



150 W Market Street • Indianapolis, IN 46204 • Phone: (317) 638-6997 • Fax: (317) 638-7031
E-Mail: admin@indianacoal.com • Web: www.indianacoal.com

December 20, 2018

Ms. Sheila McConnell, Director
Office of Standards, Regulations, and Variances
U.S. Department of Labor
Mine Safety and Health Administration
201 12th Street South, Suite 401
Arlington, VA. 22202-5452

Re: Request to Rescind Program Information
Bulletin No. P14-04

Sent via Regulatory Reform Portal

Dear Ms. McConnell;

The Indiana Coal Council (ICC) is the trade association for the coal industry in the state of Indiana. Members of the ICC include all currently producing companies, large reserve holding companies, and approximately 85 companies providing goods and services to the industry.

On February 24, 2017, President Donald Trump signed Executive Order 13777, Enforcing the Regulatory Reform Agenda. This order directed agencies review existing regulations to assess compliance costs and reduce regulatory burden. Since that time, the Mine Safety and Health Administration (MSHA) requested stakeholder assistance in identifying those regulations that could be repealed, replaced, or modified without adversely affecting miner safety and health. Consistent with this request, the ICC recommends that Program Information Bulletin No. P14-04 be immediately rescinded.

On June 5, 2014, MSHA issued Program Information Bulletin (PIB) No. P14-04, which removed the expiration dates from MSHA Directives. The PIB states in part *“in the past, there has been confusion over which policies and procedures were in effect, because many times valid policies and procedures were temporarily cancelled when the PPL or PIL expired and there was a delay in reissuing the directives. By no longer listing the expiration dates this problem is eliminated. Directives will continue to be reviewed through a revalidation process and cancelled when they become obsolete.”*

Contrary to MSHA’s belief there would be less confusion as to which policies were in effect by removing expiration dates, the process has in fact created more confusion by requiring the mining industry and MSHA enforcement personnel to continually monitor multiple sources

Reg Reform Comm - 081-1

Ms. McConnell
Page Two
December 20, 2018

of directives. The common practice of issuing policies that lasted only a finite period of time has turned into a practice of allowing temporary directives to last indefinitely.

The ICC and its members trust that MSHA recognizes the importance in regulations and policies being applied in a fair, consistent, and transparent manner. To that end, we respectfully request Program Information Bulletin No. P14-04 be immediately rescinded.

Thank you for the opportunity to comment on this important matter and we look forward to constructive dialogue with you and the agency to advance the industry's commitment to the safety and health of the nation's miners. Please feel free to contact me with any questions.

Respectfully,

A handwritten signature in black ink, appearing to read "Bruce A. Stevens", with a long horizontal flourish extending to the right.

Bruce A. Stevens
President