



18 January 2019

Sheila A. McConnell  
Mine Safety and Health Administration  
Director, Office of Standards, Regulations, and Variances  
201 12<sup>th</sup> Street South, Suite 401  
Arlington, VA 22202-5452

Re: Provide or view comments on MSHA regulations to repeal, replace or modify

Filed via Email: [zzMSHA-OSRVRegulatoryReform@dol.gov](mailto:zzMSHA-OSRVRegulatoryReform@dol.gov)

Dear Ms. McConnell

In response to President Trump's signed Executive Order 13777, entitled "Enforcing the Regulatory Reform Agenda.", Joy Global Underground Mining LLC, a member of the Komatsu Mining Corp Group, submits the following.

Joy Global has been an industry leading manufacturer of underground mining equipment for nearly 100 years. We manufacture equipment for crushing and conveying, room and pillar, entry development, longwall systems, hard rock and other mining applications. In effect, we offer full-system solutions for the underground mining market. Our nearly 100 hundred years in the market have produced countless innovations in safety, reliability and efficiency. As we continue to move forward and develop new innovations and technologies for the mining market we must, as an industry look at the regulations that are in place to promote a safe and healthy workplace for miners.

The equipment we manufacture for the United States is primarily regulated by the Code of Federal Regulations Title 30, Part 18 – Electric motor-driven mine equipment and accessories and Part 75 – Mandatory safety standards, underground coal mines. There are also other parts of Title 30 that we follow to ensure full compliance of our equipment before going into service at any underground mine. We currently maintain hundreds of machine approvals and certifications for our equipment.

It is not the intent of this letter to identify a portion of the Code of Federal Regulation that needs repealed, replaced or modified, but to identify the need to develop a system, process or program that brings the industry together as a whole for maintaining and developing regulations necessary for the continued safety and health of miners.

To supply equipment compliant to the various parts of Title 30 to the mining industry involves Revised Approval Modification Program (RAMP). These RAMPs are submitted to the Approval and Certification Center for acceptance before changes can be incorporated and placed into service in an underground coal mine. The Approval and Certification Center is bound to ensure the equipment is compliant to Part 18, however, where Part 18 falls short of providing clearly defined requirements the Approval and Certification Center has the authority per "the opinion of its qualified representatives", that "it is safe for its intended use." It has been our experience as a global leader in the manufacture of underground coal mining equipment, that qualified representatives consist of industry leaders from the mine operators, regulators, manufactures, and various other interested stakeholders. Not just one branch of the industry.

Other industries that promote safety and efficiency in hazardous areas maintain groups consisting of Technical Committees, Maintenance Teams and other Working Groups. These groups consist of industry experts which are charged with maintaining and implementing changes relative to the continued monitoring of standards and implementation of new technology. Another advantage of continuously revising the standards and releasing updated versions is that sections of the standards which are not clear and leads to confusion when interpreting can be clarified. Releasing updated versions of the standards also ensures the industry constantly reviews their equipment and

operations to the latest versions which increases focus and compliance and continuously drives to improve the safety of the mines and equipment.

When reading through the other comments submitted on the regulatory reform internet site, there is clearly a need from the industry for certain standards to be revised for clarification purposes and there is also a real desire for revision of the standards to allow keeping up with technology that will improve the safety and efficiency of mines in the United States.

For the industry to ensure safe and healthy workplaces for miners, it is vital that MSHA in all its parts adopt a system, process or program that will allow industry experts to participate in decision making and publication related to the Mine Safety and Health Administrations regulations and that the standards are revised on a regular basis to keep up with technological advancements.

If additional information is required, please contact me at (814) 432-1573 or by e-mail at [matt.crow@mining.komatsu](mailto:matt.crow@mining.komatsu)

Sincerely,



Matt Crow

cc: