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Comment On MSHA-2007-0006-0001**Submitter Information****Views** **Comment Tracking Number** 803627c4**First Name** Greg**Middle Initial****Last Name** Franklin**Mailing Address** 201 Tucker Road, Suite 101**Mailing Address 2****City** Helena**Country** United States**State or Province** AL**Postal Code** 35080**Email Address** gfranklin@coaladmin.com**Phone Number** 205-665-2660**Org/Company/Govt Agency** Shelby Mining Co., LLC, Coke # 1 Mine**Number of Items Received****Submission Type** Web Submission**Number of Items** 1

1219-AB53-COMM-19

Comment Info: =====

General Comment: RIN 1219-AB53

Comment on the rule requiring mine rescue stations to be within 1 hour ground travel from the mine.

I believe that the old rule requiring mine rescue stations to be within 2 hours of the mine was practically adequate. Due to the location of my mine, it is questionable to whether the MSHA personnel required in the event of an emergency would be on site within 1 hour. A test was recently conducted by the coordinator of the state mine rescue teams to determine travel time from their station to my mine (we use the state mine rescue teams to meet the requirements for mine rescue).

It took 1 hr 13 min to get from the station to the mine. This mine is relatively small, less than 60 employees underground. From an operational and financial standpoint, It will be impractical to expect a mine of this size to create & suport 2 mine rescue teams.

I just recently received a letter from the state coordinator informing me that we would no longer have mine rescue coverage from the state after December 15, 2007 due to the 1 hour requirements of the MINER Act. I am sure there are many more mines across the country in this same situation.

Do we really want to risk closing mines for the sake of, in my case, 13 minutes, when this is 47 minutes better than the old rule? I believe the MSHA district manager should have the authority to grant a waiver to the 1 hour rule if certain criteria are met.