

**From:** Lindi Sutton <Lindi\_Nicole03@hotmail.com>  
**Sent:** Tuesday, February 20, 2018 10:35 PM  
**To:** zzMSHA-OSRVRegulatoryReform  
**Subject:** Underground Approved Instructor, Mine Rescue Trainer Certifications District Requirements

To whom it may concern,

Currently I am applying to receive my Underground Approved Instructor and Mine Rescue certification. I have a Bachelors of Science Degree and three years of safety experience as a Safety Supervisor/ Superintendent, one year being at an Underground metal/nonmetal mine. I have submitted my resume and application to the district office in hopes to update my current Approved Instructor-Surface to include Underground. I have been told that I will need three years of underground experience to receive the Underground Certification added to my current Approved Instructor card, let alone receive the mine rescue trainer certification. The regulation does not state this time frame requirement for Approved Instructor and the Mine Rescue Trainer requires one year in the regulation. I perform new miner, annual refresher training on surface and underground topics that are relevant to our mine for the past year. I have instructed mine rescue team training sessions for the past year as well as be a member of the team, received apparatus training and training at the MSHA academy in Beaver, WV that was required by the district. After completion of said training, the district added requirements to my training to prolong the process of receiving my trainer card by two years.

The current regulations quoted:

Regarding Approved Instructor

48.3(h)

(h) Instructors shall be approved by the District Manager in one or more of the following ways:

(1) Instructors shall take an instructor's training course conducted by the District Manager or given by persons designated by the District Manager to give such instruction; and instructors shall have satisfactorily completed a program of instruction approved by the Office of Educational Policy and Development, MSHA, in the subject matter to be taught.

(2) Instructors may be designated by MSHA as approved instructors to teach specific courses based on written evidence of the instructors' qualifications and teaching experience.

(3) At the discretion of the District Manager, instructors may be designated by MSHA as approved instructors to teach specific courses based on the performance of the instructors while teaching classes monitored by MSHA. Operators shall indicate in the training plans submitted for approval whether they want to have instructors approved based on monitored performance. The District Manager shall consider such factors as the size of the mine, the number of employees, the mine safety record and remoteness from a training facility when determining whether instructor approval based on monitored performance is appropriate.

Regarding Mine Rescue Trainer quoted

49.8(d)

Reg Reform Comm-026

**(d)** The training courses required by this section shall be conducted by instructors who have been employed in an underground mine for a minimum of one year within the past five years, and who have received MSHA approval through:

**(1)** Completion of an MSHA or State approved instructor's training course and the program of instruction in the subject matter to be taught.

**(2)** Designation by the District Manager as approved instructors to teach specific courses, based on their qualifications and teaching experience. Previously approved instructors need not be re-designated to teach the approved courses as long as they have taught those courses within the 24 months prior to the effective date of this part. Where individuals are designated, the District Manager may waive the underground experience requirement.

Is there anything that can be accomplished to set requirements for all districts. I have heard this issue from other districts and a uniform regulation would clear this up. District managers neglect these regulations and go by their own.

Thank you for your time and I welcome your thoughts towards these and other issues that are brought forward from the mining industry.