



**MSHA PROPOSED RULE
SAFETY PROGRAM FOR SURFACE MOBILE EQUIPMENT
30 CFR Parts 56, 57 and 77 [Docket No. MSHA-2018-0016] RIN 1219-AB91**

The American Society of Safety Professionals (ASSP) is pleased to submit these comments. They are in response to the U.S. Department of Labor Mine Safety and Health Administration (MSHA) announcement of a proposed rule addressing “surface mobile equipment.”

Introduction

As the DOL, including MSHA is aware, [ASSP](#) is the oldest society of safety professionals in the world. Founded in 1911, we represent more than 38,000 professionals advancing workplace safety and health in every industry, in every state and around the globe. ASSP members have set the occupational safety and health (OSH) community’s standards for excellence, ethics and practice for more than 100 years.

MSHA Proposal

The Mine Safety and Health Administration (MSHA) is proposing to require that mine operators employing six or more miners develop and implement a written safety program for mobile and powered haulage equipment (excluding belt conveyors) at surface mines and surface areas of underground mines. The written safety program would include actions mine operators would take to identify hazards and risks to reduce accidents, injuries, and fatalities related to surface mobile equipment. The proposal would offer mine operators flexibility to devise a safety program that is appropriate for their specific mining conditions and operations.

ASSP Technical Comments

It is important to note that the Society does not have an overall position on the proposed rule regarding surface mobile equipment. This submission is intended to offer supplementary technical materials and background materials addressing safety management systems since several of our standards are cited and recognized by MSHA.

ASSP is supportive of the favorable comments from MSHA addressing occupational health and safety management systems and standards. ASSP has had an overall position about such systems, for many years, as noted below:

Effective occupational health and safety management systems (OHSMS) are essential for workers in order to create and maintain safe, healthy and productive workplaces.

We agree with the MSHA contention that such programs contribute positively to occupational safety and health performance. The attached [position statement](#) addressing the positive value of such management systems and programs has been viewed over 3,000 times in the past year by interested stakeholders.

We did note this statement from MSHA in the background materials for the proposed rule:

Many resources are available for employers to provide a safe workplace. MSHA has reviewed several types of organizations that provide guidance on safety programs: 1) Consensus standards organizations (e.g., American Society of Safety Professionals (ASSP), Occupational Health and Safety Management Systems, ANSI/ASSP Z10-2012 (R2017); and the International Standards Organization (ISO), Occupational Health and Safety Management Systems

Occupational health and safety management continues to grow in importance. There is also a pending DOL/OSHA study addressing value of occupational health and safety management systems. The data and





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information resulting from this study will be of significant value to both the private and public sectors. The results of this study will have a wide range of applications in a wide variety of organizations and companies in both the public and private sectors.

Along with our statement of overall support for this public policy initiative, the following materials and files are attached for the record. We hope they are of value and indicative of why it is important to conduct this study:

- ASSP has a detailed statement on the use of management systems and the return-on-investment for the implementation of such programs.
- ASSP has a position statement on the use of voluntary national consensus standards in the private and public sector.
- Our statement to the U.S. Department of Labor and OSHA supporting ongoing work to study the value of occupational health and safety management systems standards.
- ASSP offers a series of American National Standards and ANSI registered technical reports addressing occupational health and safety management systems, which are noted in as supporting materials in the proposed rule. If there is any need to review the following standards, please call on ASSP and they will be provided:
 - ANSI/ASSP/ISO 45001-2018, Occupational Health and Safety Management Systems - Requirements with Guidance for Use
 - ASSP/ISO TR - 45001-2021, Occupational Health and Safety Management Systems: A Practical Guide for Small Organizations
 - ANSI/ASSP/ISO 45003-2021, Occupational Health and Safety Management, Psychological Health and Safety at Work –Guidelines for Managing Psychosocial Risks
 - ANSI/ASSP Z10.0 – 2019, Occupational Health and Safety Management Systems
 - ASSP GM-Z10.100-2019, Guidance and Implementation Manual for ANSI/ASSP Z10.0-2019 Occupational Health and Safety Management Systems
 - ASSP GM - Z10.101-2019, Guidance Manual: Keep Your People Safe in Smaller Organizations

If requested, ASSP will be more than ready to apprise our membership of this proposed rule. Our membership would have interest in this proposed rule, and we believe the Society can proactively and positively contribute.

Thank you for your time and attention to our comments. If we can be of any assistance in this matter, please feel free to contact ASSP.

Respectfully Submitted,

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