CLIFFS

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January 8, 2009

Ms. Patricia W. Silvey
Director
Office of Standards, Variances & Regulations
Mine Safety & Health Administration
1100 Wilson Boulevard, Room 2350
Arlington, VA 22209-3939

RE: Draft Program Policy Letter (PPL) – Guidance for Compliance with Post-Accident Two-Way Communications and Electronic Tracking Requirements of the Mine Improvement and New Emergency Response Act (MINER ACT)

Dear Ms. Silvey:

This letter contains Cliffs Natural Resources' initial response to the Mine Safety & Health Administration's draft Program Policy Letter providing guidance for compliance with post-accident two-way communications and electronic tracking requirements.

Cliffs Natural Resources is an international mining company that operates iron ore and coal mines in the United States. Its three underground coal mines and associated facilities, located in West Virginia and Alabama, employ about 900.

While this letter contains our initial response to MSHA's PPL published in the Federal Register on December 18, 2008, we strongly support the National Mining Association's request for a 30-day extension of the period for the submittal of comments. We believe the additional time is necessary to fully study the technical requirements put forth in the guidelines and their implications at our mines – and to ensure a comprehensive response to this important proposal.

Our initial response includes these general areas of concern:

Cliffs urges that an appendix of mining terminology be included to ensure consistent understanding and enforcement of the regulations once they are enacted.

Regarding Two-Way Communications Systems:

Cliffs believes that coverage "for each working section in a mine including all intersections," if it were to include all entries and all cross cuts, would present significant operational and maintenance challenges that would be counter-productive to MSHA's goals for the electronic tracking system.

Further, we believe that the functionality of current, available Two-Way Communications technology "when protected against forces that could cause damage" (6d) is problematic. Our concern is that burying or hardening lines for currently available systems significantly compromises functionality.

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Regarding the Electronic Tracking System:

Cliffs recommends that the "working section" definition (Section 2ai) should be defined more specifically to read: "The system must provide coverage for each working section in by the dumping point in a mine." In addition, the requirement that coverage must include "all intersections" (2ai), should be clarified to read "tracking coverage in primary and secondary escape ways with a tracking reader within 500 feet of the active face and at 2000 feet spacing outside the working area."

Cliffs recommends that Section 2aiii be removed because it duplicates the information in Section 2ai and Section 2aii. We believe its inclusion is unnecessary and creates confusion.

Again, we appreciate MSHA providing us the opportunity to submit comments on the draft, but would suggest that the comment period be extended for 30 days.

Thank you for this opportunity to provide these initial comments and for your consideration of our request for a 30-day extension of the comment period.

Sincerely,

Duke Vetor
Senior Vice President
North American Coal
Cliffs Natural Resources

Cc: Bruce Watzman
Vice President
Safety, Health & Human Resources
National Mine Association