

**From:** Moore, Bryan <moorebr@vmcmail.com>  
**Sent:** Tuesday, February 06, 2018 11:42 AM  
**To:** zzMSHA-OSRVRegulatoryReform  
**Subject:** Standards that should be repealed or modified

### 56/57/13010 **Reciprocating-type air compressors.**

(a) Reciprocating-type air compressors rated over 10 horsepower shall be equipped with automatic temperature-actuated shutoff mechanisms which shall be set or adjusted to the compressor when the normal operating temperature is exceeded by more than 25 percent.

(b) However, this standard does not apply to reciprocating-type air compressors rated over 10 horsepower if equipped with fusible plugs that were installed in the compressor discharge lines before November 15, 1979, and designed to melt at temperatures at least 50 degrees below the flash point of the compressors' lubricating oil.

This standard is extremely outdated and provides no extra line of defense. The standard was obviously written in error in one of two ways the word reciprocating was supposed to be rotary or the 10 hp was supposed to be 100. Regardless, you cannot buy a reciprocating compressor over 10 hp and under 100hp electric off the show room floor that has the high temperature switch in place. It must be special ordered with the switch or put on afterward. Seems there are thousands upon thousands of these in the US that are ok to use under OSHA standard but MSHA hasn't changed even when given the opportunity recently. Definitely a standard that is no longer needed. Requiring the switch in 56.13010 overrides 56.13001 because the compressors sold today are in compliance with ASME.

### **30 CFR § 56/57.13017**

#### **Compressor discharge pipes.**

Compressor discharge pipes where carbon build-up may occur shall be cleaned periodically as recommended by the manufacturer, but no less frequently than once every two years.

A standard that is applied to most reciprocating compressors. These compressors do not generate high enough temperatures to create carbon buildup on the discharge pipe. Further the synthetic oil is much lower in carbon and can withstand extreme temperatures before breaking down to form carbon. We have not found any carbon in the discharge tubes inspected even when the machine is extremely old. This requirement also sets operators up for damaging the system unnecessarily to prove to an inspector no carbon exists.

### **30 CFR § 56.13020**

#### **Use of compressed air.**

At no time shall compressed air be directed toward a person. When compressed air is used, all necessary precautions shall be taken to protect persons from injury.

Though many would consider this a best practice if unregulated, it does seem outdated in that OSHA allows it as long as a diffuser is used under 30 psi and other PPE in place.

### **30 CFR § 56.15005**

#### **Safety belts and lines.**

Safety belts and lines shall be worn when persons work where there is danger of falling; a second person shall tend the lifeline when bins, tanks, or other dangerous areas are entered.

Everyone knows that a safety belt is outdated and the entire standard should be brought up to today's technology to be accurate and enforceable.

### **30 CFR § 56.14101**

#### **Brakes.**

(a) *Minimum requirements.* (1) Self-propelled mobile equipment shall be equipped with a service brake system capable of stopping and holding the equipment with its typical load on the maximum grade it travels. This standard does not apply to equipment which is not originally equipped with brakes unless the manner in which the equipment is being operated requires the use of brakes for safe operation. This standard does not apply to rail equipment.

(2) If equipped on self-propelled mobile equipment, parking brakes shall be capable of holding the equipment with its typical load on the maximum grade it travels.

This standard is outdated due to the fact that non off road equipment are not designed and built to hold the load on the steepest grade without assistance from the transmission. Further MSHA will not allow aftermarket park brakes to solve the problem on many trucks. Everyone agrees a park brake should be used on a grade but it should be reasonable to assume if the manufacturer doesn't build the truck to meet the standard that something needs to change to be fair to operators in the industry.

I am sure there are others standards that need attention but these are the top of my list. Further if MSHA truly wants to affect safety the citation needs to be written to the offender not the operator (unless the operator was involved in the failure) which is the case with offenses related to customer truckers. It would not take many enforcement actions to change customer values related to climbing, PPE, parking procedures, etc. and make the mine site safer.

I am glad MSHA is taking a serious look at the older outdated standards. It is long overdue.

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