



National Lime Association  
**L I M E**  
The Versatile Chemical



NATIONAL STONE, SAND & GRAVEL ASSOCIATION



Natural building blocks for quality of life

**PCA**  
Portland Cement Association



December 4, 2007

Dear Member of Congress:

The House is poised to consider a bill of great concern to the mining industry -- the *Supplemental Mine Improvement and New Emergency Response Act* (S-MINER Act) (the Miller bill). The undersigned organizations are writing to express our opposition to this measure which is premature and will interfere with our industries' on-going efforts to implement the requirements of the Mine Improvement and New Emergency Response (MINER) Act of 2006.

The members of our organizations place the safety and health of their workers as their highest priority. We have carefully reviewed the elements of the Miller bill and have determined that it will harm, rather than enhance, our industries' diligent efforts to meet the requirements of the MINER Act which garnered overwhelming bipartisan support and was endorsed by labor and industry prior to its passage last year. Unlike last year's bipartisan bill, the S-MINER bill:

- Adds new regulatory requirements that will create confusion and threaten our continued progress in implementing the safety improvements required by the MINER Act;
- Circumvents notice and comment rulemaking, thereby thwarting the development of safety and health standards and policies based upon sound science;
- Changes the roles and responsibilities of MSHA and NIOSH in a number of key respects; and
- Imposes a one-size-fits-all approach that fails to recognize that mines are unique. If enacted, this bill will result in many mines installing inappropriate or unnecessary technology that could be counterproductive to our shared goal of improving miner safety and health.

We believe the MINER Act should be fully implemented and its effectiveness evaluated before further legislation is considered by Congress. At that time we would be willing to sit down with involved parties to identify gaps in the

law and avenues to address them. Imposing additional requirements at this time will divert resources and threaten rather than enhance our industries' efforts to further improve miner safety and health. Accordingly, we strongly oppose the S-MINER Act and solicit your support.

Sincerely,

Industrial Minerals Association - North America

National Lime Association

National Mining Association

National Stone, Sand & Gravel Association

Portland Cement Association

Salt Institute