



February 13, 2020

Ms. Sheila A. McConnell  
Director  
Office of Standards, Regulations, and Variances  
Mine Safety and Health Administration  
201 12<sup>th</sup> Street South, Suite 4E401  
Arlington, Virginia 22202-5452

Re: RIN 1219-AB88; Docket No. MSHA-2019-0007, Electronic Detonators, Direct Final Rule, Comments of the Industrial Minerals Association - North America

Re: RIN 1219-AB88; Docket No. MSHA-2019-0007, Electronic Detonators, Proposed Rule, Comments of the Industrial Minerals Association - North America

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

Dear Ms. McConnell:

Please find below the comments of the Industrial Minerals Association-North America (IMA-NA) on MSHA's Direct Final Rule (DFR) on Electronic Detonators and Proposed Rule on Electronic Detonators (NPRM). 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 used in everyday life such as glass, ceramics, paper, plastics, paints 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, perlite, soda ash (trona), talc and wollastonite, among others. IMA-NA also represents associate member companies that support the producers of industrial minerals. The safety and health of our employees, and workers in general, are of paramount importance to IMA-NA members. IMA-NA and its member companies welcome the opportunity to submit these comments on the DFR and NPRM.

IMA-NA commends MSHA for issuing a DFR on the use of electronic detonators in metal and nonmetal mines, both surface and underground. IMA-NA supports the DFR. However, given MSHA's need to establish a procedural framework to finalize the rule in the event the Agency receives significant adverse comment and withdraws the DRF, IMA-NA intends that these same comments also should apply to the NPRM.

IMA-NA appreciates the challenge presented to MSHA in maintaining regulations that keep pace with technological advances. Nowhere is this challenge greater than in keeping pace with advances in computer and micro-processing technology. The electronic timing of detonators is a case in point.

IMA-NA and its member companies have a long-standing professional relationship with the Institute of Makers of Explosives (IME) and its member companies. Simply stated, the mission of IME is, “[t]o promote safety and security for the commercial explosives industry.”<sup>1</sup> Over time the metal and nonmetal mining industries have increasingly relied on IME and its member companies to do just that. Consequently, IMA-NA commends both MSHA and IME for the years of collaborative work they have invested in bringing the DFR to fruition. IMA-NA supports and endorses the comments filed by IME on the DFR and incorporates them by reference in these comments.

IMA-NA also supports MSHA’s determination that notice and comment on the DFR are unnecessary because the rule imposes no new requirements; it simply clarifies the application of MSHA’s existing standards to technologies developed after its existing standards were promulgated. IMA-NA appreciates that prudence exhibited in MSHA proposing a comparable NPRM on electronic detonators in the event that significant adverse comment is received on the DFR. As previously stated, if MSHA receives significant adverse comment and withdraws the DFR, IMA-NA intends that these comments also should apply to the NPRM.

Thank you for the opportunity to comment on the DFR and NPRM. As necessary, IMA-NA looks forward to working with you further on issues related to electronic detonators.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark G. Ellis". The signature is fluid and cursive, with a horizontal line extending from the end.

Mark G. Ellis  
President  
Industrial Minerals Association – North America

<sup>1</sup>Institute of Makers of Explosives. The Institute of Makers of Explosives’ Mission. [https://www.ime.org/content/ime\\_mission\\_statement](https://www.ime.org/content/ime_mission_statement) (accessed February 7, 2020).