



pennsylvania

DEPARTMENT OF ENVIRONMENTAL PROTECTION

BUREAU OF MINE SAFETY

October 21, 2010

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

68a

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

Dear Mr. Bowersox and Mr. Borchick:

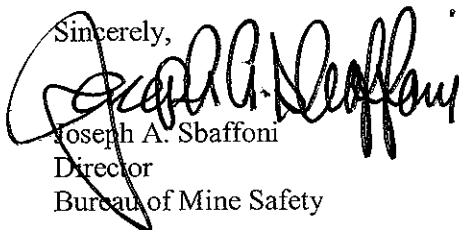
The Technical Advisory Committee's ("TAC") as established under Section 424 of the Pennsylvania Bituminous Coal Mine Safety Act was created to evaluate and advise the Department regarding implementation of any article on diesel-powered equipment.

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 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,



Joseph A. Sbaffoni
Director
Bureau of Mine Safety

Enclosure

cc: All Bituminous Mine Operators

bcc: Martin
Gaida
McCaffrey
Bookshar
Antoon
TAC file

JAS/WBB/cd
WBB

\\epmsuns03\bms\$\AdvisoryCommittee\TAC - DIESEL LETTERS BY YEAR\2010\ - to TAC and Industry - Shaft and Slope Conditions for use
- cd.doc