

# PUBLIC SUBMISSION

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Lowering Miners' Exposure to Respirable Crystalline Silica and Improving Respiratory Protection

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Lowering Miners' Exposure to Respirable Crystalline Silica and Improving Respiratory Protection

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Comment from Martin, Andrew

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## General Comment

My name is Andy Martin and I am with the Black Lung Association Chapter in Norton, Virginia. Worked in underground mining for 3 years and at the same strip mine for over 27 years. I ended my work history working at a strip mine in Norton, Virginia for 3 years. The majority of my career was in the state of Wyoming. I'm here to talk about the proposed rule, "Lowering Miners' Exposure to Respirable Silica and Improving Respiratory Protection" (RIN 1219-AB36) and the impact of silica dust on us miners. Too many coal miners today are still getting serious health problems from the amount of silica dust they are exposed to while on the job. Silica dust is a silent killer with serious health problems for some of us. Silica dust is silent, odorless, tasteless, and it is so fine you can't see it. Too many miners are still getting black lung and other serious health problems from this dust. That only means that more needs to be done to prevent these respiratory problems. I support the lower limit of silica dust from 100 micrograms to 50 micrograms of permissible silica dust exposure limit per cubic meter. This may not help everybody in the coal mines but is certainly a start for the next generation of coal miners.

I don't know how many coal miners are getting diagnosed with black lung from this dust every year but I do know that it is too many for this century with today's technology. I oppose the proposal to allow coal companies to temporarily rely on respirators as the sole protection of miners in high dust areas. Respirators cannot be relied upon as the only protection for miners. They are difficult to ensure they are properly sealed and require a miner to be clean shaven to work correctly. If the mining environment can't comply with 50 micrograms that section should be shut down until better engineering can be implemented to comply with the new standard and to prevent increased dust exposure.

I know how companies see the safety and health regulations and they know how to manipulate the rules and samples. If you're an employee selected for sampling, and your normal job is where the dust is higher, they will put you in a new area where the dust is less. They only use dust controls or water to hold down the dust while that area is being sampled. In order to ensure samples are completed correctly, MSHA inspectors need to conduct the sampling themselves and at least quarterly. Inspections should last an entire shift and over multiple days without any advanced notice to a mine. Sampling for this rule also needs to be done based on specific positions and needs to be clearly stated in the rule to get a clear understanding how different positions are exposed.

I worked over 27 years at a mine in Wyoming. This company I worked for put in a modern dust system to circulate out the exhaust and smoke from the equipment in their shop where equipment was fixed. They put a lot of money into this system but still rarely ever ran it. I worked with a machinist that worked in this shop. He never smoked and was working in the mechanic shop located about 6 miles from the strip mining site and he still was diagnosed with black lung. The power plant we provided coal too though was 1500 ft away from the shop. The company never used the circulation system, and then only sometimes, until after this machinist was diagnosed with black lung and had to retire early due to his lung function. He passed away about five years ago from black lung. I don't know why they didn't use this system to protect us workers. If they had run this system, even if it was costly, maybe this man wouldn't have lost his life to black lung at such a young age. Until there are better silica enforcement measures, many miners will pass away, younger than they should, due to this disease.