

December 20, 2018

Comments on Request for Information: Safety Improvement Technologies for Mobile Equipment at Surface Mines, and for Belt Conveyors at Surface and Underground Mines, RIN 1219-AB91; Docket No. MSHA-2018-0016

The National Stone, Sand & Gravel Association (NSSGA) appreciates having the opportunity to provide comments on the Mine Safety and Health Administration's (MSHA) Request for Information entitled "Safety Improvement Technologies for Mobile Equipment at Surface Mines, and for Belt Conveyors at Surface and Underground Mines" (Powered Haulage RFI).

NSSGA is the leading advocate for the aggregates industry which employs more than 100,000 highly-skilled men and women. NSSGA member companies are responsible for producing the essential raw materials found in every home, road, runway and public works project from schools to hospitals. Our industry generates \$27 billion in annual sales and supports \$122 billion in national sales in affiliated industries. For every job created in the aggregates industry, an additional 4.87 jobs are supported throughout the economy. Our customers are ultimately the taxpayers who fund our nation's infrastructure. NSSGA acknowledges the collaborative work undertaken by MSHA in recent years to help operators improve safety and health. NSSGA also appreciates the agency's collaboration through the MSHA-NSSGA Alliance. We are committed to continuing to work with MSHA on powered haulage safety and other safety and health initiatives.

Safety in working with and around powered haulage is of critical importance to our members. Many aggregates operations already employ technological controls (e.g., cameras on mobile equipment) and procedural measures (e.g., fatigue management plans) for powered haulage safety, even though such things are not required by MSHA. Operations also adopt new engineering and administrative controls, regardless of whether these are mandated by law. NSSGA recognizes, however, that safety is an ever-evolving field and the current Powered Haulage RFI will be helpful in highlighting additional measures for operations to evaluate or new research and development to further advance the cause of safety.

While we understand that MSHA has not announced yet any intention to move toward rulemaking on this subject, we would like to address several important considerations in making that decision. First, while NSSGA is generally supportive of initiatives aimed at identifying and applying administrative and engineering controls to provide for safety, it is imperative that the economic feasibility of any new rule be considered. This is particularly important for small aggregates operations.

Second, if MSHA were ultimately to engage in rulemaking, NSSGA urges caution against mandating a narrow class of engineering controls. Performance-based standards would better accommodate the wide variety of potential engineering-based safety measures, which will change over time as new technologies become available.

Third, additional research on the feasibility of engineering controls is also needed. Original equipment manufacturers may need to be involved in assessing and recommending appropriate technologies in order to avoid technical issues associated with retrofitting existing equipment. When it comes to selecting a particular type of engineering control, a one-size-fits-all approach would not be advisable, as each operation is unique.

Finally, NSSGA also urges MSHA to consider the behavior-based root causes of many powered haulage accidents and injuries. Awareness campaigns, additional training and dissemination of best practices can target these root causes and prevent future such incidents. We encourage MSHA to continue to work with industry in providing these types of preventive resources.

With regard to the specific questions asked in the Powered Haulage RFI, NSSGA suggests the following:

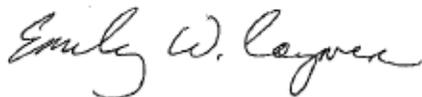
Seatbelts; A.5.: Seatbelt interlock systems may be a good enhancement, but any such system should still allow the engine to run because in cold weather applications the equipment needs to warm up.

Collision Warning Systems; B.6.: While NSSGA supports using collision/avoidance technologies, further study is needed on economic feasibility.

Belt Conveyors; E.18: Emergency stop cords currently provide a level of protection from contact with moving parts. MSHA should consider future protective technologies that include use of laser beams where stop cords are now used.

NSSGA is committed to work with MSHA on this and other safety initiatives and appreciates the opportunity to provide this input. Thank you for your consideration of these comments. I can be reached at (703) 526-1064 or at ecoyner@nssga.org.

Sincerely,

A handwritten signature in cursive script that reads "Emily W. Coyner".

Senior Director, Environmental Policy