

 3101 Wilson Blvd. Ste 230  
Arlington, VA 22201

 703-562-0000

 [essentialminerals.org](http://essentialminerals.org)

September 2, 2025

James P. McHugh  
Deputy Assistant Secretary for Policy  
Mine Safety and Health Administration  
200 Constitution Ave NW  
Washington, DC 20210

*Submitted Electronically*

**Re: Electronic Surveying Equipment in Underground Mines;** Docket: MSHA-2025-0087

Dear Deputy Assistant Secretary McHugh,

The Essential Minerals Association (EMA) is pleased to submit the following comments in response to the Mining Safety and Health Administration's (MSHA) proposed rule, *Electronic Surveying Equipment in Underground Mines*, published in the July 1, 2025, *Federal Register* (90 FR 28454).

EMA is the representative voice of more than 100 companies that extract, process, and support a vital and beneficial group of raw minerals that are essential ingredients used in everyday life. The minerals produced by EMA's members are vital to the manufacturing processes for many, if not all, products used daily. EMA's companies and their employees are proud of their industry and the socially responsible methods used to deliver these products. They consistently demonstrate safety as a core value of their operations. These comments are based on extensive consultation with EMA's members, specifically those that operate metal and nonmetal (MNM) underground gassy mines.

Many of the members represented by EMA have applied for Petitions for Modification for underground electronic surveying equipment use. Oftentimes, decisions on these petitions have taken a lengthy amount of time, upwards of a year, and required significant manhours by mine operators to facilitate the request. As a result, EMA supports MSHA's efforts to increase access to electronic surveying equipment in underground operations to ensure an up-to-date understanding of the underground landscape, thereby enhancing safe mining operations. EMA respectfully requests an expansion of this proposal to include application to MNM mines, rather than strictly coal mines covered by 30 CFR Part 75. EMA respectfully offers the following recommendations:

**Develop parallel text for use of non-permissible surveying equipment in gassy MNM mines (30 CFR Part 57).**

As MSHA demonstrates in its proposal for *Powered Air Purifying Respirators (PAPRs) in Underground Mines*, similar hazards exist in both coal and MNM underground gassy mines. However, in this proposal, MSHA offers ease of access to electronic surveying equipment strictly to coal mines

despite historic Petitions for Modification by MNM operators for similar purposes. EMA requests additional deregulatory text be incorporated into this proposal for MNM operations.

Given the differences in mining practices, a proposed revision to Part 57 should define “production activities” and “specified underground areas” in the same language provided in the *PAPR in Underground Mines* proposal (§57.22316-1):

*“Production activities. Activities that generate dust containing volatile matter or combustible gases including but not limited to cutting, drilling, blasting, transporting, cleaning, loading, and unloading.”*

*“Specified underground area. An underground area located in or beyond the last open crosscut and areas where methane may enter the air current, such as pillar recovery workings, longwall faces and shortwall faces or any underground area requiring electrical equipment that is approved by MSHA under the applicable requirements of [30 CFR parts 18](#) through [36](#). These areas are considered where explosive concentrations of methane gas are most likely to occur.”*

While EMA members may currently have approved Petitions for Modification, this revision would allow for the implementation of new technologies, and potentially even safer technologies, once vetted by MSHA.

#### **Streamlining access to electronic surveying equipment.**

EMA encourages MSHA to communicate on its website what electronic surveying equipment meets the criteria established by this proposal to facilitate ease-of-access and information sharing given the critical role of this equipment in ensuring an accurate map of mines. This request includes a public announcement as new technologies are understood to meet the established technical specifications of this proposal. MSHA should also be clear that this new guidance does not prohibit the use of electronic surveying equipment under the terms and conditions of an approved Permit for Modification.

#### **Conclusion.**

EMA encourages MSHA to transition from petition-based compliance for use of electronic surveying equipment in MNM underground gassy mines through the expansion of this proposal. Should any additional information be required, please contact me at [chrisgreissing@essentialminerals.org](mailto:chrisgreissing@essentialminerals.org).

Sincerely,



Chris Greissing  
President, Essential Minerals Association

