

U.S. Department of Labor

Mine Safety and Health Administration
1100 Wilson Boulevard
Arlington, Virginia 22209-3939



NOV 06 2008

The Honorable Charles A. Gonzalez
Chairman
Committee on Small Business
Subcommittee on Regulations, Healthcare, and Trade
U. S. House of Representatives
Washington, DC 20515-4320

Dear Chairman Gonzalez:

Thank you for your letter of September 18, 2008, regarding the request by the Small Business Administration's (SBA's) Office of Advocacy for the Mine Safety and Health Administration (MSHA) to update MSHA standards on the use of explosives in mines. You are particularly interested in the steps MSHA intends to take to address the SBA's concerns.

MSHA staff recently met with the SBA and the Institute of Makers of Explosives to further clarify their views regarding the need for improving MSHA's existing explosives standards. I have determined that MSHA needs to take further action to gain the entire mining community's views on this subject. In the near future, the Agency will announce in the Regulatory Agenda its plans to publish an advance notice of proposed rulemaking (ANPRM) by May 2009. The ANPRM will seek public comment regarding advances in technology, current industry best practices, inconsistencies between MSHA's explosives standards and those of other regulatory agencies, potential impact on miner safety, and other appropriate regulatory issues for development of a proposed rule. Following public comment on a proposed rule, MSHA will determine if the rulemaking record supports revision of the existing explosives standards. Thank you for your interest in mine safety.

Sincerely,

A handwritten signature in black ink that reads "Richard E. Stickler". The signature is written in a cursive, flowing style.

Richard E. Stickler
Acting Assistant Secretary for
Mine Safety and Health

cc: The Honorable Lynn Westmoreland, Ranking Member

You can now file your MSHA forms online at www.MSHA.gov. It's easy, it's fast, and it saves you money!