-------- Original Message --------
Subject:PPL public comments - Fedreg. Doc. E8-29943
Date: Thu, 08 Jan 2009 11:10:47 -0800
From: Rod Nemitz <renemitz@comcast.net>
To: GoodGuidance@dol.gov

Dear Mr. Stickler and MSHA Policy Setting Committee,

I have reviewed the MSHA Wireless Communications and Electronic Tracking Systems Guidance recently published which addresses the requirements for tracking and communication systems used in underground mining applications. I have had the opportunity over the last few years to go into several mines in Asia and the US, and I have seen first hand the realities of the hazards and complexities of the underground mine environment. Based on these experiences and in review of the Program Policy Letter I have comments I would like to add for your consideration as the regulations move forward.

1) Tracking Accuracy -- Along the escapeways the PPL recommends 2000 feet accuracy or reader spacing is sufficient. When underground in a mine, sounds do not travel very well. Unlike when standing in a field yelling or making noise, someone underground making noise can not be heard very well from nearly 1/2 mile away. Trying to locate someone when you only have an idea of where they may have passed some time ago and could now be anywhere in a 2000 foot range is going to greatly increase the time to find someone. And depending on the environment or circumstances of the mine emergency it may send rescue personnel into a hazardous area unnecessarily. While these may not be the common working areas, these escapeways or at least the main haulage entry where people are moving regularly should require much better accuracy (like the 200 feet suggested in working areas).

2) Guidance vs. Requirement -- My main concern with the current PPL is that all of this definition of the requirements for tracking and communications is delivered as guidelines for the mines to follow. Again, I have seen dramatic differences around the world how governments have addressed human safety through various regulations and standards. In almost every other example area, the US has been a leader in setting regulations to ensure safety. I try to imagine how our construction industries, automobile industries, and public traffic would be if instead of codes and regulations there were just guidelines to suggest how these industries should operate. All of these well established codes and regulations were created by the government because of the need to protect human life. Just as critical is the need for these communication and tracking requirements to be turned into law and enforced as requirements as soon as possible. The underground mine environment is very hazardous. There is technology now available that can be employed to greatly increase the safety of the men and women that work in these areas, and it is time now to make these systems mandatory.

Thank you for your consideration of these comments and diligent work addressing this dangerous work environment.

Sincerely,

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