

Hubble Mining Company, LLC

P.O. Box 392
Pikeville, KY 41502

February 7, 2018

MSHA-OSRV

Regulatory Reform – Executive Order 13777

zzMSHA-OSRVRegulatoryReform@dol.gov

Re: Proximity on Continuous Miner

To Whom it May Concern:

While I have attended several seminars conducted by MSHA, talking to representatives from Matrix and Strata, I have come to the conclusion that Proximity installed on miners are not a safety device, but a training tool.

In all meetings conducted by MSHA, the first thing announced by MSHA representatives is to quote the disclaimer from the manufacturer that these are not safety devices. When going over accidents which have occurred involving continuous miners, we have found that some have actually been prox fitted, and still yet, the accidents have occurred.

I am a small contract operator that has gone from 10 mines with 300 employees to 3 mines with 100 employees over the period of the last 5 to 6 years. To add Proximity to the 5 miners we are using would cost \$500,000.00. An expense that would put small contractors, such as myself out of business. There is no question that this expense will definitely cause an additional hardship on my already declining company resulting in 100 employees being forced to find work elsewhere.

Since this requirement does not ensure the safety of my men it seems a little ridiculous to install a training device on my continuous miners when the same results are met in our roof control plan with safety precautions for staying out of the Red Zone. (See attachment). Through annual training and weekly safety meetings the end results have been the same without spending \$500,000.00, of which I haven't made in the last 3 years.

This regulation is excessive, burdensome, and deficient in ensuring safety. We need this regulation delayed and a repeal considered to allow us to continue mining in this busted coal market.

Thank you for your consideration regarding this matter.

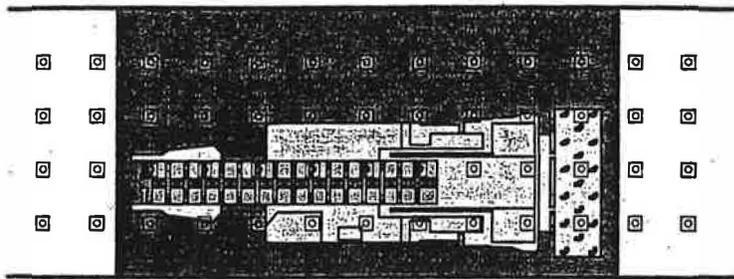
Sincerely,

Harold Akers
Hubble Mining Co., LLC

RED ZONE PRECAUTIONS

FOR

Continuous Mining Machines



■ Restricted Red Zone Area

No person will be in by the continuous miner operator's work position while the continuous miner is being operated.

Continuous Trimming:

When the continuous miner is being trammed anywhere in the mine, other than when cutting or loading coal, no person shall be allowed along either side of the continuous mining machine.

De-energizing Pump Motor:

The pump motor of the continuous mining machine will be de-energized during loading or unloading of the trailing cable that supplies electrical power to the continuous mining machine.

Emergency Stop Switches:

At any time the continuous mining machine is being operated using a remote control unit, the unit shall be equipped with an emergency stop switch or panic bar that will de-energize the continuous mining machine quickly in the event of an emergency. The emergency stop switch or panic bar shall be prominent and easily accessible.