

Congress of the United States
Washington, DC 20515

November 21, 2011

The Honorable Joseph Main
Assistant Secretary of Labor for Mine Safety and Health
Mine Safety and Health Administration
U.S. Department of Labor
1100 Wilson Boulevard
Arlington, Virginia 22209-3939

Dear Mr. Secretary:

We would like to bring to your attention a growing concern of which we have heard from operators of stone, sand and gravel (or "aggregates") facilities regarding the practices of U.S. Mine Safety and Health Administration (MSHA) inspectors.

We know that the industry at large is committed to compliance and safety, as demonstrated by the fact that its injury incidence rate has declined for ten consecutive years, to the level of 2.33 injuries per 200,000 hours worked. However, the inconsistent inspection standards and enforcement practices of some MSHA inspectors render compliance more difficult. We recognize that MSHA plays an important role in the safety and protection of our nation's miners. But, without consistent and effective inspection procedures, many surface operators are unable to understand what is required for compliance. Especially at so challenging a time for our economy, this kind of confusion can undercut the cause for safety and health.

MSHA is urged to address these concerns by focusing on providing compliance assistance to operators, as called for in the 1977 Mine Act. MSHA should increase the degree to which inspectors consult with operators, and direct resources to areas and operations posing the greatest risks to safety.

We support the continued utilization of the very successful Small Mine Office, as has traditionally been structured, so that small operators can continue to receive valuable support from compliance assistance professionals. We also believe that the state grants program should be fully funded.

Your attention to these issues is appreciated. We look forward to your comments in reply.



Heath Shuler
Member of Congress

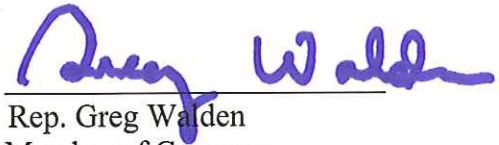
Sincerely,



Robert Hurt
Member of Congress



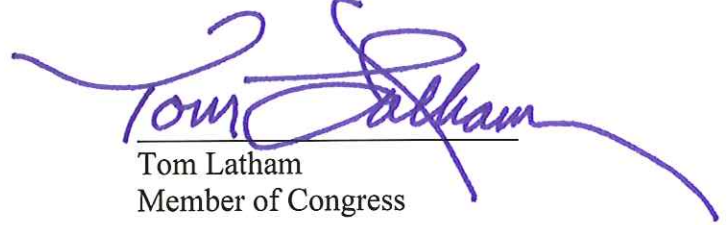
Leonard Boswell
Member of Congress



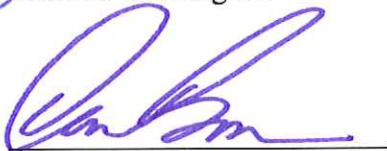
Rep. Greg Walden
Member of Congress



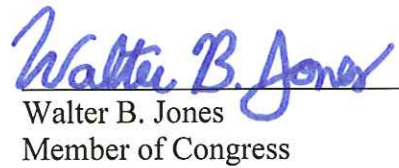
Jim Matheson
Member of Congress



Tom Latham
Member of Congress



Dan Boren
Member of Congress



Walter B. Jones
Member of Congress



Howard Coble
Member of Congress