

Independent Miners & Associates / 44 North Crescent Street / Tremont, Pennsylvania 17981

Date: November 30, 2017

Re: U.S. Department of Labor Office of Inspector General/Office of Audit, Mine Safety and Health Adm.  
Report Number: 05-06-003-06-001 / Date Issued: March 31, 2006

To: Randall Caramellino from District 2 MSHA Office

The purpose of this memorandum is to make you aware of our segment of the coal mining industry in the hope you will consider us in your process of reviewing congressional bills and formulating laws affecting the coal industry.

We are the independent anthracite underground miners of eastern Pennsylvania. Our numbers are few (10) not because of the shortage of the product but because of the over regulation of the federal government as it applies to our mining uniqueness (see attached).

As you should be aware, eastern Pennsylvania is the only location in the United States where Premium Anthracite coal is found. Our production for 2010 was 240,465 tons compared to 47,528,837 tons mined in bituminous underground mines in Pennsylvania. Of our 10 mines, 9 mines had a total production of 40,605 tons and had an average of 6 personnel. Our organizational structure in 9 of our mines is that of a partnership. There are no corporate entities and hence no employer employee relationship. Safety is the number one priority since it means economic survival for the partners and their families.

Because of our differences in mining methodologies and other aspects of mining, the Commonwealth of Pennsylvania has always had two different mining laws, one for anthracite and a different one for bituminous. The federal government however only has one law and it applies these laws to cover all of the coal industry. In the administration of these laws by the Department of Labor (DOL), Mine Safety Health Administration (MSHA), they fail to consider our differences even though in a 2006 audit by their own agency it was recommended they do so. It is a constant battle to say the least. Consequently, we continue our efforts to break away from the direct oversight of MSHA with the goal of having the Commonwealth of Pennsylvania assume the primary responsibility for mine safety with MSHA as an overseer. With only 10 mines this makes operational sense and clearly will result in a financial savings to DOL and the taxpayers.

In the process of considering proposed laws, we, the underground anthracite miners petition you to consider our segment of the mining industry in the framing of such mining laws.

We stand ready to assist you in any manner to successfully achieve mining laws which are fair and appropriate and which are applicable to all segments of the mining industry.

Sincerely,  
Independent Miners & Associates, Inc.

## **ANTHRACITE VS BITUMINOUS Underground Mining**

1. Within the United States, Premium Anthracite is only found in Eastern Pennsylvania. Bituminous is found throughout the United States
2. Anthracite coal dust does not explode. It is not volatile like bituminous.
3. Most anthracite coal seams contain very little, if any, methane gas. If any gas is liberated, it rises to the upper area of the mine and most of the time to the surface through breach holes. A trait of anthracite due to the steep pitch of the coal veins, not flat like bituminous. Anthracite coal lies on pitch which allows the coal seams to outcrop. This has provided the methane gas a way to be released through the geologic time clock. Because bituminous seams lay flat, there is much less outcrop zone and therefore, the original methane gases have remained trapped within the coal.
4. There is very little electric equipment in anthracite mining because of the nature of the veins. Most mining is by hand. This greatly reduces the risk of explosions or fire. Most equipment that is used underground is powered by air; air drills, air chain saws etc.
5. Unlike bituminous, most anthracite mines are wet reducing the chances of explosions or fire. Groundwater flows through the coal seam and surrounding strata on a continuous basis which keeps the mine working wet and moist.
6. Anthracite mines average 9 miners with 9 out of 10 mines averaging 6 miners. Pennsylvania bituminous mines average 134 miners per mine.
7. With the exception of one mine, anthracite mines operators are organized as a partnership. Bituminous, typically, are large corporate entities and therefore exists an employer employee relationship.
8. For 2010, coal production for anthracite was 240,465 tons compared to 47,528,837 tons for Pennsylvania bituminous underground mines.
9. With the exception of one mine, anthracite mining activities are less than 2,000 feet from the surface. Anthracite mines are not developed for miles like bituminous mines. Anthracite operations tend to be in the same location for up to months due to the mining method of advancing by hand.
10. Any mining law that is introduced undoubtedly will result in a cost to the operator. As you can see, our production is such that it becomes a financial hardship to implement any law, unlike bituminous operators. The greater production the greater bottom line.

