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March 14, 2011

The Honorable Patty Murray
United States Senate
Washington, DC 20510

The Honorable Cathy McMorris Rodgers
House of Representatives
Washington, DC 20515

Re: Spokane Research Lab – NIOSH

Dear Senator Murray and Congresswoman McMorris Rodgers:

The Northwest Mining Association is seeking your direct intervention to save (effectively rescue) the Spokane Research Lab (SRL) of the National Institute for Occupational Safety and Health (NIOSH) from being closed and to require that the Mining Program managers based in Pittsburgh, PA re-establish the SRL Director, Deputy Director and all Branch Chief positions. The work of the SRL is critical to improving the health and safety of mine workers in metal and non-metal mines in Washington State and throughout the Western U.S.

As you know, when Congress eliminated funding for the U.S. Bureau of Mines (USBM) in 1996, it directed that USBM personnel in Pittsburgh and Spokane involved in mining health and safety research be transferred to NIOSH. Senator Murray was instrumental in saving the SRL at that time.

Over the past 2 years, the NIOSH research program was reorganized to essentially make SRL a satellite of the Pittsburgh Laboratory. The SRL Director, Deputy Director and all Branch Chief positions were abolished and first-line supervisors in Pittsburgh now manage the remaining research personnel in Spokane. The SRL budget allocation for the research program was eliminated, and all that remains is the administrative allocation of just over \$1 million to cover facilities cost. The salaries for the SRL research staff are now paid from the budget allocations to the Pittsburgh office. The greatest negative impact of this reorganization is to the western mining industry and the health and safety of its workers. Western health and safety issues, especially those of the metal and non-metal sector are being ignored in favor of the eastern coal mining problems.

Major programs at NIOSH's Office of Mine Safety and Health Research (OMSHR) at the SRL deal with respirable dust control; hearing loss prevention; fires and explosions, prevention and response; prevention of machine and electrical hazards; prevention of musculoskeletal disease; and ground control. The research efforts in many of these areas are crucial and specific to the safety and health of the miners in the metal and non-metal mining industry. Important areas under research include: mineral mining and processing dust control, reducing diesel emissions, underground mine illumination, ergonomics, shotcrete design, and controlled blasting.

The reorganization plan that the NIOSH Mining Program and, more specifically, the SRL have been operating under for the past year will ultimately result in closing the SRL. According to our research, four NIOSH SRL employees retired at the end of last year and four more will leave at the end of March. An additional four employees are being coerced into moving to Pittsburgh. They are being told that if they do not move, they will have no chance for career advancement. It appears that NIOSH has no plans to replace these trained professionals in Spokane. The effect of this virtual hiring freeze in Spokane is that important NIOSH jobs for health and safety research are being transferred from Spokane to Pittsburgh. This clearly is not a cost cutting measure since the latest proposed FY 2012 budget for NIOSH's Mining Research Program is the same as FY 2010, \$53 million.

Health and safety issues associated with metal and non-metal mines in the West are significantly different than those associated with coal mines in the East. We already are seeing the impact of having NIOSH's Mining Program directed out of Pittsburgh. The focus is on coal and western metal and non-metal mines are being ignored. Closing the SRL will mean 100% of NIOSH's Mining Program will be coal-focused. This clearly was not the intent when Congress transferred the Pittsburgh and Spokane research personnel involved in mining health and safety to NIOSH in 1996.

The recent move not to replace the SRL Director, Deputy Director and all Branch Chiefs makes no sense, especially when one considers the assets in Spokane. The main facility was built in 1974, specifically to conduct mining engineering research and has testing equipment not found anywhere else in the U.S. The 50,000 sq. ft. building houses over 90 offices, 18 laboratories dedicated to various aspects of health and safety research, fully equipped wood, metal and electronic shops and two large bays – one designed to accommodate structural and heavy machinery research and the other for material property testing. A separate building on the property provides about 12,000 sq. ft. of storage and staging areas for field work. In 1989, the federal government purchased the property and building in Spokane to help guarantee the future of the lab. An additional 20 acre property located near Reardon, WA provides a remote site for additional equipment storage and research involving blasting or heavy mobile equipment.

Between 1996 and 2002, the SRL grew from a staff of 73 to 95 and the budget was increased from \$6 million to \$8 million. However, since 2003, the Spokane office has seen a steady decline in staff even though the NIOSH mining budget has increased. This is a direct result of the actions of the Pittsburgh Mining Program managers. There currently are approximately 250 employees in the NIOSH Mining Program, but only 50 are in Spokane. The program is currently recruiting for 35 positions, none of which are designated for Spokane. The actual effect of not hiring in Spokane is that NIOSH jobs are being transferred from Spokane to Pittsburgh.

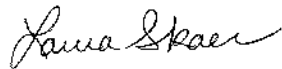
NWMA believes that the SRL is well positioned to serve miners in Washington and other western states, and it makes no sense to close the Spokane office. The SRL is one of the lowest cost laboratories NIOSH operates, in part because the federal government owns the facility. The FY 2010 facilities cost per employee in Spokane was \$18,436 even though it has 28 empty offices and 8 laboratory spaces being used for storage. This compares to \$32,850 per employee in Pittsburgh. The Pittsburgh facility is cramped and would require the building of an addition in order to accommodate the employees being added in Pittsburgh at the expense of Spokane and

the U.S. taxpayers. Clearly this is a waste of money at a time of nation-wide focus on the country's deficit and debt.

We ask that you take steps to direct NIOSH to reinstate the mining research budget allocation to the SRL and appoint a new SRL Director, Deputy Director and Branch Chiefs. The new SRL Director should be allowed to develop a focused program to address the needs of the mining industry found in the West. Attached is a staffing history and budget history for the Spokane Research Lab.

We appreciate your interest and support for the Spokane Research Lab. We stand ready, willing and able to help in any way possible. Thank you for your assistance in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Laura Skaer".

Laura Skaer
Executive Director

Attachments