October 21, 2010

Mr. Ron Bowersox  
Technical Advisory Committee Member  
P.O. Box 200  
Lucernemines, PA 15754

Mr. Paul Borchick  
Technical Advisory Committee Member  
1000 Consol Energy Drive  
Canonsburg, PA 15317

Dear Mr. Bowersox and Mr. Borchick:

The Technical Advisory Committee's ("TAC") as established under Section 424 of the Pennsylvania Bituminous Coal Mine Safety Act was created to evaluate and advise the Department regarding implementation of any article on diesel-powered equipment.

Chapter 4, Section 424-j states "Shaft and slope construction.--The secretary shall establish, based on recommendations made by the technical advisory committee, conditions of use for the use of diesel-powered equipment in shaft and slope construction operations at coal mines. Conditions of use proposed by the technical advisory committee shall be considered by the secretary and shall be adopted or rejected by the secretary without modification, except as approved by the technical advisory committee."

On June 29th, 2010 you provided updated conditions for use of diesel powered equipment in shaft and slope construction. After discussions and final changes, the TAC has submitted to the Secretary "Shaft and Slope Conditions for use" and has recommended approval of this document. Based upon this recommendation, the Secretary approves the "Shaft and Slope Conditions for use." This information will be will be posted to our website for future use and made available for all interested parties. It establishes the conditions for use of diesel powered equipment in shaft and slope construction in all bituminous coal mines of Pennsylvania. The secretary approves the TAC’s recommendations because the alternate method recommended by the advisory committee does not reduce or compromise the level of health or safety protection afforded by Chapter 4 of the Pennsylvania Bituminous Coal Mine Safety Act.

If you have any questions on this request, please contact me at jsbaffoni@state.pa.us or at the telephone number below.

Sincerely,

[Signature]

Joseph A. Baffoni  
Director  
Bureau of Mine Safety

Enclosure  
cc: All Bituminous Mine Operators
bcc:  Martin
      Gaida
      McCaffrey
      Bookshar
      Antoon
      TAC file

JAS/WBR/cd

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