

June 19, 2000

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VIA FACSIMILE

Mr. Jere Glover
Chief, Office of Advocacy
U.S. Small Business Administration
409 Third Street, SW
Washington, DC 20416

Re: Office of Advocacy Assistance

Dear Mr. Glover:

On behalf of my mining clients, I want to thank you and your staff at the Small Business Administration's Office of Advocacy for your valuable assistance concerning rulemaking activities by the Mine Safety and Health Administration (MSHA). As you are well aware, the mining industry is made up almost entirely of small business entities, as more than 90 percent of U.S. mines have fewer than 500 employees. In recent years, MSHA has embarked on a very ambitious rulemaking agenda and has several standards at the final rule stage with a significant economic impact on this sector of the business community. Therefore, the involvement and input of the SBA is particularly important in helping small mining operations communicate with MSHA to avoid burdens that could put some mines out of business entirely.

You and your staff have provided direct and important contact with MSHA concerning its improper Regulatory Impact Analysis of the forthcoming Noise Standard (e.g., MSHA's failure to use the codified specification for what constitute a small business entity in the mining industry), and this resulted in having MSHA revise its report to present more realistic cost impact estimates.

We also appreciate your help in holding periodic stakeholder meetings with mining industry representatives on other MSHA rulemaking issues such as diesel particulate, silica and miner training. Even in the absence of SBREFA panels for these rules (a situation which we hope will be remedied by passage of S. 1114, Senator Enzi's SBREFA amendments legislation), it is reassuring to know that the regulatory concerns of small businesses will not be ignored because the SBA's Office of Advocacy offers an open door and an open mind when it comes to critical mining issues.

PATTON BOGGS LLP
ATTORNEYS AT LAW

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Again, thank you for your assistance. We look forward to a continuing beneficial relationship with you and your staff.

Sincerely,



Adele L. Abrams, Esq.