

United Mine Workers of America



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MSHA Office of Standards, Regulations, and Variances
201 12th Street South
Suite 4E401
Arlington, VA 22202-5452

Re: Docket Number: MSHA-2025-0077
Regulation Identification Number: 1219-AC08

The United Mine Workers of America has reviewed MSHA's proposed rule that would revise the provisions in 30 CFR part 47 to allow electronic access to Hazard Communication (HazCom) materials. MSHA proposes to revise § 47.71 to allow mine operators to make HazCom materials available to miners electronically, without cost to miners. Under the Agency's proposed revision, a new paragraph (a) would be added to allow operators to choose to make HazCom materials available either electronically or as hard copies in paper form.

The UMWA agrees that electronic access to HazCom materials should be permitted. However, the Union believes that the miner should be the one to choose if he or she would prefer a hard copy or an electronic copy. Not the operator. Many miners do not have the means to access these materials electronically. Miners prefer to receive hard copies of these materials for various reasons. Some miners do not have access to a personal computer. Also, many mine sites do not have cellular data coverage or wifi for a miner to receive the materials electronically. Even when cellular data or wifi is available, the primary means for a miner to review this data would be over their cellular telephone, which can be difficult to read on such a small screen. This creates a barrier to immediate access for miners.

MSHA states that the proposed changes would decrease paperwork burdens on mine operators while also maintaining the current protections miners receive by accessing information on hazardous chemicals. While the Union agrees that this would certainly reduce the paperwork burden on mine operators, we do not believe that this would maintain the current protections miners receive by accessing information on hazardous chemicals. Allowing the operator to make the choice on whether the miner receives an electronic or hard copy of the materials would, in many cases, restrict or even deter miners from requesting HazCom materials.

The UMWA believes that the Agency should change the newly proposed paragraph (a) to allow **the miner** to choose to receive HazCom materials either electronically or as hard copies in paper form.

Thank you for the opportunity to comment on the proposed rule.

Sincerely,



Josh Roberts, Administrator of Occupational Health and Safety

cc: Cecil Roberts, International President
Brian Sanson, International Secretary-Treasurer
Phil Smith, Executive Assistant to the President
Mike Phillippi, Executive Assistant to the Secretary-Treasurer
Kevin Fagan, General Counsel