

From: [Michael Parris](#)
To: [zzMSHA-Standards - Comments to Fed Reg Group](#)
Subject: RIN 1219-AB36
Date: Monday, July 17, 2023 3:31:18 PM

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Comment from Michael Parris:

1. I formally request that MSHA extend the deadline for submission of comments from the current deadline of August 28, 2023, to August 28, 2024 (that is, a one-year extension). In support of the request, I state as follows:
 - a. I am currently in the process of preparing comments and other responses to MSHA's various requests for comments. MSHA frequently requests that commenters provide supporting information, etc., along with their comments.
 - b. Many of the documents that I intend to review for my public comments are in the public domain, but are housed within MSHA's mine files and mine inspection records.
 - c. In addition to the time that I must spend finding notations to these records within MSHA's online data sets in order to make a specific document request via FOIA, MSHA must also sanitize the records before providing them in order to evaluate them for relevant exceptions to FOIA.
 - d. Extending the deadline for submission of comments will assure not only that I am able to obtain the documents that I need in order to make relevant and informed comments that are appropriately documented and supported, it will also assure that MSHA has the time to review my request(s) and assure that sensitive information that is excepted from FOIA is not inadvertently provided.
 - e. Finally, it is likely that various trade organizations and mine operators will submit comments to the record. Trade organizations and mine operators do not typically provide detailed supporting information and documents along with their comments. Extending the deadline for comments will allow time to review any comments and request documents in support (or rebuttal) of the claims made by such trade organizations, mine operators and their lobbyists.
2. I formally request that MSHA waive FOIA fees for requests that are submitted pursuant to MSHA rulemaking docket MSHA-2023-001. As stated by the Department of Labor, "Fee waivers are granted when the disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of the operations and activities of the government and is not primarily in the commercial interest of the requester." See, DOL website <https://www.dol.gov/general/foia/guide> at Section IX.
 - a. I believe that there is considerable public interest in the information housed within MSHA's various mine files and inspection records. For example, an MSHA mine file routinely contains copies of ventilation plans and supplements governing the application of technical and administrative controls. Compliance with the proposed rules will likely result in many plans having to be revised and/or supplemented. In any case, the only way to evaluate some of the actual costs of compliance with the proposed rule for particular mines is to ascertain the particular changes that will be required to bring the mine's ventilation plan into compliance with the proposed rule. The public has an interest in these matters, as miners' work exposure is controlled by the provisions contained within these plans.
 - b. I affirm that I do not have a commercial interest in the acquisition of these documents. I sell cookies in New Mexico. In fact, there are thousands of retired miners and other stakeholders who—despite the fact that they no longer have a "commercial" interest in the mining industry—remain active stakeholders in the mining industry. Waiving fees

for such stakeholders allows them to actively participate in the rulemaking process and enables them to acquire documentation that supports their comments.

Thank you for the opportunity to comment on the record.

Michael Parris

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