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January 8, 2009

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

Regarding: Program Policy Letter No. P08 (12/12/2008 - Draft)
Guidance for Compliance with Post-Accident Two-Way Communications and Electronic Tracking Requirements of the Mine Improvement and New Emergency Response Act (MINER Act)

NL Technologies would like to make the following comments to the Draft Program Policy Letter No. P08:

Two-Way Communication System

1. The word "mesh" should be changed to "WiFi" or other term that does not exclude systems that are connected via fiber. A fiber system has a much higher performance, and is equally or more reliable.

COMM-10

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Electronic Tracking System

2. a. i. Determining location within 200 feet is unnecessarily small resolution. We recommend this be changed to 1000 feet.

4. a. Given that systems might use the same infrastructure for two-way communications and for tracking (such as WiFi Access Points), it should be permitted for this infrastructure to use a duty cycle during an emergency situation. This will still allow surface personnel to know the location of personnel within 60 seconds of loss of power. Also, they will know the location of personnel periodically as the system is cycled on and off. This is important to maintain the 24 hour requirement within a reasonable cost, and is adequate for location since personnel do not normally travel large distances in a short period of time.

Best Regards,

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