

From: Mike Mark-Anthony [mikem@cityelectricinc.com]
Sent: Monday, October 23, 2006 7:44 PM
To: zzMSHA-Standards - Comments to Fed Reg Group
Subject: RIN 1219-AB51

Dear Sir,

I wish to comment on MSHA's proposed increase in fines. As a professional mining engineer who has both taught MSHA safety classes as an independent trainer for 24 years and mined, I am opposed to the increase in fines, because fines do not improve safety. If MSHA wants to improve safety at mines...here is a short list of good suggestions:

1. MSHA needs to start giving courtesy inspections at regular intervals to the mines, instead of limiting these inspections to one in a mine's life. These courtesy inspections would go a long way in improving safety and improving msha's image in the mines.
2. MSHA needs to increase the training for new inspectors and require more mining experience before hiring inspectors.
3. MSHA needs to stop certifying MSHA instructors to teach msha classes who have no mining experience...Require at least 5 years of mining experience. Safety starts with training.
4. MSHA's appeal time needs to be increased, not decreased. It takes time to review and collect information in order to decide if a citation is valid or if you need to appeal it. Most mine managers are very busy running the mine.
5. MSHA's appeal process is definitely flawed. The MSHA district or sub-district supervisor should be able to negotiate the fine with the mine within a reasonable amount of time for serious citations.

Thank you.

Mike Mark-Anthony, P.E.