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November 22, 2005

MSHA, Office of Standards, Regulations, and Variances
100 Wilson Blvd., Room 2350
Arlington, VA 22209-3939

Subject: RIN: 1219-AB29
DPM Hearings

Attached please find the comments of Mr. Ray Ragland regarding the **Diesel Particulate Matter Exposure of Underground Metal and Nonmetal Miners** and the September 7, 2005 proposed rule regarding the final DPM limit.

Mr. Ragland is an owner/operator of a small quarry in Leitchfield, Kentucky and a member of the Kentucky Crushed Stone Association, Inc. Mr. Ragland and his operation is a prime example of the small, family owned underground mines in Kentucky that will be adversely affected by the proposed final DPM limit.

The Kentucky Crushed Stone Association, Inc. respectfully submits Mr. Ray Ragland's comments in reference to the final DPM limit.

Sincerely,

Ronald H. Gray

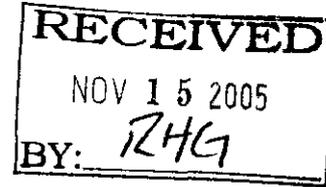
Ronald H. Gray
Executive Director

Enclosure:
cc: Ray Ragland

AB29-COMM-5

November 08th 2005

Ragland Quarry Inc.
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Leitchfield, Kentucky 42754
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Mine Safety and Health Administration
Ron Gray
K C S A
P.O. Box 326
Frankfort, Kentucky 40602-0326

To Whom This May Concern:

This letter is regarding proposed DPM Regulations.

I certainly do not have scientific or technological information to provide, however I would like to give MSHA a viewpoint from my perspective. There are many points to consider ranging from environmental to financial besides the health of the miner.

Rest assured that I want to have good quality air in our mine for myself and the miners. The question seems to be what is good air and how do we measure it. The answer will have long term far reaching effects on the aggregate industry. As we all know there are fewer and fewer places to mine with more and more environmental restrictions and zoning laws to comply with. One way to extend the life of some reserves is to mine underground once surface mining becomes unfeasible. Underground mining allows the production of rock where overburden becomes too costly to remove. Underground mining limits noise and dust from blasting without disturbing the top, leaving the top side for other uses. If rules are too stringent, this puts underground quarries at a disadvantage with surface mines.

In our operation we have purchased two haul trucks this year in order to comply with DPM regulations. The cost of purchasing the needed equipment was \$620,000. Had we been a surface mine operation we could have purchased trucks for about a third of the cost. This is a big investment for a small operation.

The financial ability to operate an underground mine should be considered by MSHA. If MSHA continues to drive cost upward many small mines such as ours may be forced to close. Where as huge publicly traded companies have access to many forms of capital, small companies do not have such means. Large companies have the ability to upgrade machinery in mines much easier.

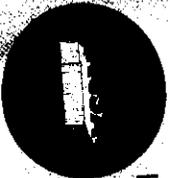
Small operations such as ours, serves a small community market that larger operations tend to ignore. Without a source of crushed stone local community will certainly suffer. In our community there are two underground mines, but no surface mines. The closest surface mine is approximately thirty miles away. If we cannot continue to supply stone to our community the cost of development, construction and maintance of roads and buildings will rise as well as farmers cost of trucking in agricultural lime for crops from a distant quarry. Small communities need small mines to supply their needs just as large metro areas need the bigger operations to supply their needs.

It is my hope that MSHA will consider a middle ground in their decision making which will benefit both the large and small operator as well as the miners. All mines must have good air. The mine operator must be able to afford the cost of good air. All communities need a source of crushed stone for economic development. Many people will lose jobs, costs will rise and economic development will be hindered if workable solutions are not found.

Thank You for your time and considerations.

Sincerely:


Ray Ragland



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