
From: Kenny Murray <Kenny.Murray@arlp.com>

Sent: Monday, December 21, 2020 5:47 PM

To: zzMSHA-Standards - Comments to Fed Reg Group <zzMSHA-COMMENTS@DOL.GOV>

Subject: Alliance Coal's Comments Regarding MSHA's Proposed Revisions to 30 CFR Part 18 (RIN 1219-AB93)

Please find attached Alliance Coal's comments regarding MSHA's proposed revisions to 30 CFR, Part 18 (RIN 1219-AB93). Thank You in advance for proposing this rule and for taking time to consider these recommendations.

Kenneth A. Murray
VP of Operations
Alliance Coal, LLC
1146 Monarch Street, Suite 350
Lexington, KY 40513

(859) 685-6337 (office)
(859) 475-3445 (cell)
(859) 224-7239 (fax)
kenneth.murray@arlp.com





Kenneth A. Murray
Vice President of Operations

December 21, 2020

Roslyn B. Fontaine
Deputy Director, Office of Standards, Regulations, and Variances
Mine Safety and Health Administration
201 12th Street South, Suite 4E401
Arlington, Virginia 22202-5452

RE: Comments of Alliance Coal, LLC Regarding MSHA’s Proposed Revisions to Testing, Evaluation, and Approval of Electric Motor-Driven Mine Equipment, RIN 1219-AB93

Submitted via Email: zzMSHA-comments@dol.gov

Dear Ms. Fontaine:

Alliance Coal, LLC (“Alliance Coal”) is the largest coal producer in the Illinois Basin and the second largest coal producer in the eastern United States. The Company is a diversified producer and marketer of coal primarily to major United States utilities and industrial users. Alliance Coal began mining operations in 1971 and currently operates seven underground mining complexes in Illinois, Indiana, Kentucky, Maryland, and West Virginia, as well as a coal loading terminal on the Ohio River at Mt. Vernon, Indiana.

Alliance Coal greatly appreciates MSHA’s efforts to promote safe and healthy work environments for coal miners by submitting the proposed rule on reform to Part 18. We can all agree that improved technology in our coal mines will immediately create a better and safer work environment for our nation’s coal miners.

As the potential consumers of advanced mine safety and health technology, Alliance Coal has a strong interest in seeing products come to market that would provide a higher level of safety for our miners. However, upon reviewing the proposed rule and some of the comments already submitted by other operators and manufacturers, we agree with the majority of commenters that additional voluntary consensus standards (“VCS”) should be recognized and restrictions removed on currently proposed VCS in order for the proposed rule to accomplish its stated goal. American coal miners are currently at a disadvantage to miners in international markets when it comes to access to innovative and emerging safety technology. Products which would improve miner safety are currently available in other countries. However, the proposed rule would do little to broaden the availability of those products from the system currently in place under Part 18.



Kenneth A. Murray
Vice President of Operations

Alliance Coal respectfully encourages MSHA to remove the restrictions currently applied to the proposed VCS in order to better harmonize MSHA's product approval process with international standards. MSHA's proposed rule appears to limit the acceptance of VCS to those which conform to a Zone 0 environment. However, there is no basis to define the underground mining environment at exclusively Zone 0. For purposes of consistency with international standards, MSHA should recognize that underground coal mines can and do have different zones based on the conditions of each mine. Calling an underground coal mine Zone 0 for purposes of Part 18 inaccurately characterizes the realities of mining conditions and fails to recognize the regulatory controls MSHA has in place to control the mining environment. As a result, this narrowly tailored view has a detrimental effect on the availability of products to our miners.

The independent standards setting bodies which MSHA references in its proposed rule have a proven track record of approving standards that provide safe and appropriate levels of protection to workers in various work environments. Alliance Coal can see no valid reason to deviate from that framework, or to only adopt certain standards at the exclusion of others.

Thank you in advance for proposing this rule, and for taking time to consider these recommendations. If you have any questions, please do not hesitate to contact me.

Sincerely,

A handwritten signature in blue ink that reads "Kenneth A. Murray". The signature is fluid and cursive, with a long, sweeping tail on the final letter.

Kenneth A. Murray
Vice President of Operations
Alliance Coal, LLC