

# United Mine Workers of America



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May 18, 2012

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Mr. Greg Moxness, Chief  
Economic Analysis Division  
Office of Standards, Regulations, and Variances  
Mine Safety and Health Administration  
1100 Wilson Boulevard  
Arlington, VA 22209-3939

Re: OMB Control Number 1219-0119

Dear Mr. Moxness:

Attached are the comments of the United Mine Workers of America on the above-named Proposed Extension of Existing Information Collection; Diesel-Powered Equipment for Underground Coal Mines. I ask that you forward a copy of our comments to the appropriate persons in your Agency for consideration.

Should you have any questions concerning this matter, please feel free to contact me.

Sincerely,

Dennis O'Dell, Administrator  
Department of Occupational Health & Safety

**Comments of the United Mine Workers of America  
On the Proposed Extension of Existing Information Collection;  
Diesel-Powered Equipment for Underground Coal Mines  
May 22, 2012**

MSHA indicates that this proposal is part of the Department of Labor's continuing effort to reduce paperwork and respondent burden in accordance with the requirements of the Paperwork Reduction Act of 1995. This proposal provides the general public and Federal agencies with an opportunity to comment on proposed and/or continuing collections of information to ensure that requested data can be provided in the desired format, reporting burden is minimized, collection instruments are clearly understood, and the impact of collection requirements on respondents can be properly assessed. MSHA indicates it is particularly interested in comments that:

- Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

**UMWA COMMENT:** The Mine Safety and Health Administration (MSHA) requires mine operators to provide important safety protections to underground coal miners who work in mines that use diesel-powered equipment. Diesel equipment can pose a fire and explosion hazard in the confined environment of an underground coal mine where combustible coal dust and explosive methane gas are present.

This information collection request (ICR) was last approved on March 31, 2009 when it was titled "Approval, Exhaust Gas Monitoring, and Safety Requirements for the Use of Diesel Powered Equipment in Underground Coal Mines". The ICR title has been shortened to "Diesel- Powered Equipment in Underground Coal Mines" to focus on the central subject of the ICR and to make reference to the ICR simpler. As is apparent from our comment, the UMWA believes there should be more, not less record collection regarding diesel-powered equipment.

With the release of the "Diesel Exhaust in Miners Study" conducted by NIOSH and the National Cancer Institute, it is obvious the Agency needs to address more than the ICR and the paper reduction act of this rule. As the study research points out, heavy exposure to diesel exhaust increases the risk of death from lung cancer to those exposed to diesel exhaust. The study has been ongoing for two decades and during that time period, many miners across the Country have been, and continue to be, exposed to diesel-powered exhaust because of inadequate protections. The time has come for action now that the report has been released. More importantly, MSHA owes it to miners to act accordingly. We have separately written to the Agency seeking attention to require greater protection from diesel exhaust for miners.

Pennsylvania and West Virginia mining regulators have already recognized the failures and shortcomings of the Federal diesel regulations that are written as law. Both of these states require state of the art filtration systems, newer engines, higher ventilation

requirements, and stringent maintenance and training plans that exceed the Federal Standards.

It is our hope that MSHA will take action immediately and begin to initiate and develop protocols including recommendations for rulemaking that reflect and incorporate the entire Pennsylvania and West Virginia diesel standards. The thousands of dedicated miners that help energize this Country deserve no less.

The following provisions are addressed by the ICR:

Sec. 75.1901(a)--Diesel fuel requirements; Sec. 75.1904(b)(4)(i)--Underground diesel fuel tanks and safety cans;

The information should further reflect to require the following stipulations;

- An underground diesel fuel storage facility shall be any facility designed and constructed to provide for the storage of any mobile diesel fuel transportation unit(s) or the dispensing of diesel fuel.
- Diesel-powered equipment shall be used underground only with fuel that meets the standards of the most recently approved EPA guidelines for over-the-road-fuel. Additionally, the fuel shall also meet the ASTM D975 fuel standards with a flash point of one hundred degrees Fahrenheit or greater at standard temperature and pressure. The operator shall maintain a copy of the most recent delivery receipt from the supplier that will prove that the fuel used underground meets the standard listed above.
- Underground diesel fuel storage facilities shall meet the following general requirements:
  - Fixed underground diesel fuel storage tanks are prohibited.
  - No more than five hundred gallons of diesel fuel shall be stored in each underground diesel fuel storage facility.
  - Underground diesel fuel storage facilities shall be located as follows:(a) at least one hundred feet from shafts, slopes, shops and explosives magazines;(b) at least twenty-five feet from trolley wires, haulage ways, power cables and electric equipment not necessary for the operation of the storage facilities; and(c) in an area that is as dry as practicable.
- Underground diesel fuel storage facilities shall meet the construction requirements and safety precautions enumerated in this subsection.

Underground diesel fuel storage facilities should also meet all of the following: Be constructed of noncombustible materials and provided with either self-closing or automatic closing doors. Be ventilated directly into the return air course using noncombustible materials. Be equipped with an automatic fire suppression system. Be equipped with at least two portable twenty-pound multipurpose dry-chemical type fire extinguishers. Be marked with conspicuous signs designating combustible liquid storage. Be included in the pre-shift examination, Welding or cutting shall not be done within fifty feet of a diesel fuel storage facility.

When it is necessary to weld, cut or solder pipelines, cylinders, tanks or containers that may have contained diesel fuel, the following requirements shall apply: Cutting or welding shall not be performed on or within containers or tanks that have contained combustible or flammable materials until such containers or tanks have been thoroughly purged and cleaned or inerted and a vent or opening is provided to allow for sufficient release of any buildup pressure before heat is applied. Diesel fuel shall not be allowed to enter pipelines or containers that have been welded, soldered, brazed or cut until the metal has cooled to ambient temperature.

#### Containers.

- Containers for the transport of diesel fuel shall meet the requirements of this section.
- Diesel fuel shall be transported only in containers specifically designed for the transport of diesel fuel.
- No more than one safety can, conspicuously marked, shall be transported on a vehicle at any time
- Containers other than safety cans used to transport diesel fuel shall be provided with the following: Devices for venting. Self-closing caps. Vent pipes at least as large as the fill or withdrawal connection, whichever is larger, but not less than one and one-fourth inch nominal inside diameter. Liquid-tight connections for all container openings that are identified by conspicuous markings and closed when not in use. Shutoff valves located within one inch of the tank shell on each connection through which liquid can normally flow.
- When tanks are provided with openings for manual gauging, liquid-tight caps or covers shall be provided and shall be kept closed when not open for gauging.
- Containers used for the transport of diesel fuel shall not exceed a capacity of five hundred gallons.
- Containers, other than safety cans, used for the transport of diesel fuel shall be permanently fixed to the transportation unit; provided, however, that the WV Diesel Commission may develop criteria on a mine by mine basis that allows for approved diesel fuel transportation units to be transported on (or by) a secondary transportation unit to their respective work areas.
- Diesel fuel transportation units shall be transported individually and not with any other cars, except that two diesel fuel transportation units up to a maximum of five hundred gallons each may be transported together.
- Diesel fuel shall not be transported on conveyor belts.
- When transporting diesel fuel in containers other than safety cans, a fire extinguisher shall be provided on each end of the transportation unit. The fire extinguishers shall be multipurpose type dry chemical fire extinguishers containing a nominal weight of twenty pounds.
- Diesel fuel transportation units shall have a fire suppression system.
- In mines where trolley wire is used, diesel fuel transportation units shall be provided with insulating material to protect the units from energized trolley wire, and the distance between the diesel fuel transportation unit and the trolley wire

shall not be less than twelve inches, or the trolley wire shall be de-energized when diesel fuel transportation units are transported through the area.

- Unattended diesel fuel transportation units shall be parked only in underground diesel fuel storage facilities.
- Safety cans shall be used for emergency fueling only.
- Safety cans shall be clearly marked, have a maximum capacity of five gallons and be constructed of metal and equipped with a nozzle and self-closing valves.

**Sec. 75.1906(d)--Transport of diesel fuel;**

The information should further reflect to require the following stipulations;

**Transfer of Diesel Fuel.**

- Diesel fuel shall be transferred as provided in this section.
- When diesel fuel is transferred by means of a pump and a hose equipped with a nozzle containing a self-closing valve, a powered pump may be used only if: the hose is equipped with a nozzle containing a self-closing valve without a latch-open device; and the pump is equipped with an accessible emergency shutoff switch.
- Diesel fuel shall not be transferred using compressed gas.
- Diesel fuel shall not be transferred to the fuel tank of diesel-powered equipment while the equipment's engine is running.
- Diesel fuel piping systems shall be designed and operated as dry systems.
- All piping, valves and fittings shall meet the following: Be capable of withstanding working pressures and stresses. Be capable of withstanding four times the static pressures. Be compatible with diesel fuel. Be maintained in a manner that prevents leakage.
- Vertical pipelines shall have manual shutoff valves installed at the surface filling point and at the underground discharge point.
- Unburied diesel fuel pipelines shall not exceed three hundred feet in length and shall have shutoff valves located at each end of the unburied pipeline.
- Horizontal pipelines shall not be used to distribute fuel throughout the mine.
- Diesel fuel piping systems shall be used only to transport fuel from the surface directly to a single underground diesel fuel transfer point.
- When boreholes are used, the diesel fuel piping system shall not be located in a borehole with electric power cables.
- Diesel fuel pipelines located in any shaft shall be included as part of the required examination of the shaft.
- Diesel fuel piping systems located in entries shall not be located on the same side of the entry as electric cables or power lines.
- Diesel fuel pipelines shall not be located in any trolley-haulage entry, except that they may cross the entry perpendicular if buried or otherwise protected in steel conduit or an equivalent from damage and sealed.
- Diesel fuel piping systems shall be protected to prevent physical damage.



**Sec. 75.1911(i) and (j)--Fire suppression systems for diesel-powered equipment and fuel transportation units;**

The information should further reflect to require the following stipulations;

**Fire suppression for Equipment and Transportation.**

- The system must be an automatic multipurpose dry-powder type fire suppression system suitable for the intended application and listed or approved by a nationally recognized independent testing laboratory. Installation requirements are as follows: The system shall be installed in accordance with the manufacturer's specifications and the limitations of the listing or approval. The system shall be installed in a protected location or guarded to minimize physical damage from routine operations. Suppressant agent distribution tubing or piping of the system shall be secured and protected against damage, including pinching, crimping, stretching, abrasion and corrosion. Discharge nozzles of the system shall be positioned and aimed for maximum fire suppression effectiveness in the protected areas. Nozzles shall also be protected against the entrance of foreign materials such as mud, coal dust or rock dust that could prevent proper discharge of suppressant agent.
- The fire suppression system shall provide automatic fire detection and suppression for all of the following: The engine, transmission, hydraulic pumps and tanks, fuel tanks, exposed brake units, air compressors and battery areas, as applicable, on all diesel-powered equipment. Fuel containers and electric panels or controls used during fuel transfer operations on fuel transportation units.
- The fire suppression system shall include a system fault and fire alarm annunciator that can be seen and heard by the equipment operator.
- The fire suppression system shall provide for automatic engine shutdown. Engine shutdown and discharge of suppressant agent may be delayed for a maximum of fifteen seconds after the fire alarm annunciator alerts the operator.
- At least two manual actuators shall be provided with at least one manual actuator at each end of the equipment. If the equipment is provided with an operator's compartment, one of the mechanical actuators shall be located in the compartment within easy reach of the operator. For stationary equipment, the two manual actuators shall be located with at least one actuator on the stationary equipment and at least one actuator a safe distance away from the equipment and in intake air.

**Fire suppression for Storage Areas.**

Fire suppression systems for diesel fuel storage areas shall meet the requirements of this section.

- The system shall be an automatic multipurpose dry-powder type fire suppression system or other system of equal capability, suitable for the intended application

and listed or approved by a nationally recognized independent testing laboratory. The system shall meet the following installation requirements: The system shall be installed in accordance with the manufacturer's specifications and the limitations of the listing or approval. The system shall be installed in a protected location or guarded to minimize physical damage from routine operation. Suppressant agent distribution tubing or piping of the system shall be secured and protected against damage, including pinching, crimping, stretching, abrasion and corrosion. Discharge nozzles of the system shall be positioned and aimed for maximum fire suppression effectiveness in the protected areas. Nozzles must also be protected against the entrance of foreign materials such as mud, coal dust and rock dust that could prevent proper discharge of suppressant agent.

- The fire suppressant system shall provide automatic fire detection and suppression for the fuel storage tanks, containers, safety cans, pumps, electrical panels and control equipment in fuel storage areas.
- Audible and visual alarms to warn of fire or system faults shall be provided at the protected area and at a surface location that is always staffed when persons are underground. A means shall also be provided for warning all endangered persons in the event of fire.
- Fire suppression systems shall include two manual actuators with at least one located within the fuel storage facility and at least one located a safe distance away from the storage facility and in intake air.
- The fire suppression system shall remain operative in the event of electrical system failure.
- If electrically operated, the detection and actuation circuits shall be monitored and provided with status indicators showing power and circuit continuity. If not electrically operated, a means shall be provided to indicate the functional readiness status of the system.
- Fire suppression devices shall be visually inspected at least once each week by a person qualified to make such inspections.
- Each fire suppression device shall be tested and maintained.
- A record shall be maintained of the inspection required by this paragraph. The record of the weekly inspections shall be maintained at an appropriate location for each fire suppression device.
- All miners normally assigned to the active workings of a mine shall be instructed about any hazards inherent to the operation of all fire suppression devices installed and, where appropriate, the safeguards available for each device.

**Sec. 75.1912(h) and (i)--Fire suppression systems for permanent underground diesel fuel storage facilities;**

The information should further reflect to require the following stipulations;

**Fuel Storage Facilities.**

An underground diesel fuel storage facility shall be any facility designed and constructed to provide for the storage of any mobile diesel fuel transportation unit(s) or the dispensing of diesel fuel.

- Diesel-powered equipment shall be used underground only with fuel that meets the standards of the most recently approved EPA guidelines for over-the-road-fuel. Additionally, the fuel shall also meet the ASTM D975 fuel standards with a flash point of one hundred degrees Fahrenheit or greater at standard temperature and pressure. The operator shall maintain a copy of the most recent delivery receipt from the supplier that will prove that the fuel used underground meets the standard listed above.
- Underground diesel fuel storage facilities shall meet the following general requirements: Fixed underground diesel fuel storage tanks are prohibited. No more than five hundred gallons of diesel fuel shall be stored in each underground diesel fuel storage facility.
- Underground diesel fuel storage facilities shall be located as follows: at least one hundred feet from shafts, slopes, shops and explosives magazines; at least twenty-five feet from trolley wires, haulage ways, power cables and electric equipment not necessary for the operation of the storage facilities; and in an area that is as dry as practicable.
- Underground diesel fuel storage facilities shall meet all of the following: Be constructed of noncombustible materials and provided with either self-closing or automatic closing doors. Be ventilated directly into the return air course using noncombustible materials. Be equipped with an automatic fire suppression system. Be equipped with at least two portable twenty-pound multipurpose dry-chemical type fire extinguishers. Be marked with conspicuous signs designating combustible liquid storage. Be included in the pre-shift examination. Welding or cutting shall not be done within fifty feet of a diesel fuel storage facility.
- When it is necessary to weld, cut or solder pipelines, cylinders, tanks or containers that may have contained diesel fuel, the following requirements shall apply: Cutting or welding shall not be performed on or within containers or tanks that have contained combustible or flammable materials until such containers or tanks have been thoroughly purged and cleaned or inerted and a vent or opening is provided to allow for sufficient release of any buildup pressure before heat is applied. Diesel fuel shall not be allowed to enter pipelines or containers that have been welded, soldered, brazed or cut until the metal has cooled to ambient temperature.

Sec. 75.1914(f)(1) and (2);(g)(5); (h)(1) and (2)--Maintenance of diesel powered equipment;

The information should further reflect to require the following stipulations;

Maintenance.



Diesel-powered equipment shall be maintained in an approved and safe condition as described or shall be removed from service.

- An operator choosing to use diesel equipment in an underground coal mine must develop a maintenance plan and submit his plan to the WV Diesel Commission for approval. Failure of the mine operator to comply with the maintenance requirements of this subsection may result in the revocation of the commission's approval of the complete diesel-powered equipment package, provided appropriate notification has been given to the mine operator and the procedures of this section have been taken. Upon receiving such notice, the mine operator shall have thirty days to submit a plan to achieve and maintain compliance. Such plan shall be evaluated by the commission, and, upon approval, the mine operator shall implement the plan. At any time the Department determines that the mine operator is unable or unwilling to comply, the District Manager shall revoke the mine operator's approval, which would in turn prohibit use of all diesel equipment at that mine.
- To acquire and maintain approval of a complete diesel-powered equipment package, the mine operator shall comply with the following requirements: All service, maintenance and repairs of approved complete diesel-powered equipment packages shall be performed by mechanics that are trained and qualified. Service and maintenance of approved complete diesel-powered equipment packages shall be performed according to: the specified routine maintenance schedule; on-board performance and maintenance diagnostics readings; emissions test results; and component manufacturer's recommendations.

#### **Records.**

A record shall be made of all emissions tests, preoperational examinations and maintenance and repairs of complete diesel-powered equipment packages. The records made shall meet the requirements of the section.

- The person performing the emissions test, examination, maintenance or repair shall certify by date, time, engine hour reading and signature that the emissions test, examination, maintenance or repair was made.
- Records of emissions tests and examinations shall include the specific results of such tests and examination.
- Records of maintenance and repairs shall include the work that was performed, any fluids or oil added, parts replaced or adjustments made and the results of any subsequently required emissions testing.
- Records of preoperational examinations shall be retained for the previous one hundred hour maintenance cycle.
- Records of emissions tests, one hundred-hour maintenance tests and repairs shall be countersigned once each week by the certified mine electrician or mine foreman.
- All records required by this section shall be retained for at least one year at a surface location at the mine and made available for inspection by the commission,

district mine inspector and by miners and their representatives. §196-1-19.  
Scheduled Maintenance.

- At intervals not exceeding one hundred hours of engine operation, a qualified mechanic shall perform the following maintenance and make all necessary adjustments or repairs or remove the equipment from service: Wash or steam-clean the equipment. Check for and remove any accumulations of coal, coal dust or other combustible materials. Check the equipment for damaged or missing components or other visible defects. Conduct electrical and safety component inspections. Replace engine oil and filter. Check the transmission oil level and add oil, if necessary. Check hydraulic oil level and add oil, if necessary. Check the engine coolant level and add coolant, if necessary. Check all other fluid levels and add fluid, if necessary. Check for oil, coolant and other fluid leaks. Inspect the cooling fan, radiator and shroud. Remove any obstructions and make necessary repairs. Check all belts. Tighten or replace, if necessary. Check the battery and service as necessary. Check the automatic fire suppression system. Check the portable fire extinguisher. Check the lights. Check the warning devices. With the engine operating, check and replace or repair the following: Oil pressure. Intake air restriction at full engine speed. Exhaust gas restriction at full engine speed. Exhaust flame arrestor. All gauges and controls. Conduct repeatable loaded engine-operating test. Evaluate and interpret the results of all of the above tests and examinations and make all necessary repairs or remove equipment from service. Comply with record keeping requirement.

Sec. 75.1915(a); (b)(5); (c)(1) and ((2))--Training and qualification of persons working on diesel-powered equipment.

The information should further reflect to require the following stipulations;

**Fire and Safety Training.**

- All underground employees at the mine shall receive special instruction related to fighting fires involving diesel fuel. This training may be included in annual refresher training under MSHA regulations at 30 CFR Part 48 (relating to training and retraining of miners) or included in the fire drills required under MSHA regulations at 30 CFR 75.1101-23 (relating to program of instruction; location and use of fire fighting equipment; location of escapeways, exits and routes of travel; evacuation procedures; fire drills.)
- All miners shall be trained in precautions for safe and healthful handling and disposal of diesel-powered equipment filters. All used intake air filters, exhaust diesel particulate matter filters and engine oil filters shall be placed in their original containers or other suitable enclosed containers and removed from the underground mine to the surface. Arrangements will be made for safe handling and disposal of these filters within a timely manner after they have reached the surface.

## **Training and General Requirements.**

- To use diesel equipment in an underground mine the mine operator shall submit a training plan to the WV Diesel Commission for approval.

The District Manager shall approve all training course instructors and all training plans required.

Operator training and qualification shall meet the requirements of this section.

- Training shall be conducted in the basics of the operation of a diesel engine, Federal and State regulations governing their use, company rules for safe operations, specific features of each piece of equipment and the ability to recognize problems and shall be provided to each equipment operator and the mine health and safety committee if one exists. This training shall be designed to bring every operator to a level of good understanding of diesel equipment operation. Each operator will be qualified by attending a minimum eight-hour course, including classroom training on diesel fundamentals and equipment-specific hands-on training on the job.
- Upon successful completion of both training sessions, the operator shall be issued a Certificate of Qualification (MSHA 5000-23) that qualifies him or her to operate a specific type of diesel-powered equipment. An operator may be qualified to operate more than one type of equipment by completing additional equipment-specific training covering differences specific to each additional type of equipment.
- Eight (8) hours of annual diesel equipment operator refresher training, separate from that required by MSHA regulations at 30 CFR Part 48 (relating to the training and retraining of miners), shall be required annually. The mine operator shall furnish all required training and refresher training. The employees will suffer no loss of pay for attending training and refresher training.
- The minimum eight-hour training shall include instruction instructions in the following classroom subjects: Engine fundamentals, which shall include an introduction to the function of a diesel engine and recognition of all major components and their functions. Diesel regulations, which shall include an introduction to Federal and State regulations governing the use of diesel equipment. Diesel emissions, which shall include an introduction to diesel emissions and their adverse health effects. Factors that affect diesel emissions, which shall include a detailed presentation of engine faults and diesel fuel quality and their effect on emissions and the preventive actions that can be taken to minimize emissions levels. Emissions control devices, which shall include a detailed presentation of the different emissions control devices employed to reduce emissions and details about actions the operator must take to keep the devices in working order. Diagnostic techniques, which shall include a presentation of techniques that can be employed by the operator to assure the equipment is in safe operating condition and instruction about how to recognize and diagnose certain engine faults that may cause increases in emissions. The preoperational inspection, which shall include a presentation of the purpose, benefits and requirements of the

preoperational inspection. Ventilation, which shall include an introduction to special ventilation requirements for areas where diesel-powered equipment will operate. Fire suppression system, which shall include an introduction to the fire suppression system and its function and when and how to activate the fire suppression manually. Operating rules, which shall include a detailed presentation of the driving rules, safe driving speeds, traffic control devices and equipment limitations. Emergency procedures, which shall include discussion of emergency situations, such as fire, diesel fuel spills, component failure, loss of ventilation air and emergency escape procedures and discussion of the potential use of the diesel-powered vehicle as an emergency escape vehicle in case of a mine emergency situation. Record keeping and reporting procedures, which shall include a presentation on required record keeping and reporting procedures for problems or unsafe conditions, high emissions level and preoperational inspections made by the equipment operator.

- A new Certificate of Qualification (MSHA 5000-23) shall be issued annually after the equipment operator has received the annual refresher training. A copy of the new certificate will be sent to the WV District Manager.

#### **Equipment-Specific Training.**

Equipment-specific hands-on orientation training shall be given in an area of the mine where the equipment will be operated. This orientation shall be specific to the type and make of the diesel machine and shall be presented in small groups. The following subjects shall be included in the training: Equipment layout, which shall include familiarization with the layout of the equipment, the operator's compartments and the controls. Pre-operation inspection, which shall include familiarization with the pre-operation inspection procedure and review of specific details of the inspection and location of the components to be inspected. Equipment limitations, which shall include instruction relating to equipment performance, speeds, capacities and blind areas. Operating areas, which shall include instruction relating to areas in which the equipment may be operated. Operation, which shall include familiarization with the controls, gauges and warning devices and safe operating limits of all indicating gauges. Refueling procedure, which shall include familiarization with fuel handling, permissible refueling areas, spill prevention, cleanup and potential hazards from diesel fuel. Emergency devices, which shall include instruction relating to the location and use of the fire extinguisher and fire suppression devices. Driving practice, which shall include supervised operation of the equipment.

#### **Diesel Mechanic Training.**

Diesel mechanic training and qualification shall meet the following requirements.

- Diesel mechanics shall be trained and qualified to perform maintenance, repairs and testing of the features of diesel equipment certified by MSHA and the commission.
- To be qualified, a diesel mechanic must successfully complete a minimum of sixteen hours of a training program approved by the commission regarding the



general function, operation, maintenance and testing of emissions control and conditioning components. The diesel mechanic must be qualified to perform these tasks on the specific machines used at the mine or mines where they are employed. Additional engine-specific training shall be provided to diesel mechanics in accordance with a plan approved by the commission.

- Annual retraining programs of eight (8) hours for diesel mechanics shall be required and approved by the commission. The annual retraining shall include refresher training as well as new procedure and new technology training as necessary. Such training shall be separate from refresher training pursuant to MSHA regulations at 30 CFR Part 48 (relating to training and retraining of miners) and electrical training required by MSHA. The mine operator shall furnish all required training and refresher training. The employees will suffer no loss of pay for attending training and refresher training.
- The minimum sixteen-hour diesel mechanic training programs shall be submitted for approval to the commission and shall include training in the following minimum subject requirements: Federal and State requirements regulating the use of diesel equipment. Company policies and rules related to the use of diesel equipment. Emissions control system design and component technical training. On-board engine performance and maintenance diagnostics system design and component technical training. Service and maintenance procedures and requirements for the emissions control systems. Emissions testing procedures and evaluation and interpretation of test results. Troubleshooting procedures for the emissions control systems. Fire protection systems test and maintenance. Fire and ignition sources and their control and elimination. Fuel system maintenance and safe fueling procedures. Intake air system design and components technical training and maintenance procedures. Engine shutdown device tests and maintenance. Special instructions regarding components, such as the fuel injection system, that shall only be repaired and adjusted by a qualified mechanic who has received special training and is authorized to make such repairs or adjustments by the component manufacturer. Instruction on record keeping requirements for maintenance procedures and emissions testing. Other subjects determined by the commission to be necessary to address specific health and safety needs.
- Individuals successfully completing the approved 16-hour diesel mechanic training will be considered to be a trained operator providing he has received the necessary task training on the specific piece of diesel equipment.

#### **Diesel Inspector Training Course.**

Training for diesel inspectors shall include, but is not limited to, the following:

- (a) Engine Fundamentals Components and Operation of a Diesel Engine
- (b) Fuel Standards Fuel Requirements and Effect of Various Fuels on DPM Emissions
- (c) Diesel Regulations State and Federal

- (d) DPM Health Effects
- (e) Factors that increase/decrease DPM emissions
- (f) Emission Control Techniques Operation, Maintenance and Testing
- (g) Diagnostics Instruments, Testing and Evaluation
- (h) Inspection Techniques Enforcement
- (i) Ventilation
- (j) Fire Suppression Systems Operation, Testing and Maintenance
- (k) Emergency Procedures Firefighting, Spills/Containment
- (l) Fuel Handling/Storage
- (m) Manufacturer Training
- (n) Training Requirement Plans, Record keeping

- Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

**UMWA COMMENT: The UMWA has no way to determine if the Agencies Estimated Total Burden Hours of 14,364 hours and that the Estimated Total Burden Cost of \$457,808 is accurate so we cannot comment.**

- Suggest methods to enhance the quality, utility, and clarity of the information to be collected; and

**UMWA COMMENT: Qualitative research most commonly involves the systematic collection, ordering, description and interpretation of textual data generated from talk, observation or documentation. Rather than just relying on submitted written comments, observing and communicating directly with miners in the field will give the Agency a wealth of information that would be valuable in this process.**

- Address the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic

submissions of responses, to minimize the burden of the collection of information on those who are to respond.

**UMWA COMMENT:** The Union agrees that electronic submissions could be provided to take advantage of technology but other means must also be provided. Some miners and operators lack access to computers and computer skills so mail with hard copies will still be necessary.