
From: James Johnson [mailto:jjohnson.lcrc@charterinternet.com]
Sent: Friday, September 26, 2008 11:34 AM
To: zzMSHA-Standards - Comments to Fed Reg Group
Subject: RIN 1219-AB41

I have attached comments on 30 CFR Parts 56,57 & 66 (proposed rules on Alcohol and Drug-Free Mines) in Word and PDF format. If for any reason neither of these formats is acceptable, please e-mail back immediately to let me know. Thank you.

Jim Johnson, Engineer
Leelanau County Road Commission
231-271-3993 ext 224

AB41-COMM-27

Leelanau County Road Commission

10550 E. Eckerle Road
Suttons Bay, Michigan 49682
Phone (231) 271-3993
FAX (231) 271-5612
e-mail lcrc@charterinternet.com

COMMISSIONERS

Glen Noonan
Lee A. Bowen
John Popa

Superintendent-Manager – Herb Craddock
Engineer – James Johnson
Clerk – Joel Nedow

September 26, 2008

MSHA

Office of Standards, Regulations and Variances
1100 Wilson Boulevard, Room 2350
Alexandria, Virginia 22209-3939

Re: Comments on Proposed Rule for Alcohol and Drug-Free Mines

Dear Sir or Madam:

This letter is commenting on 30 CFR Parts 56, 57, and 66, the proposed rule on Alcohol and Drug-Free Mines as published September 8, 2008 in the Federal Register.

The Leelanau County Road Commission is in full support of the concept of an Alcohol and Drug-Free workplace, including our mine site. The comments listed below are not in opposition to the concept, but are a request to seamlessly dovetail our existing reporting system into any future documenting and reporting for MSHA.

Like many entities in the sand and gravel industry, our employees wear more than one hat. The people who produce sand and gravel under MSHA rules during the summer also plow snow in the winter. All of our employees (including management, excepting our Clerk and Payroll Clerk) are required to maintain a Commercial Driver's License (CDL). All these CDL holders are under Federal DOT regulations for drug and alcohol awareness, pre-employment background checks, pre-employment testing, random testing, accident based testing and reasonable suspicion testing. We maintain a driver file for each individual. I believe the program is robust and effective.

While I see mention of the similarity between MSHA and DOT programs in the Federal Register, I do not see any statement that MSHA would accept our current program. It is my request and recommendation that you accept any current program that meets DOT standards, including the existing record keeping format, forms, and filing system. Creating a duplicate system just to use new forms and files would be a waste of public money at this Road Commission. Thank you for considering this suggestion.

Sincerely,

James C. Johnson, P.E.
Engineer