved trainer except for task training and site-specific hazard training. IMA-NA recommends that a responsible person conducting Part 48 training for purposes of complying with the proposed rule can be a non-MSHA-approved competent person. Otherwise, the proposed rule would needlessly burden operators by limiting who can implement a mine’s written safety program for surface mobile equipment.

The accuracy of MSHA's estimate of the burden of the collection of information, including the validity of the methodology and assumptions used:

IMA-NA notes that MSHA projects the element "Evaluating technologies that enhance safety" to comprise a full 40% of annual mine task hours in the Safety Program Development Cost estimates shown in Table 8. This represents the highest annual mine task hours for any element shown in Table 8, twice as much as the next highest element (which is "Clerical assistance to finalize program"). IMA-NA producer members already have robust safety programs in place, including for surface mobile equipment, resulting in an excellent safety record across our sector. This is not to say that our members will not evaluate new technologies and adopt them initially, or as part of future improvements and modernization, but we believe 40% overstates the time that this element will require.

Conversely, IMA believes that time spent on the "Identifying hazards and manage risks" element, at 15 mine task hours annually, is understated in Table 8—especially for lesser-resourced mine operators. IMA-NA also recommends that MSHA add Training as an element to Table 8; again, we believe it will take time and cost to develop training materials specific a mine's written safety program for surface mobile equipment and incorporate them into routine training, then update such materials each time the mine updates their safety program.

Innovative technologies and/or new and developing technologies that could enhance the benefits of the proposal:

Again, IMA-NA anticipates that our producer members will continue to evaluate new technologies and adopt them for the sake of improving safety, health, and productivity. We have concerns, however, with the draft rule's requirement that a written safety program "include actions the mine operator would take to evaluate currently available and newly emerging feasible technologies that can enhance safety and evaluate whether to adopt them. The safety program would include a process by which operators would periodically evaluate new and existing technologies that could enhance safety." We are concerned that certain terminology within this section is subjective, and we request clarification, specifically that MSHA elaborate on what types of actions operators should take in order to "evaluate" how "newly emerging feasible technologies" would "enhance" safety. As written, the range of potential actions is vast, from ones as simple as subscribing to magazines or attending safety conferences, to field-testing newly emerging equipment at the mine, leaving operators unsure of what actions MSHA would consider to be adequate for purposes of compliance.

It is also a reality that for legitimate business reasons many operators will continue to use existing equipment that has not reached the end of the operation/maintenance stage of its lifecycle. It is further important to recognize that some operators, especially smaller and lesser-resourced ones, often purchase serviceable yet older mobile equipment through the vast and vibrant used and surplus equipment marketplace.

The draft rule's proposed §§ 56.23003(a)(2), 57.23003(a)(2) and 77.2103(a)(2) would "require operators to develop and maintain procedures and schedules for routine maintenance and non-routine repairs for surface mobile equipment." IMA-NA acknowledges that operators must comply with MSHA's existing requirements for preventive maintenance and repair, but we note that among root causes of mobile equipment fatalities, failure to maintain and repair

equipment is superseded by other causes and has not been the focus of MSHA's recent powered haulage initiatives. Indeed, in its recent *Protecting Miners: Powered Haulage Equipment Safety Guidance*, the Agency only makes one passing reference to equipment maintenance and repair, on the final page under the Pre-operational Examination of Equipment section. Moreover, we have concerns with how MSHA might enforce the proposed rule's requirement "to integrate existing compliance processes with any manufacturer's recommendations into the safety program and to assure that hazards in all phases of work be examined and analyzed."

For all types of equipment, IMA-NA producer members strive to adhere to the recommendations and specifications contained in manufacturer manuals. However, manufacturer manuals sometimes are no longer available for older pieces of equipment. Where manuals are available, their recommendations for maintenance and safe operation are written for the typical or generic end user. Maintenance and safety are two distinct functions: however well-intentioned, a manual may offer generally robust maintenance recommendations, but a manufacturer's manual does not constitute a mine-specific safety manual. As MSHA knows, the nation's 13,000 mines are incredibly diverse in the relative scope of their operations; in the ways they extract, process and transport materials; in the vastly different weather and climates in which they operate; and a host of other variables that impel operators to customize operations and maintenance practices in ways that optimize safety and health. To cite just one example, in consultation with the operator, a manufacturer of large-equipment tires will vary the ingredients in a batch of tires in order to optimize safe operation and maximize tire lifespan based on the specific ground conditions at a mine site—a degree of customization that manual writers cannot possibly account for, much less dictate. Similarly, when an operator conducts a pre-operational check on a piece of equipment, they must consider factors that they know from experience could affect safe operation at that particular mine but which may not conform to the standardized recommendations presented in the manual. IMA-NA is concerned that, when enforcing the final rule, MSHA inspectors will hold operators strictly to the generic recommendations contained in the manufacturer's manual, such that the manual becomes by reference a *de facto* standard for issuing citations and orders.

On a similar note, we ask that the Agency consider spelling out (perhaps in the preamble) how operators can take equipment temporarily out of service for purposes of the rule. Currently, some inspectors will require operators to start equipment if the battery is working and the keys are not locked away, and then will inspect such equipment, even if it is not scheduled for use. Even equipment that has been tagged out for a specified reason can currently be cited for defects other than that reason. There is precedent for at least one approach to out-of-service equipment, where MSHA will not inspect and cite equipment that is fenced off in a "boneyard" with clear signage prohibiting use of the equipment within.

Public Stakeholder Meetings

IMA-NA appreciates that MSHA previously held six regional in-person public stakeholder meetings and one online meeting for the Agency's 2018 RFI on Safety Improvement Technologies for Mobile Equipment at Surface Mines, and for Belt Conveyors at Surface and Underground Mines. The RFI, however, explicitly solicited comments on technologies that can reduce accidents involving mobile equipment at surface mines and belt conveyors at

surface and underground mines, especially “the types of engineering controls available, how to implement such engineering controls, and how these controls could be used in mobile equipment and belt conveyors to reduce accidents, fatalities and injuries” as well as “best practices, training materials, policies and procedures, [and] innovative technologies.” The RFI did not solicit stakeholder input on the type of written safety program proposed in the draft rule. Additionally, the proposed rule focused only on surface mobile equipment and does not apply to belt conveyors. Given that the proposed rule represents the first mention of, and first opportunity to comment on, the concept of a written safety program, IMA-NA suggests that the Agency hold at least one interactive public stakeholder meeting. Any such meeting(s) could be conducted virtually, consistent with the Federal government’s continued maximum telework stance during the pandemic.

Thank you for your consideration of these comments. IMA-NA appreciates the Agency’s pledge in the draft rule to “provide mine operators with guidance needed to develop, implement, evaluate, and update their safety programs” and to “work with mining industry stakeholders as it develops materials and templates to assist mine operators,” and we stand ready to collaborate once again on developing such materials.

Sincerely,

A handwritten signature in black ink, appearing to read "Chris Greissing", with a stylized flourish at the end.

Chris Greissing
President

Industrial Minerals Association – North America