

**From:** [D'Alessandro, Maryann M. \(CDC/NIOSH/NPPTL\)](mailto:D'Alessandro.Maryann.M.(CDC/NIOSH/NPPTL)@cdc.gov)  
**To:** [Weiss, Rachel I. \(CDC/NIOSH/OD\)](mailto:Weiss.Rachel.I.(CDC/NIOSH/OD)@cdc.gov); [Hearl, Frank J. \(CDC/NIOSH/OD\)](mailto:Hearl.Frank.J.(CDC/NIOSH/OD)@cdc.gov); [Stein, Robert \(CDC/NIOSH/NPPTL\)](mailto:Stein.Robert.(CDC/NIOSH/NPPTL)@cdc.gov); [Vaughn, Brandy \(CDC/OCCO/OD\)](mailto:Vaughn.Brandy.(CDC/OCCO/OD)@cdc.gov)  
**Subject:** RE: Concerns regarding SCSR Rule  
**Date:** Tuesday, November 29, 2016 3:34:24 PM

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I did not respond to this message yet, but this is the message Joe Main was referencing on the call yesterday when he indicated that he called Allen Dupree.

Can I respond to this email?

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**From:** Allen Dupree [mailto:Allen.Dupree@conturaenergy.com]  
**Sent:** Wednesday, November 23, 2016 11:59 AM  
**To:** D'Alessandro, Maryann M. (CDC/NIOSH/NPPTL) <bpj5@cdc.gov>  
**Cc:** bwatzman@nma.org; Pat Silvey (silvey.patricia@dol.gov) <silvey.patricia@dol.gov>; Kenny Murray <Kenny.Murray@arlp.com>; Suzan Moore <Suzan.Moore@conturaenergy.com>; Gary Banbury <Gary.Banbury@conturaenergy.com>; Rick Axthelm <Rick.Axthelm@conturaenergy.com>  
**Subject:** Concerns regarding SCSR Rule

Dr. Maryann D'Alessandro,

I am writing to express my serious concerns regarding the upcoming implementation of the new SCSR requirements. As you are aware, the latest requirements are set to go into effect January 4, 2017. After meeting with the current SCSR manufacturers, it is apparent that there will be some serious negative consequences if the NIOSH rule is implemented on January 4<sup>th</sup>. The manufacturer will not be able to supply the demand for current generation SCSRs to the industry prior to the implementation date. It is also concerning that after January 4<sup>th</sup>, one-hour belt wearable devices will no longer be an option under the revised NIOSH rule, which can have nothing but a negative impact to underground personnel.

It is still unclear why these revised requirements were necessary, but it is apparent that the one-hour belt wearable device, which was previously heralded by both NIOSH and MSHA as the latest in miner escape technology when it was introduced, will no longer be a realistic option for miners working underground. I have worked in both MSHA and industry, was a member of MSHA's mine rescue team for over ten years, and actually participated with NIOSH on treadmill tests of SCSR's, so I am familiar with the functionality and operation of the SCSRs in question. I am concerned that if NIOSH moves forward with the date of implementation of January 4, 2017, it will do nothing to improve miner safety, and quite possibly diminish the level of protection for underground personnel.

I am requesting a meeting with the appropriate NIOSH and MSHA personnel to discuss this serious issue and impending implementation date. Please feel free to contact me at your earliest convenience so a meeting can be arranged to discuss these serious concerns.

Thank you in advance for your prompt attention to this issue.

Allen Dupree  
Contura Energy Services  
340 Martin Luther King Jr. Blvd  
Bristol, TN 37620  
(423) 573-0300 (main)  
(423) 573-0325 (direct)  
(276) 206-0427 (mobile)  
[Allen.dupree@conturaenergy.com](mailto:Allen.dupree@conturaenergy.com)