

# PUBLIC SUBMISSION

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**Docket:** MSHA-2020-0018

Testing, Evaluation, and Approval of Electric Motor-Driven Mine Equipment and Accessories. (PARTS 18 & 74)

**Comment On:** MSHA-2020-0018-0001

Testing, Evaluation, and Approval of Electric Motor-Driven Mine Equipment and Accessories

**Document:** MSHA-2020-0018-0018

Comment from Tim Burgess, J. H. Fletcher & Co.

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## Submitter Information

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## General Comment

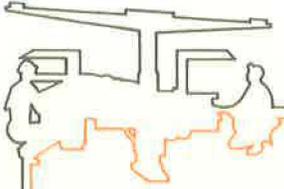
See attached file(s)

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## Attachments

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1219-AB93 Comm 12



December 21, 2020

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

Dear Ms. Fontaine:

**Re: Testing, Evaluation, and Approval of Electric Motor-Driven Mine Equipment and Accessories, Proposed Rule, RIN 1219-AB93, Docket No. MSHA-2020-0018, Federal Register, Vol. 85, No. 224, November 19, 2020**

J. H. Fletcher & Co. (Fletcher), offers the following comments to the Mine Safety and Health Administration (MSHA) concerning its proposed rule (PR) on "Testing, Evaluation, and Approval of Electric Motor-Driven Mine Equipment and Accessories," 85 Fed. Reg. 73656, November 19, 2020. This letter details our comments.

#### Introduction

Fletcher would like to thank MSHA for the opportunity to review and consider the recommendations to 30CFR Parts 18 and 74. Fletcher agrees with MSHA that the adoption of voluntary consensus standards (VCS), "...will promote the use of innovative and advanced technologies that lead to improvements in mine safety and health," and that, "...the use of VCS may also provide applicants and manufacturers [*for permissible equipment approval and certification*] a means to fast track technological advances into our coal mining industry thereby providing increased safety to our workers.

#### Approved voluntary consensus standards

Fletcher feels VCS approval should be extended to include ATEX gassy mine approved components that would be suitable for use at the face in an American coal mine.

#### Clarification of process

The future process to be followed is not clear in the proposal as currently written. For example, it is not clear whether MSHA will accept a certificate from a manufacturer of a component on the VCS list or whether MSHA will still require its own full evaluation, and possibly testing, to the new VCS standards. In Fletcher's opinion the certificate should be all that is required and would not have been obtained in the first place if the component provided any risk of causing a face ignition in a gassy mine. Fletcher proposes that MSHA issues an explosion proof MSHA number to this component based solely on this valid VCS approval certificate.

Once a valid VCS approval gains the MSHA x/p number then the VCS component can be submitted for usage on a machine. Alternatively, the applicant for a complete machine 2G certification may submit an application including components that have valid VCS approvals and MSHA will assign a X/P certification to that component as part of the 2G certification. The MSHA analysis of flame paths and explosion testing would not have to be performed thereby saving a huge amount of time in the process.

If a VCS component must go through the rigorous analysis and explosion testing as currently exists, then this change has minimal value to our industry.

Suggested wording for paragraph as below:

**§ 18.15 Changes after approval or certification.**

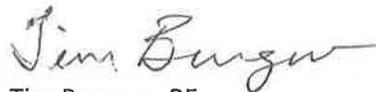
\* \* \* \* \*

(c) An application for a formal extension of approval or certification must have a list of new or revised drawings, specifications, and information related to the changes to be added to those already on file for the original approval or certification or a certificate from an accredited, independent laboratory. MSHA will issue a formal extension of approval or certification to a completely assembled electrical machine or accessory, if each component of such electrical machine or accessory:

- (1) Meets the requirements applied to the last approval, certification, or extension thereof; or
- (2) Meets voluntary consensus standard requirements listed in this part that apply to those components if the applicant chooses to use the requirements of the voluntary consensus standards.

Thanks again for this opportunity to comment on a great idea.

Sincerely,



Tim Burgess, PE

Executive Vice President of Engineering

J. H. Fletcher & Co.

Huntington, WV 25722

Cc Greg Hinshaw  
Carl Sanns