

Pennsylvania Technical Advisory Committee

Diesel Powered Equipment

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January 31, 2004

Joseph Sbaffoni, Director
Bureau of Deep Mine Safety
Fayette County Health Center
100 New Salem Road, Room 167
Uniontown, Pa. 15402

Re: Review of the Implementation of the Pennsylvania Diesel Law

Dear Mr. Sbaffoni:

The Technical Advisory Committee on Diesel Powered Equipment was created seven years ago by the passage of the Pennsylvania Diesel Law (Article II-A). Since it's creation, the TAC has worked closely with the Bureau of Deep Mine Safety to evaluate alternate technology and methods for meeting the requirements of the law in a manner that does not reduce or compromise the level of health and safety protection afforded the workers by the law. During these seven years, the TAC has made numerous recommendations to the Secretary for approval of diesel engine and exhaust after-treatment systems, alternate emissions test procedures, alternate pre-opt checks and alternate methods of complying with various provisions of the law. All of the TAC's recommendations were approved by the Bureau and implemented by the mining industry.

The TAC recommends that the Bureau conduct a complete review of the Pennsylvania Diesel Law as well as all TAC recommendations approved by the Bureau. As we all know, underground diesel emissions technology is evolving at a very fast pace and along with this technology comes new learning and information which may need to be incorporated into future TAC decisions as well as the Pennsylvania Diesel Law. Over a year ago, the TAC recommended that some provisions of the existing law be amended by the legislature and that process should be finalized this year. It is because of this new technology as well as the new information and learning that accompanies it that we are asking for this review. We would like to state that we do not foresee any problems with the Diesel Law or our recommendations; however, we believe it is prudent for the Bureau to conduct this review in order to insure that what has been learned over the past seven years is incorporated into the Bureau's inspection and approval process.

We are requesting this review to be conducted by the Bureau in conjunction with the underground inspectors assigned to the mines that have approved diesel powered equipment plans. Since the TAC has been an integral part of the process, we would offer our technical assistance to the Secretary during this review if required by the Bureau.

Following is a list of items we believe should be included in this review:

- Inspection and examination of all required record keeping books.
- The visual examination and evaluation of the existing underground diesel fleet as well as observation of mine personnel while performing required maintenance and testing.
- Communication with all salaried and hourly employees whose regular duties are involved in the operation of the diesel fleet in order to gain understanding of what areas of the law are working as intended and what areas may need to be addressed in the future. This will also serve as a platform to exchange knowledge between these parties.
- Emissions testing of each type of engine and after-treatment system being used in Pennsylvania.
- Collection and evaluation of all information gathered which will be used to issue a report outlining what areas, if any, need addressed in the way of future training, amendments to the law, or TAC investigations for alternate methods of meeting the law. The report should also create any training material that has been deemed necessary by this review for use in future training presentations.

In summary, we believe the Pennsylvania underground diesel law is a very comprehensive law that truly protects the health and safety of Pennsylvania's coal miners. However, in order to insure these health protections now and in the future, we believe it is necessary to periodically conduct an analysis of how the law is working in the field by communicating with and observing all who are involved in the process in order to exchange knowledge and information that may exist in order to further improve the process.

We are available to meet with you in order to discuss this review in further detail.

Robert Dubreucq
TAC Member

Gene Davis
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