

MSHA's Educational Field and Small Mine Services
Serving all mines in America



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RECORDS to be maintained and/or submitted by the Mine Operator and subject to MSHA Inspector review

Required to be kept and to be submitted to MSHA

1.	Part 41	Review the accuracy of Legal Identity form; submit changes within 30
		days
2.	MSHA 7000-1	Accident/Injury/Illness Report (submit within 10 working days)
3.	MSHA 7000-2	Quarterly Employment Report (due within 15 days after the end of each
		calendar quarter)
4.	Part 48	Miners Training Plan

Required to be kept

1.	56/57.12028	Documentation of Continuity and Resistance of Electrical Equipment
		Grounding tests
2.	56/57.14100	Pre-Shift Mobile Equipment Defects and Repairs. Documentation of
		defects not immediately repaired.
3.	56/57.18002	Documentation of Examination of working places by a competent person
		EACH shift
4.	56/57.18010	Documentation for currently-trained individual capable of providing
		first-aid assistance on all working shifts
5.	56.57/.4201	Documentation of firefighting equipment inspections, including monthly
		visual checks and annual maintenance check
6.	Part 45	List of Independent Contractors
7.	Part 46	Miners Training Plan and Training Certificates
8.	Part 47	Hazard Communication Program
9.	Part 48	Miners Training Plan and Training Certificates

Required to be kept under specific circumstances

1.	56/57.5005	Respiratory Protection Program/Fit-testing. Required by MSHA when
		an overexposure is found
2.	56/57.13015	Pressure Vessel/Boiler Certification
3.	Part 62	Hearing Conservation Program. Required if exposure is above the
		"action level"
4.	ATF Requirem	ents Explosive Permit
5	56 1000	Commencement Notice

Suggested "Calendar" for Required MSHA Tasks

What	When	Due	Done
Annual Refresher Training (46.8)	Annually		
Certify employee New Task Tr. Certificates (46.9(d)(3)	Annually, at minimum		
Re-train the employee first aid provider(s) (56.18010)	As specified by first aid training provider		
Documented Site-Specific Training for "miners" who move to another mine site while employed by the same mine operator or independent contractor (46.11(c))	Before any person is exposed to mine hazards		
Hearing Conservation Program Training (62.180)	Annually (if required)		
Hearing Conservation Program Audiometric Testing offered to employees (62.170)	Annually (if required)		
Electrical system grounding tests (56.12028)	Annual (at minimum) – or upon installation, repair, modification or portable plant move.		
Visual inspection of fire extinguishers (56.4201)	Monthly		
Maintenance check of fire extinguishers (56.4201)	Annually		
Notification of mine commencement or closure (56.1000)	Initial startup or moving (portable plant) or seasonal start-up or seasonal closure or permanent closure.		
Quarterly Employment Report (50.30). Keep for five years	Within 15 days after the end of each calendar quarter.	No later than: 1/15 4/15 7/15 10/15	
Examination of Working Places (56.18002). Keep for 1 yr.	each working shift.		
Pre-use inspection of mobile equipment and any equipment, machinery and tools (56.14100)	Inspected before placed or used in operation		
Notification of Accident (50.10) "Dirty Dozen" 1-800-746-1553	Within 15 minutes of knowledge of the "accident"		
Report injuries, illnesses and "accidents" on Form 7000-1 (50.20). Internal investigation and report (50.11). Keep both for 5 years.	Within 10 working days of occurrence or diagnoses		

Suggested Documents for a MINE OPERATOR to keep on-site in a "Site Binder"

- Originals to be kept in a secure office location?
 - 1. Copy of the Legal Identity
 - 2. Copy of the Training Plan (the Plan may be kept in the office nearest the mine and must be provided to MSHA on the day following request).
 - 3. Training Certificates these must be provided by the Mine Operator on the same day as requested by MSHA. Keep copies on-site and originals in a secure location.
 - a. New Miner Training/Newly Employed Experienced Miner Training
 - b. Task Training
 - c. Annual Refresher Training
 - d. Site-Specific Hazard Awareness Training <u>provided by Mine Operator</u>
 - e. First Aid provider "cards" (these are "training certificates")
 - f. If applicable, have copies of the annual required Part 62 Hearing Conservation Program training documentation and the annual "offer of annual audiogram" documentation.
 - 4. HazCom Program ("Workers Right To Know") has to be on-site and accessible to miners (have a backup copy in a secure location in case the on-site copy gets lost or damaged?)
 - a. Written Program
 - b. List of materials on-site
 - c. MSDS or SDS for each material on-site
 - 5. Copies of most recent Quarterly Reports (most recent four...?)
 - a. Originals need to be kept for 5 years keep in a secure location.
 - 6. Daily Workplace Exam documentation
 - a. Records must be kept for 1 year Keep the most recent month on-site and previous months could be stored in a central location.
 - 7. Pre-shift examination of mobile equipment defects need to be reported to supervisor and documented if not immediately repaired.
 - a. Documentation of defects is required to be kept on-file until the defect is corrected.
 - b. Suggestion be in the habit of documenting the pre-shift exam: require daily documentation of equipment pre-shift exams and keep them with the required Daily Workplace Exams.
 - 8. Verification of the monthly fire extinguisher exam and annual fire extinguisher maintenance the tag on the fire extinguisher documents the date of the annual maintenance exam and the tag can also be used to document the monthly exam.
 - a. Suggestion create a form to "double-document" the extinguisher exams in case a tag gets lost. See example at the "Fire Equipment" tab in SMO Binder
 - 9. Post the required Emergency Phone List.
 - 10. If applicable, the most recent documentation of electrical grounding tests data (signed and dated).

Suggested Documents for an INDEPENDENT CONTRACTOR to keep on-site in a "Site Binder"

- Originals to be kept in a secure office location?
- 1. Copy of the Training Plan (the Plan may be kept in the office nearest the mine and must be provided to MSHA on the day following request).
- 2. Training Certificates these must be provided by the Mine Operator on the same day as requested by MSHA. Keep copies on-site and originals in a secure location.
 - a. New Miner Training/Newly Employed Experienced Miner Training
 - b. Task Training
 - c. Annual Refresher Training
 - d. Site-Specific Hazard Awareness Training provided by Mine Operator
 - e. First Aid provider "cards" (these are "training certificates")
 - f. If applicable, have copies of the annually required Part 62 Hearing Conservation Program training documentation and the annual "offer of annual audiogram" documentation.
- 3. Part 47 HazCom Program ("Workers Right To Know") has to be on-site and accessible to miners (have a backup copy in a secure location in case the on-site copy gets lost or damaged?)
 - g. Written Program
 - h. List of hazardous materials on-site
 - i. MSDS or SDS for each hazardous material on-site
- 4. Copies of most recent Quarterly Reports (most recent four...?)
 - j. Originals need to be kept for 5 years keep in a secure location.
- 5. Daily Workplace Exam documentation
 - k. Records must be kept for 1 year Suggestion: Keep the most recent month on-site and previous months could be stored in a central location.
- 6. Pre-shift examination of mobile equipment defects need to be reported to supervisor and documented if not immediately repaired.
 - 1. Documentation of defects is required to be kept on-file until the defect is corrected.
 - m. Suggestion be in the habit of documenting the pre-shift exam of equipment: require daily documentation of equipment pre-shift exams and keep them with the required Daily Workplace Exams.
- 7. Verification of the monthly fire extinguisher exam and annual fire extinguisher maintenance the tag on the fire extinguisher documents the date of the annual maintenance exam and the tag can also be used to document the monthly exam.
 - n. Suggestion create a form to "double-document" the extinguisher exams in case a tag gets lost. See example at the "Fire Equipment" tab in SMO Binder.
- 8. Post the required Emergency Phone List.
- 9. If applicable, the most recent documentation of electrical grounding test data (signed and dated).

Basic MSHA Requirements: (not intended to be comprehensive of all requirements)

- 1. Commencement Notice (56.1000)
- 2. Work Place Exam./Records (56.18002- (a) & (b))
- 3. Mobile Equipment Pre-Op Examination (56.14100 (a) through (d))
- 4. Part 46 Training Certificates (46.5, 45.6, 46.7, 46.8, 46.11, 46.9)
- 5. Part 46 Training Plan (Part 46)
- 6. System for Site-Specific Training of visiting "non-miners" and "miners"
- 7. List of Independent Contractors that work on-site (Contractor Register) (45.4)
- 8. Trained first aid person on-site (56.18010)
- 9. First aid kit with eyewash, blanket, stretcher (56.15001)
- 10. Part 47 HazCom Program
 - a. Program
 - b. List of materials
 - c. MSDS or SDS
- 11. Part 62 Hearing Conservation Program (HCP) required?
 - a. Annual HCP training refresher documented?
 - b. Annual employee audiogram (hearing test) offered?
 - c. Hearing protection provided / used?
- 12. Electrical system grounding tests (56.12028)
- 13. Quarterly Reports (50.30)
- 14. Legal Identity
- 15. Monthly and annual fire extinguisher inspection documentation (56.4201)
- 16. Emergency communication system available on-site (56.18013)
- 17. Posting of emergency phone numbers (56.18012)
- 18. Personal protective equipment
 - a. Hard hats (5015002)
 - b. Safety glasses/Face shields/Goggles
 - c. Hearing protection (Part 62)
 - d. Fall protection harnesses and lanyards (56.15005)
 - e. Floatation devices
 - f. Safety shoes/boots (56.15003)
 - g. Gloves/Protective outer clothing
 - h. Respirators (56.5005)
- 19. Toilet (56.20008)
- 20. Drinking water (56.20002)
- 21. Report "accidents" (12 specifically identified mine events) within 15 minutes call: 1-800-746-1553 (50.10)
- 22. Report injuries and illnesses (lost time, restricted work, "medical treatment") within 10 working days use Form 7000-1 (50.20)

30 CFR § 41.10 Scope.

Section 109(d) of the Federal Mine Safety and Health Act of 1977 (Pub. L. 91-173, as amended by Pub. L. 95-164), requires each operator of a coal or other mine to file with the Secretary of Labor the name and address of such mine, the name and address of the person who controls or operates the mine, and any revisions in such names and addresses. Section 103(h) of the act requires the operator of a coal or other mine to provide such information as the Secretary of Labor may reasonably require from time to time to enable the Secretary to perform his functions under the act. The regulations in this Subpart B provide for the notification to the Mine Safety and Health Administration of the legal identity of the operator of a coal or other mine and the reporting of all changes in the legal identity of the operator as they occur. The submission of a properly completed Legal Identity Report Form No. 2000-7 required under Subpart C of this part will constitute adequate notification of legal identity to the Mine Safety and Health Administration.

MSHA News Release No. 2000-0406 Mine Safety and Health Administration Contact: Rodney Brown Phone: (703) 235-1452 Released Thursday, April 6, 2000

Mine Operators May Now File Required Information over the Internet

Operators of any U.S. mining site may now file legal identity reports with the Department of Labor's Mine Safety and Health Administration (MSHA) over the Internet. Mine operators and independent contractors can now submit MSHA form 2000-7, the legal identification report, using a standard computer terminal with a modem providing access to the world wide web.

"We'd like to make compliance with MSHA requirements as simple and easy as possible," said Davitt McAteer, assistant secretary of labor for mine safety and health. "This new service will greatly reduce the paperwork burden for mine operators submitting this important information."

Federal regulations require that every mine operator submit information that includes the name, and address of the mine, the name and address of the person who controls or operates the mine, as well as any changes to this information, to MSHA in a prompt manner. Previously, it was required that mine operators file the legal identity report and every change of any information contained in that report, to MSHA by properly completing MSHA form 2000-7 and mailing or otherwise delivering the form to the appropriate agency district office.

Effective immediately, computer users may file the legal identity report with MSHA online using the agency's homepage at www.msha.gov. Once on the MSHA homepage, computer users should click on "forms and on-line filings" and then, "form 2000-7, legal

identity report." From there, users should follow the on-line filing instructions.

Also effective immediately, any changes that need to be reported in the legal identity information can be done by providing only the information that has changed—rather than completing a new form in its entirety—either on-line or through the mail.

Mine operators who choose not to use the on-line service may continue to submit any required information by completing and mailing legal identity report to the appropriate MSHA office. Those who are unsure of which office to file the form with, may mail the legal identity report to MSHA's Office of Assessments, 7 North Wilkes-Barre Blvd., Suite 432, Wilkes-Barre, PA, 18702.

MSHA has responsibility for inspection of all U.S. mining operations for compliance with regulations intended to protect workers' safety and health. The agency also investigates all serious and fatal accidents that occur at mining operations.

REPORTING INSTRUCTIONS

The Mine Safety and Health Administration has developed these instructions to aid you in completing the Legal Identity Report Form 2000-7. If you are a first time filer, please read all of the instructions before beginning. Remember that all information previously submitted remains in effect except where changes have been submitted. If the changes provided on this form affect other mines, a separate form must be filed for each mine identification number.

MSHA will use the TIN for purposes of collecting and reporting on any delinquent amounts arising out of assessments made under the Federal Mine Safety and Health Act of 1977 (Mine Act). Persons are not required to respond to the collection of information unless it displays a currently valid OMB control number.

Notice: If this is the first filing of a Legal ID Report for this mine while under the operation or control of this operator, ALL fields on this Legal ID Report require completion.

If an operator wishes to change or supplement information previously submitted regarding this mine while under his/her control, these mandatory fields must be completed: Effective Date: Item #1 Federal Mine Identification Number: Item #2 Mine Name: Item #5 Official

Business Name of	must be completed: Effective Date; Item #1 Federal Mine Identification Number; Item #2 Mine Name; Item #5 Official Coperator; Signature and Title of Official Completing Form; and Date Form Completed. The only other fields required to
be completed are t	Effective Date of Changes – The date the initial information, or changes on previously submitted information, becomes effective for this mine while under the operation or control of this operator. Enter the effective date, using numbers to show the month, day, and complete year; e.g., 01/01/2002. Please note that this is the date that changes actually became effective and is not necessarily the date you are completing this form.
Item #1	Federal Mine Identification Number - This seven digit mine identification number is obtained from the MSHA district office where the mine is located before mining operations begin.
Item #2	Mine Name - The Official business name assigned to this mining operation.
Item #3	Directions to this Mine - The mileage and directions from the nearest town, city, and/or landmark should be provided.
Item #4	Mine Location Address - The street address, city, state, zip code and county for this mine.
Item #5	Official Business Name of Operator - The official business name that will be used for this operation. This should be the name of the business, not the name of the individual who owns the company, or the name of the individual involved with the day-to-day operations at the mine.
Item #6	Principal Office Address for this Operator - The complete office address where the company or organization is doing business. If located in a rural area, provide the road name or route number.
Item #7	Telephone Number for this mine in the Event of an Emergency - The telephone number for this mine, including area code, where the operator can be reached in the event of an emergency.
Item #8	Commodity (type of product and operation) - The product name and type of operation for this mine.
Item #9	Person at Mine in Charge of Health and Safety. (Superintendent or Principal Officer) - The name, title, address, and e-mail address for the official involved with the day-to-day operations at this mine.
Item #10	Person with Overall Responsibility for a Health and Safety Program at all of the Operator's Mines, if the Operator is Not Directly involved in the Daily Operation of the Mine. (Safety Director) - If the official listed in Item #9 is not directly involved in the daily operation at this mine, provide the name, title, address, and e-mail address of the person with the responsibility for health and safety at all of the operator's mines. If the official listed in Item #9 is directly involved in the daily operation, this is not a required entry.
Item #11	Address of Record and Telephone Number: - Address and Person designated to receive Official Mail. Service of documents upon the operator will be completed by mailing or personal service of the documents to this address. If P.O. Box or General Delivery is used for mailing address, a separate street address for personal service must be providedProvide name, title, address, telephone number including area code, and e-mail address for the person designated to receive official mail.
Item #12	This Official Business is a (check only one box): – Check the appropriate box that describes the type of business for this mine. Please do <u>not</u> check more than one box: Sole Proprietorship; Partnership; Corporation; or Other.

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	Sole Proprietorship -A business with a sole (individual) owner. If your business belongs in this category, please check the Initial or Update Notice box, enter the Effective Date, and answer Items 1 through 11 from the Mine Information Section and Items 12, 14, and 15 from the Ownership Section. Please remember to sign and date the form.
	Partnership – An association of persons joined as partners in business. If your business belongs in this category, please check the Initial or Update Notice box, enter the Effective Date, and answer Items 1 through 11 from the Mine Information Section and Items 12, 14, and 15 from the Ownership Section. Please remember to sign and date the form.
	Corporation – An association of individuals, created by law and existing as an entity with powers and liabilities independent of those of its members. If your business belongs in this category, please check the Initial or Update Notice box, enter the Effective Date, and answer Items 1 through 11 from the Mine Information Section and Items 12, 14, 15, and 17 (if applicable) from the Ownership Section. Please remember to sign and date the form.
	Other - If your business does not fall in one of the above categories (Sole Proprietorship, Partnership, or Corporation) this box should be checked. Examples of Other are Joint Venture, County or State Government, and Limited Liability Company. Please check the Initial or Update Notice box, enter the Effective Date, and answer Items 1 through 11 from the Mine Information Section and Items 12, 13, 14, 15, and 16. Please remember to sign and date the form.
Item #13	If Business is listed as Other, what is the type of Organization? - If you checked Other in Item 12, identify the type of organization (i.e., Joint Venture, County or State Government, Limited Liability Company, etc.).
Item #14	Tax Identification Number for this Business: The Identification Number that applies to your Business. For individuals, this would be your Social Security Number. For entities, this would be your Employer Identification Number (EIN). Privacy Act Notice. We are authorized to request this information under the Debt Collection Improvement Act of 1996, Title 31 U.S.C. amended section 7701, new subsection (c)(1), which mandates us to require regulated entities and persons who are doing business with a Federal agency to furnish a TIN.
Item #15	The Individual(s) or Organization(s) with ownership interest in this Business or Corporate Officers/Directors - Please refer to the instructions below that pertain to your type of business. If additional space is needed, please check the box located in Item 15d and attach a separate sheet.
	Sole Proprietorship - The name and complete address of the owner (sole proprietor) of this business. If located in a rural area, provide the road name or route number. Because a sole proprietorship is defined as a business with one owner, there should only be one owner listed on this form.
	Partnership - The name and complete address for each partner. If located in a rural area, provide the road name or route number. Do not use the address for the business. This should be the address for each partner. If the partnership's owners are companies, each company's name should be entered in the field named Organization/Company Name. The corresponding address should be for the office where the company is doing business (street, city, state, and zip code). If located in a rural area, show the road name or route number. The owner(s) or officers/directors and addresses for these companies should also be provided. Please use a separate sheet if additional space is needed.
	Corporation - The name, title and complete address (street, city, state, zip code) for each officer/director of the corporation should be provided. If located in a rural area, provide the road name or route number. This should not be the address of the corporation. This should be the address for each officer/director. Please use a separate sheet if additional space is needed.
	Other - The name, title, and complete address (street, city, state, and zip code) for each Individual, Business, County or State Government with ownership interest in the organization. If located in a rural area, show the road name or route number. Do not use the address of the organization. This should be the name for each individual with ownership interest. If the organization's owner(s) is a Business or County/State Government, enter the business name in the Organization/Company Name field. The corresponding address should be for the office where the business is located. Please use a separate sheet if additional space is needed.

Item #16	If Business is listed as Other, list the Principal Organization Officials or Members - The name, title, and complete address for each Individual(s) who is an official or member in the Organization. If located in a rural area, provide the road name or route number. This should not be the address of the Organization, but the address of each Individual. Please use a separate sheet if additional space is needed.			
Item #17	If Business is a Corporation, please answer the following:			
	a. State of Incorporation - The State abbreviation where the corporation was incorporated.			
b. Is this Corporation a Subsidiary? - Check the appropriate box (yes or no).				
	c. If yes, what is the name and address of your Parent Corporation? - Provide the complete name and office address (street, city, state, and zip code) of where the ultimate parent corporation is doing business. The ultimate parent corporation is the highest company in the family tree structure with the ultimate ownership of the operating company. If located in a rural area, provide the road name or route number.			
	d. Tax Identification Number for this Parent Corporation - The Employer Identification Number (EIN) for the Parent Corporation. Privacy Act Notice . We are authorized to request this information under the Debt Collection Improvement Act of 1996, Title 31 U.S.C. amended section 7701, new subsection (c)(1), which mandates us to require regulated entities and persons who are doing business with a Federal agency to furnish a TIN.			
	Signature and Title of Official Completing Form - The company official who completed the form is required to sign his/her name, and provide his/her title at the company. This report should be prepared only by an official with full knowledge of the information requested on this form.			
	Date Form Completed - The date this form was signed, using numbers to show the month, day, and complete year; e.g., 01/01/2002. Please note that this is the date the form was completed, not the date that changes became effective.			

30 CFR § 45.1 Scope and purpose.

This part sets forth information requirements and procedures for independent contractors to obtain an MSHA identification number and procedures for service of documents upon independent contractors. Production-operators are required to maintain certain information for each independent contractor at the mine. The purpose of this rule is to facilitate implementation of MSHA's enforcement policy of holding independent contractors responsible for violations committed by them and their employees.

30 CFR § 45.2 Definitions.

As used in this part:

- (a) *Act* means the Federal Mine Safety and Health Act of 1977, Pub. L. 91-173, as amended by Pub. L. 95-164;
- (b) *District Manager* means the District Manager of the Mine Safety and Health Administration District in which the independent contractor is located;
- (c) *Independent contractor* means any person, partnership, corporation, subsidiary of a corporation, firm, association or other organization that contracts to perform services or construction at a mine; and,

See MSHA's Program Policy Manual

(d) *Production-operator* means any owner, lessee, or other person who operates, controls or supervises a coal or other mine.

30 CFR § 45.3 Identification of independent contractors.

- (a) Any independent contractor may obtain a permanent MSHA identification number. To obtain an identification number, an independent contractor shall submit to the District Manager in writing the following information:
 - (1) The trade name and business address of the independent contractor;
 - (2) An address of record for service of documents;
 - (3) A telephone number at which the independent contractor can be contacted during regular business hours; and
 - (4) The estimated annual hours worked on mine property by the independent contractor in the previous calendar year, or in the instance of a business operating less than one full calendar year, prorated to an annual basis.

30 CFR § 45.4 Independent contractor register.

- (a) Each independent contractor shall provide the production-operator in writing the following information:
 - (1) The independent contractor's trade name, business address and business telephone number;
 - (2) A description of the nature of the work to be performed by the independent contractor and where at the mine the work is to be performed;
 - (3) The independent contractor's MSHA identification number, if any; and
 - (4) The independent contractor's address of record for service of citations, or other documents involving the independent contractor.
 - (b) Each production-operator shall maintain in writing at the mine the information required by paragraph (a) of this section for each independent contractor at the

mine. The production-operator shall make this information available to any authorized representative of the Secretary upon request.

30 CFR § 45.5 Service of documents; independent contractors.

Service of citations, orders and other documents upon independent contractors shall be completed upon delivery to the independent contractor or mailing to the independent contractor's address of record.

30 CFR § 45.6 Address of record and telephone number; independent contractors.

(a) The address and telephone number required under this part shall be the independent contractor's official address and telephone number for purposes of the Act. Service of documents upon independent contractors may be proved by a Post Office return receipt showing that the documents were delivered to the address of record or that the documents could not be delivered to the address of record because the independent contractor is no longer at that address and has established no forwarding address; because delivery was not accepted at that address; or because no such address exists. Independent contractors may request service by delivery to another appropriate address of record provided by the independent contractor. The telephone number required under this part will be used in connection with the proposed penalty assessment procedures in 30 CFR part 100.

PROGRAM POLICY MANUAL

III. 45-1 General Enforcement Policy for Independent Contractors

MSHA's policy is to issue citations and, where appropriate, orders to independent contractors for violations of applicable provisions of the Act, standards or regulations. This policy is based on the Mine Act's definition of an "operator," which includes "independent contractors performing services or construction" at mines.

MSHA's enforcement policy regarding independent contractors does not change production-operators' basic compliance responsibilities. Production-operators are subject to all provisions of the Act, and to all standards and regulations applicable to their mining operations. This overall compliance responsibility includes assuring compliance by independent contractors with the Act and with applicable standards and regulations. As a result, both independent contractors and production-operators are responsible for compliance with all applicable provisions of the Act, standards and regulations.

This "overlapping" compliance responsibility means that there may be circumstances in which it is appropriate to issue citations or orders to both the independent contractor and to the production- operator for a violation. Enforcement action against a production-operator for a violation(s) involving an independent contractor is normally appropriate in any of the following situations: (1) when the production-operator has contributed by either an act or by an omission to the occurrence of a violation in the course of an independent contractor's work; (2) when the production-operator has contributed by either an act or omission to the continued existence of a violation committed by an independent contractor; (3) when the production-operator's miners are exposed to the hazard; or (4) when the production-operator has control over the condition that needs

abatement. In addition, the production-operator may be required to assure continued compliance with standards and regulations applicable to an independent contractor at the mine.

Inspectors should cite independent contractors for violations committed by the contractor or by its employees. Whether particular provisions apply to independent contractors or to the work they are performing will be apparent in most instances. However, some provisions of the Act, standards or regulations may not be directly applicable to independent contractors or their work; or independent contractor compliance with certain standards or regulations may duplicate the production-operator's compliance efforts. As questions regarding such matters arise, the inspector's supervisor shall contact the district manager, who shall consult with the Administrator's Office.

The following guidelines cover the responsibility of independent contractors for compliance with 30 CFR Parts 41, 48 and 50.

1. Filing of Legal Identity Reports Under 30 CFR Part 41

Independent contractors working at mines are not required to file legal identity reports under <u>Part 41</u>. Procedures for the identification of independent contractors are explained below under 45.3, MSHA Identification of Independent Contractors.

2. Training of Independent Contractors and Their Employees Under 30 CFR Part 48

a. Construction Workers

See Part 48 in this Manual, Paragraphs 48.2(a)(1)/48.22(a)(1) - "Miner."

b. Comprehensive and Hazard Training

See Part 48 in this Manual.

c. Production of Training Records

Independent contractors required to provide training are also required to promptly produce training records to show that training has been provided. The location where the records are maintained, such as at a mine site, or at the contractor's office, is up to the independent contractor.

d. Enforcement Action for Training Violations

1.) General

An order should be issued under Section 104(g) of the Act to the direct employer of any miner who has not received the required training under Part 48. This means that a 104(g) order should be issued to the independent contractor for any persons who are directly employed by the independent contractor and who are not properly trained. Similarly, a 104(g) order should be issued to the production-operator for any untrained persons directly employed by the production-operator. See also Item 3), below. In addition, it is the policy of Coal Mine Safety and Health to issue a corresponding citation to the independent contractor or production operator for failure to provide the miner with the requisite training.

2.) Violations Involving Production-Operators

Each production-operator is required to have an approved training plan under Part 48 and to comply with the provisions of that plan in training each of the miners it employs. As discussed in Item 3), below, where it cannot be

determined who employs an untrained person, the production-operator should be issued a 104(g) order for that person.

3.) Violations Involving Independent Contractors

Independent contractors are not required to have an approved training plan under <u>Part 48</u>. However, as discussed, independent contractors and their employees must be trained in accordance with Part 48. Independent contractors may comply with the training requirements by either making arrangements to have their employees trained under an existing approved training plan and program, or by filing and adopting their own approved training plan.

In either event, the independent contractor should be issued a 104(g) order for any of his/her employees who are not trained in accordance with a plan approved under Part 48. Care should be taken when issuing a 104(g) order to an independent contractor when several contractors or subcontractors are present at the mine. The inspector must be sure that the untrained person is directly employed by the independent contractor to whom the 104(g) order is issued. If it cannot be determined who employs the untrained person, the production-operator should be issued the 104(g) order.

The foregoing enforcement guidelines for 30 CFR Part 48 are consistent with the training standard's purpose to assure that all persons at mines are effectively trained in matters affecting their health and safety, thereby reducing the number and severity of injuries. These guidelines recognize that not all independent contractors are able to practically implement their own Part 48 training programs. Accordingly, independent contractors may comply with the training requirements in the manner most suitable for their size and type of business by making arrangements to have their employees trained under an existing approved plan or by filing and adopting their own approved plans.

3. Notification, Investigation, Reporting and Recordkeeping Requirements Under 30 CFR Part 50

Independent contractors working at mines are required to comply with all provisions of Part 50 pertaining to their employees. In order to assure accurate reporting and recordkeeping and to avoid duplication, it is important that production-operators and their independent contractors carefully coordinate their Part 50 responsibilities.

For detailed information on the reporting responsibilities and obligations of independent contractors, see Part 50 in this Manual.

45.2(c) Definition of Independent Contractor

The Mine Act defines an independent contractor as "any person, partnership, corporation, subsidiary of a corporation, firm, association or other organization that contracts to perform services or construction at a mine." If the "person, partnership, ... or other organization" contracts for the production of a mineral, the "person, partnership, ... or other organization" is classified as a mine operator, and it is required to file a Legal

Identity Report. In addition, it will be assigned a mine identification number, and it is subject to all requirements applicable to a mine operator.

45.3 MSHA Identification of Independent Contractors

Any independent contractor that requests an identification number will receive one from MSHA. However, unless cited for a violation, only those independent contractors performing work at mine sites, or with contracts to perform at a mine(s) any of the nine types of services or construction listed below, are required by MSHA to have identification numbers:

- 1. Mine development, including shaft and slope sinking;
- 2. Construction or reconstruction of mine facilities; including building or rebuilding preparation plants and mining equipment, and building additions to existing facilities;
- 3. Demolition of mine facilities;
- 4. Construction of dams;
- 5. Excavation or earthmoving activities involving mobile equipment;
- 6. Equipment installation, such as crushers and mills;
- 7. Equipment service or repair of equipment on mine property for a period exceeding five consecutive days at a particular mine;
- 8. Material handling within mine property; including haulage of coal, ore, refuse, etc., unless for the sole purpose of direct removal from or delivery to mine property; and
- 9. Drilling and blasting.

MSHA does not require independent contractors to have identification numbers as a precondition to bidding for work contracts on mine property. If an independent contractor becomes a successful bidder and if the contract to be performed covers any of the nine types of service or construction listed above, the contractor must obtain an identification number.

MSHA identification numbers have no effect on the compliance responsibility of either the mine operator or the independent contractor. Mine operators have compliance responsibility for all activities at the mine, regardless of whether or not the independent contractor in question has an MSHA identification number. The mine operator's overall compliance responsibility includes assuring each independent contractor's compliance with the Act and with MSHA's standards and regulations. Independent contractors are responsible for compliance with applicable provisions of the Act, standards and regulations, regardless of whether or not they have an MSHA identification number.

Whenever an independent contractor submits a written request for an identification number, the contractor must furnish the information listed under 30 CFR <u>45.3(a)</u>. If an independent contractor cited for a violation does not have an MSHA identification number, the inspector should obtain the information required by 30 CFR 45.3(a) from the independent contractor. Information required under 30 CFR 45.3(a)(1), (2) and (3) may also be obtained from the production-operator (see 30 CFR 45.4(b)).

Each independent contractor who has an identification number uses it on all job sites. In the event of a change in ownership (but same trade name), a new identification number should be assigned. This means that each independent contractor is assigned only one identification number to be used on any and all job sites.

45.4 Independent Contractor Register

30 CFR 45.4(a) requires independent contractors to provide production-operators with minimal information necessary to the conduct of an MSHA inspection. 30 CFR 45.4(b) requires production-operators to maintain this information in written form at the mine, and to make the information available to an inspector upon request.

In order to accomplish this purpose, both the independent contractor and the production-operator have responsibilities under Section 45.4(a). In the event that an independent contractor refuses to provide the production-operator with the necessary information, the contractor is subject to citation for failure to comply with Section 45.4(a). In addition, if a production-operator refuses to make the necessary information available to the inspector, he or she is subject to citation for violation of Section 45.4(b).

However, there may be instances where the information required by Section 45.4 is not immediately available due to an inadvertent omission which is quickly corrected. For example, where contracts are kept at the mine's central or headquarters office, and a particular independent contractor has begun work on the mine property without the knowledge of the local mine, the inspector should consider all factors relevant to the particular case. If the necessary information can be secured in a reasonable time, no violation for failure to keep an accurate register should be found to exist.

In all cases, it should be kept in mind that Section 45.4 is intended to give the inspector sufficient information so that a fair and efficient inspection can be made. If that information promptly is made available to the inspector so that this goal can be accomplished, then there is no violation of Section 45.4.

45.4 INDEPENDENT CONTRACTOR REGISTER

NAME	MSHA I.D.	ADDRESS	PHONE NO.	PERSON RESPONSIBLE	AREA OF WORK
	1,2,				,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,

30 CFR § 46.2 Definitions.

The following definitions apply in this part:

- (a) Act means the Federal Mine Safety and Health Act of 1977.
- (b) <u>Competent person</u> means a person designated by the production-operator or independent contractor who has the ability, training, knowledge, or experience to provide training to miners in his or her area of expertise. The competent person must be able both to effectively communicate the training subject to miners and to evaluate whether the training given to miners is effective.

(c) (1) Experienced miner means:

- (i) A person who is employed as a miner on April 14, 1999;
- (ii) A person who has at least 12 months of cumulative surface mining or equivalent experience on or before October 2, 2000;
- (iii) A person who began employment as a miner after April 14, 1999, but before October 2, 2000, and who has received new miner training under §48.25 of this title or under proposed requirements published April 14, 1999, which are available from the Office of Standards, Regulations and Variances, MSHA, 1100 Wilson Boulevard, Room 2352, Arlington, Virginia 22209-3939; or
- (iv) A person employed as a miner on or after October 2, 2000, who has completed 24 hours of new miner training under §46.5 of this part or under §48.25 of this title and who has at least 12 cumulative months of surface mining or equivalent experience.
- (2) Once a miner is an experienced miner under this section, the miner will retain that status permanently.
- (e) <u>Independent contractor</u> means any person, partnership, corporation, subsidiary of a corporation, firm, association, or other organization that contracts to perform services at a mine under this part.
- (f) Mine site means an area of the mine where mining operations occur.

(g)(1) Miner means:

- (i) Any person, including any operator or supervisor, who works at a mine and who is engaged in mining operations. This definition includes independent contractors and employees of independent contractors who are engaged in mining operations; and
- (ii) Any construction worker who is exposed to hazards of mining operations.
- (2) The definition of "miner" does not include scientific workers; delivery workers; customers (including commercial over-the-road truck drivers); vendors; or visitors. This definition also does not include maintenance or service workers who do not work at a mine site for frequent or extended periods.
- (h) <u>Mining operations</u> means mine development, drilling, blasting, extraction, milling, crushing, screening, or sizing of minerals at a mine; maintenance and repair of mining equipment; and associated haulage of materials within the mine from these activities.

- (i) <u>New miner</u> means a person who is beginning employment as a miner with a production-operator or independent contractor and who is not an experienced miner.
- (j) <u>Newly hired experienced miner</u> means an experienced miner who is beginning employment with a production-operator or independent contractor. Experienced miners who move from one mine to another, such as drillers and blasters, but who remain employed by the same production-operator or independent contractor are not considered newly hired experienced miners.
- (k) <u>Normal working hours</u> means a period of time during which a miner is otherwise scheduled to work, including the sixth or seventh working day if such a work schedule has been established for a sufficient period of time to be accepted as the common practice of the production-operator or independent contractor, as applicable.
- (l) <u>Operator</u> means any production-operator, or any independent contractor whose employees perform services at a mine.
- (m)<u>Production-operator</u> means any owner, lessee, or other person who operates, controls, or supervises a mine under this part.
- (n) <u>Task</u> means a work assignment or component of a job that requires specific job knowledge or experience.
- (o) We or us means the Mine Safety and Health Administration (MSHA).
- (p) You means production-operators and independent contractors.

Program Policy Manual

- 46.2(b) "Competent Person" Part 46 does not require that "competent persons" be approved by MSHA. A "competent person," is a person who is designated by the production-operator or independent contractor who has the ability, training, knowledge, or experience to provide training to miners in his or her area of expertise. The competent person must be able to effectively communicate the training subject to miners, and evaluate whether the training given to miners is effective. A competent person may be credited for receiving any training they provide toward their own training requirements.
- 46.2(c) "Equivalent Experience" is defined in Part 46 as work experience where the person performed duties similar to duties performed in mining operations at surface mines. "Equivalent experience" includes such things as working at a construction site or other types of jobs where the miner has duties similar to the duties at the mine. These duties could include working as a heavy equipment operator, truck driver on a highway construction site, skilled craftsman, or plant operator. To determine equivalent experience, production-operators and independent contractors must evaluate the work history of newly-hired employees in determining whether the employees are "experienced" miners. This determination is subject to review by MSHA as part of our verification that production-

operators and independent contractors have complied with the training requirements of Part 46.

46.2(d) "Experienced Miner"

Part 46 lists four ways to become an experienced miner.

- 1. Employed as a miner on April 14, 1999; or
- 2. Twelve months of cumulative surface mining or equivalent experience on or before October 2, 2000; or
- 3. Began employment as a miner after April 14, 1999, but before October 2, 2000 and who has received new miner training under § 48.25 or under the proposed requirements published April 14, 1999; or
- 4. Employed as a miner on or after October 2, 2000 and completed 24 hours of new miner training under § 46.5 or under § 48.25 and has at least 12 cumulative months of surface mining or equivalent experience.

Once a miner has received new miner training under Part 46 or Part 48 and has accumulated 12 months of mining experience within 36 months of receiving new miner training, MSHA considers that miner to be experienced for life for training purposes at all Part 46 mines.

46.2(g) "Miner" A miner is a person, including any operator or supervisor, who works at a mine and who is engaged in mining operations. This definition includes independent contractors and employees of independent contractors who are engaged in mining operations; and construction workers who are exposed to hazards of mining operations for frequent or extended periods.

The definition of "miner" does not include scientific workers; delivery workers; customers (including commercial over-the-road truck drivers); vendors; or visitors.

Commercial over the road truck drivers are required to have Site-specific Hazard Awareness Training. Part 46 affords operators the discretion to tailor Site-specific Hazard Awareness Training to the unique operations and conditions at their mines. However, the training must in all cases be sufficient to alert affected persons to site-specific hazards. Under Part 46, Hazard Awareness training is intended to be appropriate for the individual who is receiving it and that the breadth and depth of training vary depending on the skills, background, and job duties of the recipient.

This definition of "miner" also does not include maintenance or service workers who do not work at a mine site for frequent or extended periods.

"Frequent" exposure is defined as a pattern of exposure to hazards at mining operations occurring intermittently and repeatedly over time. "Extended" exposure means exposure to hazards at mining operations of more than five consecutive work days.

<u>46.2(h)</u> "**Mining Operations**" means mine development, drilling, blasting, extraction, milling, crushing, screening, or sizing of minerals at a mine; maintenance and repair of mining equipment; and associated haulage of materials within the mine from these activities.

46.2(k) "Normal Work Hours" is defined as "a period of time during which a miner is otherwise

scheduled to work." For example, if miners on occasion work on Saturday, they can be trained on Saturday. Part 46 also requires that miners who are being trained be paid at a rate of pay they would have received had they been performing their normal work tasks.

If your company operates more than one mine, there must be one plan for each mine and mine ID number. Independent contractors should list their three-digit contractor ID number if they have one. Independent contractors do not need a contractor ID number in order for their plan to be approved.

Company and Mine r	ames [Section 46.3(b)(1)]	
MSHA ID#	[] or []	
Company Name:	[]
Address:	[_1
Address:	[<u> </u>
City, State & Code:	[_]
Mine Name:	[]
The individual responsible training related matters.	for safety and health training at the mine is the person MSHA	should contact regarding
Person responsible fo [Section 46.3(b)(2)]	r health and safety training at the mine (Name ar	nd Position)
Name:	[]
Position/Title:	[]
Optional Information		
Phone Number:	()	
E-Mail:	[]	_1

Each training plan must list at least one competent person or organization. The competent person may work for the company, may be employed by an independent training service, or may be an instructor for a State Grants Program. If you employ a training organization, you may list the organization name and not the names of each individual person or instructor. When an organization is listed, all instructors of that organization will be included by reference and will change as the organization's staffing changes. For each person or organization, list the subject areas in which they are competent to instruct.

Competent persons or organizations and subject areas each is competent to instruct [$Section\ 46.3(b)(4)$]:				
Name(s)	Subject(s)/Area(s)			
11	[]			
[1	[1			
1	[]			
[1	[]			
1				
1				
I1	<u> </u>			
I1	[
I1	[]			
1	[]			
I1	[]			
I1	[
[]	[]			
[]	[]			
[]	[]			
[]	[]			

Mine ID #	Contractor ID _	
New Miner Training Program (Section 46.5	()	Date://
Each new miner will receive no less than 24 hours of have not received the full 24 hours of new miner traexperienced miner.	U -	, , , _
A. Each new miner will receive the following training will be no less than 4 hours and will also $46.5(b)$:	U	C
1. Introduction to work environment [Section 46	(6.5(b)(1)]	
Approximate Time(s): hours minutes	tohours _	_ minutes
Teaching Methods:		
_ lecture	_ site tour	
_ discussion	_ other	
_ audiovisual		
Course Training Materials:		
_ MSHA	= =	ole regulations
_ company	_ other	
vendor/manufacturer		
Evaluation Procedures:		
_ oral feedback	_ other	
_ written feedback		
_ observation		

New Miner Training Program

_ observation

_ other

2. Recognition and avoidance of electrical hazards (56.12001) and other hazards, such as traffic patterns and control (56.9100), mobile equipment (56.14000), and ground conditions (56.3000) [Section 46.5(b)(2)] Approximate Time(s): _ hours _ minutes to _ hours _ minutes Teaching Methods: _ lecture _ lockout devices _ discussion _ site tour audiovisual _ other Course Training Materials: _ MSHA _ applicable regulations _ company _ other vendor/manufacturer **Evaluation Procedures:** _ oral feedback _ observation _ written feedback _ other 3. Emergency medical procedures (56.18014); escape and emergency evacuation plans (56.4330); fire warning signals and firefighting procedures [Section 46.5(b)(3)] Approximate Time(s): _ hours _ minutes to _ _ hours _ _ minutes Teaching Methods: _ lecture _ demonstration _ discussion _ site tour audiovisual _ other Course Training Materials: _ MSHA _ fire warning signals and firefighting procedures _ company _ vendor/manufacturer _ applicable regulations _ other _ escape and emergency evacuation plans

Evaluation Procedures:

_ oral feedback

_ written feedback

New Miner Training Program

about the physical and health hazards of chemicals in the miners work area, protective measures a miner can take against these hazards and the contents of the mine's HazCom Program (Part 47 HAZCOM). [Section 46.5(b)(4)] Approximate Time(s): _ _ hours _ _ minutes to _ _ hours _ _ minutes Teaching Methods: _ lecture _ demonstration _ discussion _ site tour _ other _ audiovisual _ practice under close observation Course Training Materials: _ MSHA _ applicable regulations _ MSD Sheets _ company/HazCom Program _ vendor/manufacturer safe work procedures **Evaluation Procedures:** _ oral feedback _ observation written feedback _ other 5. Statutory rights of miners and their representatives [Section 46.5(b)(5)] Approximate Time(s): __ hours __ minutes to __ hours __ minutes Teaching Methods: _ lecture _ computer _ discussion _ other audiovisual Course Training Materials: _ company rules _ MSHA _ company _ applicable regulations 1977 Mine Act _ other **Evaluation Procedures:** oral feedback _ observation _ other written feedback

4. Health and safety aspects of the tasks to be assigned. Training will include information

6. Authority and responsibilities of supervisors and miners representatives [Section 46.5(b)(6)]

Approximate Time(s): hours minutes	tohoursminutes
Teaching Methods:	
lecture	computer
_ discussion	other
audiovisual	_
Course Training Materials:	
MSHA	company rules
_ _ company	applicable regulations
1977 Mine Act	other
Evaluation Procedures:	_ ****
oral feedback	observation
_ written feedback	other
7. Introduction to rules and procedures for rep	orting hazards [Section $46.5(b)(7)$]
Approximate Time(s):hours minutes	tohoursminutes
Teaching Methods:	
_ lecture	_ computer
_ discussion	other
_ audiovisual	_
Course Training Materials:	
_ MSHA	_ mine communication system
_ _ company	_ applicable regulations
_ 1977 Mine Act	other
company rules	_
Evaluation Procedures:	
_ oral feedback	observation
written feedback	- other

B. After each new miner begins work, the miner will receive the following training within 60 days [$Section\ 46.5(c)$].

1.	1.	Self-rescue and	respiratory	devices ((56.5002/5005)	[Section 4	46.5	c)	(1))]

This subject is: _ applicable _ not applicable	
Approximate Time(s): hours minutes	tohoursminutes
Teaching Methods:	
_ lecture	_ demonstration
_ discussion	_ other
_ audiovisual	
Course Training Materials:	
_ MSHA	_ training devices
_ company	_ applicable regulations
vendor/manufacturer	_ other
Evaluation Procedures:	_
oral feedback	_ fit test
_ written feedback	other
observation	_
2. 2. First aid (56.15001/18010) [Section 46. Approximate Time(s): hours minutes	
Teaching Methods:	
lecture	demonstration
_ discussion	other
_ audiovisual	_
Course Training Materials:	
_ MSHA	_ first aid supplies
_ company	_ applicable regulations
_ vendor/manufacturer	_ other
Evaluation Procedures:	
_ oral feedback	_ observation
_ written feedback	_ other

New Miner Training Program

C. After each new miner begins work, the miner will receive the balance, if any, of the 24 hours of training on any other subjects that promote occupational health and safety for miners at the mine within 90 days [Section 46.5(d)].

If other subjects will be taught based on circumstances or conditions at the mine, the Yes@ box should be checked and a completed Other Subject(s)@ page for each attached.

Mine ID #	Contractor ID
Section 46.5 C. Other Subject(s)	
Subject Title: [Section 46.5(d)]	
Approximate Time(s): hours minutes	tohoursminutes
Teaching Methods: lecture discussion audiovisual Course Training Materials: MSHA company vendor/manufacturer Evaluation Procedures: oral feedback written feedback	_ demonstration _ site tour _ other _ applicable regulations _ other
_ observation other	

Mine ID # Contractor ID			
Newly-Hired Experienced Miner Training (Section 46.6)	Program Date://		
Each newly-hired experienced miner will receive the following training [Section $46.6(a)$]. As specified below, some of the training will be given before the miner begins work; while the balance of the required training will be given within 60 days after work begins.			
A. Each newly-hired experienced miner will receive the following training before the miner begins work. This training will also address site-specific hazards [$Section\ 46.6(b)$]:			
1. Introduction to work environment [Section $46.6(b)(1)$]			
Approximate Time(s): hours minutes to hours minutes			
Teaching Methods:			
_ lecture	_ site tour		
_ discussion _ other			
audiovisual			
Course Training Materials:			
_ MSHA	_ applicable regulations		
_ company	_ other		
_ vendor/manufacturer			
Evaluation Procedures:			
_ oral feedback	_ observation		
_ written feedback	other		

_ other

traffic patterns and control (56.9100), mobile equipment (56.14000), and ground conditions (56.3000) [Section 46.6(b)(2)] Approximate Time(s): _ hours _ minutes to _ hours _ minutes Teaching Methods: _ lecture _ site tour _ discussion _ other audiovisual Course Training Materials: _ lockout devices _ MSHA _ applicable regulations _ company _ vendor/manufacturer _ other **Evaluation Procedures:** _ oral feedback _ observation _ other _ written feedback 3. Emergency medical procedures (56.18014); escape and emergency evacuation plans (56.4330); fire warning signals and firefighting procedures [Section 46.6(b)(3)] Approximate Time(s): _ hours _ minutes to _ hours _ minutes Teaching Methods: _ lecture _ demonstration _ discussion _ site tour _ other audiovisual Course Training Materials: _ fire warning signals and _ MSHA _ company firefighting procedures _ applicable regulations _ vendor/manufacturer _ escape and emergency evacuation _ other plans **Evaluation Procedures:** _ oral feedback _ observation

_ written feedback

2. Recognition and avoidance of electrical hazards (56.12001) and other hazards, such as

4. Health and safety aspects of the tasks to be assigned. Training will include information about the physical and health hazards of chemicals in the miners work area, protective measures a miner can take against these hazards and the contents of the mine's HazCom Program (Part 47 HAZCOM). [Section 46.6(b)(4)]

Approximate Time(s):hoursminutes	tohoursminutes
Teaching Methods:	
_ lecture	_ demonstration
discussion	_ site tour
_ audiovisual	_ other
_ practice under close observation	_
Course Training Materials:	
_ MSHA	applicable regulations
_ company/HazCom Program	_ MSD Sheets
_ vendor/manufacturer	
safe work procedures	
Evaluation Procedures:	
_ oral feedback	_ observation
written feedback	other
5. Statutory rights of miners and their represent Approximate Time(s): hours minutes	to hours minutes
Teaching Methods:	
lecture	computer
discussion	other
audiovisual	_
Course Training Materials:	
_ MSHA	_ company rules
_ company	applicable regulations
_ 1977 Mine Act	_ other
Evaluation Procedures:	
_ oral feedback	_ observation
written feedback	other

6. Authority and responsibilities of supervisors and miners representatives [Section 46.6(b)(6)]

Approximate Time(s): hours minutes	tohoursminutes
Teaching Methods:	
lecture	_ computer
_ discussion	other
audiovisual	_
Course Training Materials:	
MSHA	_ company rules
_ company	_ applicable regulations
1977 Mine Act	_ other
Evaluation Procedures:	_
oral feedback	_ observation
written feedback	_ other
7. Introduction to rules and procedures for rep Approximate Time(s): hours minutes	
Teaching Methods:	
_ lecture	_ computer
discussion	other
_ audiovisual	
Course Training Materials:	
_ MSHA	_ mine communication system
_ company	_ applicable regulations
_ 1977 Mine Act	_ other
_ company rules	
Evaluation Procedures:	
_ oral feedback	_ observation
written feedback	other

B. After each newly-hired experienced miner begins work, the miner will receive the following training within 60 days [Section 46.6(c)].

1. Self-rescue and respiratory devices (56.5002/5005) [Section 46.6(c)(1)]

This subject is: _ applicable _ not applicable	
Approximate Time(s):hoursminutes	tohoursminutes
Teaching Methods:	
lecture	_ demonstration
discussion	_ other
_ audiovisual	
Course Training Materials:	
_ MSHA	_ training devices
_ company	_ applicable regulations
_ vendor/manufacturer	_ other
Evaluation Procedures:	
_ oral feedback	_ fit test
_ written feedback	_ other
_ observation	

C. Training may address any other subjects that promote occupational health and safety for miners $[Section \ 46.6(e)]$.

If other subjects will be taught based on circumstances or conditions at the mine, the Yes@ box should be checked and a completed Other Subject(s)@ page for each attached.

_ Yes _ No

D. When a newly-hired experienced miner returns to the same mine following an absence of 12 months or less, the miner will receive training on any changes at the mine that occurred during the miner's absence that could adversely affect the miner's health or safety. This training will be given before the miner begins work at the mine. If the miner missed any part of annual refresher training under Section 46.8 during the absence, the missed training will be given within 90 days after the miner begins work at the mine $[Section \ 46.6(f)]$.

	Mine ID #	Contractor ID	
Section 46.6 C. Other Subject(s	s)		
Subject Title: [Section 46.6(e)]			
Approximate Time(s)	:hoursminutes	tohoursminutes	
Teaching Methods:			
lecture		demonstration	
discussion	-		
audiovisual other		other	
Course Training Mate	erials:	_	
_ MSHA		_ applicable regulations	
_ company		_ other	
_ vendor/man	nufacturer		
Evaluation Procedure	s:		
_ oral feedbac	ck	_ observation	
_ written feed	lback	_ other	

Mine ID # Contractor ID		
New Task Training Program (Section 46.7) Date://		
Each miner who is assigned to a new task in which will be trained in the health and safety aspects and so This training will be provided before the miner performiner's assigned task that affects the health and safe will be given training that addresses the change. Properson may be used to fulfill the requirement for tast training will be provided when a new chemical hazawhen an existing chemical is found to possess a new	afe work procedured forms the new task ty risks encounter actice under close k training under the task is introduced in	res specific to that new task k. If a change occurs in a red by the miner, the miner observation of a competent his section. Also HazCom nto a miners work area and
A. Each miner who is assigned to a new task will aspects and safe work procedures of that new tast task. Training will include information about the phiners work area, protective measures a miner can of the mine's HazCom Program. [Section 46.7(a)]. specified below. The competent person who will profunction section.) 1. Health and safety aspects and safe work process.	sk, before the ming sysical and health take against these (Each task that you'de the training	ner performs the new hazards of chemicals in the hazards and the contents will require training is g is listed in the General
Specify the task: [
Approximate Time(s): hours minutes	tohours	minutes
Teaching Methods: lecture discussion audiovisual practice under close observation Course Training Materials: MSHA company/HazCom program vendor/manufacturer operating manuals	_ site tou _ other _ JSAs _ safe wo _ applica	ork procedures able regulations
_ operating manuals Evaluation Procedures: _ oral feedback _ written feedback	_ MSDS _ observa	

New Task Training Program

If other tasks require training at the mine, the Yes@ box should be checked and a completed Other Task(s)@ page for each attached.

B. When changes occur in a miner's assigned task that affect the health and safety risks encountered by the miner, the miner will receive training that addresses the change(s) [Section 46.7(b)].

New Task Training Program

Contractor ID			
Health and safety aspects and safe work procedures of the new task			
tohoursminutes			
_ demonstration			
_ site tour			
_ other			
_ JSAs			
_ safe work procedures			
_ applicable regulations			
_ MSDS			
_ observation			
_ other			
•			

_ Contractor ID
edures of the new task
tohoursminutes
_ demonstration
_ site tour
_ other
_ JSAs
_ safe work procedures
_ applicable regulations
_ MSDS
_ observation
_ other

_ Contractor ID
dures of the new task
tohoursminutes
_ demonstration
_ site tour
_ other
_ JSAs
_ safe work procedures
_ applicable regulations
_ MSDS
_ observation
_ other

New Task Training Program

Mine ID #	Contractor ID
Section 46.7 A. Other Task(s)	
Health and safety aspects and safe work proceed	dures of the new task
Specify the task:	
Approximate Time(s): hours minutes	tohoursminutes
Teaching Methods: lecture discussion audiovisual practice under close observation	_ demonstration_ site tour_ other
Course Training Materials: MSHA company/HazCom Program vendor/manufacturer operating manuals Evaluation Procedures: oral feedback written feedback observation other	_ JSAs _ safe work procedures _ applicable regulations _ MSDS

Annual Refresher Training Program

Mine ID #	Contractor ID	
Annual Refresher Training Program (Section 46.8)	Date://
Each miner will receive a minimum of 8 hour months [Section $46.8(a)$]. The training will in adversely affect the miner=s health or safety. health and safety subjects relevant to the miner	clude instruction on char The refresher training w	nges at the mine that could
A. Each miner will receive the following tr	raining [Section 46.8(b)]	
1. Changes at the mine that affect the mine	ers health or safety	
Approximate Time(s): hours minutes	tohours _	minutes
Teaching Methods: lecture discussion audiovisual Course Training Materials: MSHA company vendor/manufacturer Evaluation Procedures: oral feedback written feedback written feedback B. Miners will also receive training in the feedback that have accounted for the most feedback to the most feedback	_ other _ observa _ other	ble regulations ation d subjects and for
appropriate [Section 46.8(c)] If any of the recommended subjects will be to completed Recommended Subject(s)@ page for	•	es@ box is checked and a
_ Yes _ No		
If other subjects will be taught based on circus should be checked and a completed Other Sub		
_ Yes _ No		

Annual Refresher Training Program

Mine ID #	Contractor ID
Section 46.8 Recommended Subject(s) (Check subjects from the following:)	
 Applicable health and safety requirements, in Transportation controls and communication sees and emergency evacuation plans; fire Ground conditions and control Traffic patterns and control Working in areas of high walls Water hazards, pits, and spoil banks Illumination and night work First aid Electrical hazards Prevention of accidents Health Explosives Respiratory devices Mobile equipment; conveyor systems; cranes Maintenance and repair; material handling; fa around moving objects 	systems warning and firefighting ; crushers; excavators; and dredges
Approximate Time(s):hours minutes	tohoursminutes
Teaching Methods: lecture discussion audiovisual Course Training Materials: MSHA company vendor/manufacturer Evaluation Procedures:	_ demonstration _ site tour _ other _ applicable regulations _ other
oral feedbackwritten feedback	_ observation _ other

Annual Refresher Training Program

Mine ID #	Contractor ID
Section 46.8 Other Subject(s)	
Subject Title: [Section 46.8(c)]	
Approximate Time(s): hours minutes	to hours minutes
Teaching Methods:	
lecture	demonstration
discussion	site tour
audiovisual	other
Course Training Materials:	_
_ MSHA	_ applicable regulations
_ company	other
_ vendor/manufacturer	_
Evaluation Procedures:	
_ oral feedback	_ observation
written feedback	other

Contractor ID

Hazard Awareness Training Program (Section 46.11)	Date: / /

Site-specific hazard awareness training will be given before any person specified under this section is exposed to mine hazards [$Section\ 46.11(a)$].

Mine ID # -

This training will be given to any person who is not a miner as defined by Section 46.2 but is present at the mine site. Such persons may include, but are not limited to, office personnel, delivery workers, and customers [Section 46.11(b)]. This training will also be provided to miners, such as drillers or blasters, who move from one mine to another mine while remaining employed by the same production-operator or independent contractor [Section 46.11(c)].

Site-specific hazard awareness training is not required for any person who is accompanied at all times by an experienced miner who is familiar with hazards specific to the mine [Section 46.11(f)].

The production-operator has primary responsibility for ensuring that hazard awareness training is given to employees of independent contractors who are required to receive that training. The production-operator will provide information to each independent contractor who employs a person at the mine on site-specific mine hazards [Section 46.12(a)].

Each independent contractor who employs a miner (as defined in Section 46.2) at the mine has primary responsibility for providing new miner training, newly-hired experienced miner training, new task training, and annual refresher training. Independent contractors will inform the production-operator of any hazards contractors may create by the performance of their work at the mine [Section 46.12(b)].

A. Training will address site-specific health and safety risks. The training will include the following subjects or other special safety procedures, where appropriate [$Section\ 46.11(d)$].

Independent contractors who will be receiving hazard awareness training from the productionoperator and will not need to provide this training to their own employees or employees of other independent contractors are not required to complete this part of the training plan.

Contractors may check here when this part is: ~ not applicable.

1.	Hazards a	a person	may be e	exposed to	o while a	t the min	e, includin	ıg applicabl	le emerge	ncy
pr	ocedures									

procedures	
Approximate Time(s): hours minutes	tohoursminutes
Teaching Methods:	
_ lecture	_ demonstration
_ discussion	_ site tour
_ audiovisual	_ other
_ written warnings	
Course Training Materials:	
_ MSHA	_ checklist(s)
_ company	_ signs and posted warnings
_ vendor/manufacturer	_ applicable regulations
_ company rules/policies	_ other
Evaluation Procedures:	
_ oral feedback	_ observation
_ written feedback	_ other
If other subjects will be taught to cover site-spe Yes@ box is checked and a completed Health a	ecific health and safety risks at the mine, the and Safety Subject(s)@ page for each is attached.
_ Yes _ No	
If other subjects will be taught based on circun should be checked and a completed Other Subj	nstances or conditions at the mine, the Yes@ box ject(s)@ page for each attached.
_ Yes _ No	

Mine ID #	Contractor ID
Section 46.11 A. Health and Safety Subject(s) (Check subjects from the following:)	
 Unique geologic or environmental condition Recognition and avoidance of hazards such Powered haulage hazards Traffic patterns and control, and restricted a Warning and evacuation signals Evacuation and emergency procedures Other special safety procedures 	as electrical hazards
Approximate Time(s): hours minutes	tohoursminutes
Teaching Methods: lecture discussion audiovisual Course Training Materials: MSHA company vendor/manufacturer company rules/policies Evaluation Procedures:	_ demonstration _ site tour _ other _ checklist(s) _ applicable regulations _ other
_ oral feedback _ written feedback	_ observation _ other

Mine ID #	Contractor ID
Section 46.11 A. Other Subject(s)	
Subject Title:	
[Section 46.11(d)]	·
Approximate Time(s): hours minutes	tohoursminutes
Teaching Methods:	
lecture	_ demonstration
discussion	_ site tour
audiovisual	other
computer	_
Course Training Materials:	
_ MSHA	_ applicable regulations
_ company	other
vendor/manufacturer	_
Evaluation Procedures:	
_ oral feedback	_ observation
written feedback	_ other

B. Training will be provided to miners, such as drillers or blasters, who move from one mine to another mine while remaining employed by the same production-operator or independent contractor [$Section\ 46.11(c)$].

Independent contractors who will be receiving this training from the production-operator and will not be providing this training to employees of other independent contractors are not required to complete this part of the training plan.

Contractors may check here when this part is: _ not applicable.

1. Hazards a miner may be exposed to while at the mine, including applicable emergency procedures

Approximate Time(s): _ hours _ minutes	tohoursminutes
Teaching Methods:	
_ lecture	_ demonstration
_ discussion	_ site tour
audiovisual	other
written warnings	_
Course Training Materials:	
MSHA	_ checklist(s)
company	applicable regulations
vendor/manufacturer	other
company rules/policies	_
Evaluation Procedures:	
oral feedback	_ observation
_ written feedback	_ other

You may select the task(s) to include for training from the list below, or write in your own description in the space provided on the plan.

Driller
Blaster

Front End Loader Haul Truck Driver Excavator Crane Dozer Backhoe Skid Steer

Wash Plant Crusher with conveyors Screen Plant with conveyors

Dredge Tipple

Maintenance Man
Electrician
Construction Workers
Stone finishing/sizing personnel

Supervisor(s)

30 CFR § 46.9 Records of Training

- (a) You must record and certify on MSHA Form 5000-23, or on a form that contains the information listed in paragraph (b) of this section, that each miner has received training required under this part.
- (b) The form must include:
 - (1) The printed full name of the person trained;
 - (2) The type of training, the duration of the training, the date the training was received, the name of the competent person who provided the training:
 - (3) The name of the mine or independent contractor, MSHA mine identification number or independent contractor identification number, and location of training (if an institution, the name and address of the institution).
 - (4) The statement, "False certification is punishable under § 110(a) and (f) of the Federal Mine Safety and Health Act," printed in bold letters and in a conspicuous manner; and
 - (5) A statement signed by the person designated in the MSHA-approved training plan for the mine as responsible for health and safety training, that states "I certify that the above training has been completed."
- (c) You must make a record of training under paragraphs (b)(1) through (b)(4) of this section.
 - (1) For new miner training under §46.5, no later than
 - (i) when the miner begins work at the mine as required under § 46.5(b);
 - (ii) 60 calendar days after the miner begins work at the mine as required under § 46.5(c); and
 - (iii) 90 calendar days after the miner begins work at the mine as required under § 46.5(d), if applicable.
 - (2) For newly hired experienced miner training under §46.6, no later than
 - (i) when the miner begins work at the mine; and
 - (ii) 60 calendar days after the miner begins work at the mine.
 - (3) Upon completion of new task training under §46.7;
 - (4) After each session of annual refresher training under §46.8; and
 - (5) Upon completion by miners of site-specific hazard awareness training under §46.11.
- (d) You must ensure that all records of training under paragraphs (c)(1) through (c)(5) of this section are certified under paragraph (b)(5) of this section and a copy provided to the miner
 - (1) Upon completion of the 24 hours of new miner training;
 - (2) Upon completion of newly hired experienced miner training;
 - (3) At least once every 12 months for new task training, or upon request by the miner, if applicable;
 - (4) Upon completion of the 8 hours of annual refresher training; and
 - (5) Upon completion by miners of site-specific hazard awareness training.
- (e) False certification that training was completed is punishable under § 110(a) and (f) of the Act.
- (f) When a miner leaves your employ, you must provide each miner with a copy of his or her training records and certificates upon request.

- (g) You must make available at the mine a copy of each miner's training records and certificates for inspection by us and for examination by miners and their representatives. If training certificates are not maintained at the mine, you must be able to provide the certificates upon request by us, miners, or their representatives.
- (h) You must maintain copies of training certificates and training records for each currently employed miner during his or her employment, except records and certificates of annual refresher training under §46.8, which you must maintain for only two years. You must maintain copies of training certificates and training records for at least 60 calendar days after a miner terminates employment.
- (i) You are not required to make records under this section of site-specific hazard awareness training you provide under §46.11 of this part to persons who are not miners under §46.2. However, you must be able to provide evidence to us, upon request, that the training was provided, such as the training materials that are used; copies of written information distributed to persons upon their arrival at the mine; or visitor log books that indicate that training has been provided.

Program Policy Manual

§ 46.9 Records of Training

Part 46 requires that operators record and certify the training that miners receive. Recording means creating a written record of the training. The record must include:

- the full name of the person trained;
- the type of training;
- duration of training;
- the date the training was received;
- the name of the competent person who provided the training;
- name of mine or independent contractor;
- MSHA mine identification or independent contractor number (if applicable); and
- location of training (if an institution, the name and address of institution).

Certifying means verifying, by signature, that the training listed on the written record was completed as indicated on the form. Part 46 requires that this certification be done by the person who has been designated by the operator as responsible for health and safety training at the mine and whose name appears on the training plan. Certifying is required at the completion of training, such as at the end of the 24 hours of new miner training.

Training records must be certified at:

- the completion of new miner training;
- the completion of newly hired experienced miner training;
- the completion of the 8 hours of annual refresher training;
- least once every 12 months for new task training or upon request by the miner; and
- the completion of Site-specific Hazard Awareness Training for miners

A training record or certificate may be maintained in any format, provided that it contains the information listed in § 46.9(b). A "Certificate of Training Form" (MSHA Form 5000-23) may also be used. If a MSHA Form 5000-23 is used it must list the competent instructor(s) who conducted the training, the duration of the training and that the training is for Part 46.

MSHA has developed a sample form which can be used. Both the sample form and the MSHA Form 5000-23 are available from MSHA's Internet Home Page (www.msha.gov), from MSHA's Educational Field Services Division, or from MSHA District and Field offices.

Under § 46.9(b), the records of training must include the name of the competent person who provided the training. If more than one competent person provided the training, the names of all persons must be included.

It is acceptable to list more than one miner on a record or certificate of training. Part 46 allows operators flexibility in choosing the appropriate form for records of training, provided that the form used includes the minimum information specified in § 46.9(b)(1) through (b)(5).

The person who has been designated by the operator or independent contractor as responsible for health and safety training is required to certify, by signature, that training has been completed. This should not be confused with the "competent person" who conducts the training. For example, a state, vocational school or cooperative instructor listed in a training plan may conduct the training and be recorded as the competent person for each subject they teach. The person, who is designated as the person responsible for Part 46 as indicated on the training plan, must certify that the training was completed.

Making Records Available to MSHA

A copy of each miner's training records and certificates must be made available for inspection by MSHA and for examination by miners and their representatives. This includes both certified training records and records that have not yet been certified.

Maintaining Training Plans and Records

Operators and contractors must make available for inspection by MSHA and by miners and their representatives training plans, training records and certificates (§ 46.9 (g)). If the training plan, training records or certificates are not physically kept at the mine site, they must be "produced upon request;" such as by having them sent from another location via fax machine or computer. Training plans must be made available within one business day, but training records, and certificates with the signature of the person responsible for health and safety training must be made available before inspection activity at the mine concludes for the day. The reason for the difference is a matter of urgency. If a miner is untrained or improperly trained, it is a hazard to the miner and to other miners.

Training records and certificates must be made available to the inspector at the mine site. The inspector may choose, as a matter of convenience, to inspect the records at the office or location where the records are maintained or have them faxed to an MSHA office for his or her inspection that day.

Training Certificates for People who are not Considered Miners

A record of training is not required for Site-specific Hazard Awareness Training for persons who are not miners under § 46.2. However, operators must be able to provide evidence to us, upon request, that the training, when applicable, was provided. This evidence may include the training materials used, including appropriate warning signs, written information distributed to persons, or a visitor log book that reflects that Site-specific Hazard Awareness Training has been given.

NEW MINER TRAINING RECORD/CERTIFICATE

Miners Full Name (Print)			IO RECORD	J'CENTIFICAT	
Mine or Contractor Name	ID #				
Subject 30 CFR Part 46.5	Course Length	Date	Competent Person	Location (Name & Address if Institution)	Miners Initials
The miner received no less than 4 hours	training in the j	following, be	fore beginning work:		
(b) (1) Introduction to work environment, mine tour, mining method/operation					
(b)(2) Instruction on recognition and avoidance of electrical and other hazards					
(b)(3) Emergency procedures, escape, and firefighting					
(b)(4) Health and safety aspects of tasks assigned. Part 47 HazCom Program.					
(b)(5) Instruction on statutory rights of miners and their representatives					
(b)(6) Authority & responsibility of supervisors and miners= representatives					
(b)(7) Introduction to your rules and procedures for reporting hazards					
No later than 60 days:					
(c)(1) Self-rescue, respiratory devices, if used					
(c)(2) First aid					
No later than 90 days (balance of 24 hor	urs including the	following st	ubjects):		
False certification is punishable under straining has been of		nd (f) of the	Federal Mine Safety a	and Health Act	

(Signature of person responsible for health and safety training)	(Date)

NEWLY-HIRED EXPERIENCED MINER TRAINING RECORD/CERTIFICATE

Miners Full Name (Print)						
Mine or Contractor NameID#						
Subject 30 CFR Part 46.6	Course Length	Date	Competent Person	Location (Name & Address if Institution)	Miners Initials	
The miner has received the following tr	aining before beg	inning work:				
(b)(1) Introduction to work environment, mine tour, mining method/operation						
(b)(2) Instruction on recognition and avoidance of electrical and other hazards						
(b)(3) Emergency procedures, escape, and firefighting						
(b)(4) Health and safety aspects of tasks assigned. HazCom Program.						
(b)(5) Instruction on statutory rights of miners and their representatives						
(b)(6) Authority & responsibility of supervisors and miners representatives						
(b)(7) Introduction to your rules and procedures for reporting hazards						
Part 47 HazCom Program						
No later than 60 days:			,	,		
(c) Self-rescue, respiratory devices, if used						
False certification is punishable under I certify that the above training has been (Signature of person responsible for heal	completed		Gederal Mine Safety and		Date)	

NEW TASK TRAINING RECORD/CERTIFICATE

e or Contractor Name	ID#				
New Task 30 CFR Part 46.7	Subject Length	Date	Competent Person	Location (Name & Address if Institution)	Miner Initia
The miner received the following to	raining before perf		v task, or a change occ ety risk:	curred in an assigned task that affec	ts health an

(Date)

person responsible for health and safety training)

_(Signature of

ANNUAL REFRESHER TRAINING RECORD/CERTIFICATE

Miners Full Name (Print)_____

of person responsible for health and safety training)

Mine or Contractor Name					
Subject 60 CFR Part 46.8	Subject Length	Date	Competent Person	Location (Name & Address if Institution)	Miners Initials
he miner received no less than 8	hours of annual refre	esher training in th	e following:		
hanges at the mine that fect the miners' health or fety.					
For recommended subjects see 46	6.8 (c))				

(Date)

SITE-SPECIFIC HAZARD AWARENESS TRAINING RECORD/CERTIFICATE

Miners Full Name (Print)	
Mine or Contractor Name	
Location:	Mine Site
Length of Training:	
Date Training Provided:	
Competent Person Providing the Training:	
Miners Initials:	
False certification is punishable under section 110 (a) and (f) I certify that the above training has been completed	of the Federal Mine Safety and Health Act
(Signature of person responsible for health and safety training)	(Date)

Site Specific Hazard Awareness Training Checklist

Valid for one year unless operating conditions requiring revised training.

Persons delivering goods, performing services, collecting material, or visiting and inspecting this property, and who are not regular employees may encounter certain hazards during that time. Visitors to this property are subject to the requirements of either the Federal Mine Safety and Health Act of 1977, as well as any Company Safety procedures or rules. All Contractors/Subcontractors performing services on mine properties are responsible for compliance with Part 46 of the Code of Federal Regulatins (CFR 30) for Mineral Resources.

During your time on our property, observe all posted rules and regulations, including speed limits, and carefully follow all verbal instructions given by plant management or other authorized personnel. Immediately report to plant supervisory personnel any unlisted hazard you may encounter. Your access is limited to designated areas. You are not cleared or trained for other areas at this facility.

HAZARDS YOU MAY ENCOUNTER	PROCEDURES/RULES FOR AVOIDING INJURY Be alert and remain clear of moving equipment. Make sure the operator knows you are there. Be aware of any special traffic or driving hazards. Never park in front of or behind stationary equipment.				
Moving Equipment					
Power Lines	Note position of overhead power lines. Do not operate lifting devices within 10 feet of overhead lines.				
Parking	Self propelled equipment transmissions must be placed in the "park" position, parking brake set, and the wheels must be either chocked or turned into a bank when parked. This applies to wheeled and track mounted equipment.				
Traffic Pattern	Traffic pattern at this location is left hand from the front gate to the end of the stockpile area. Right hand rules apply on all pit haul roads. Heavy equipment always has the right-of-way. Speed limit around the office, shop, and on the main road and plant areas is 15 mph, and 35 mph on pit haul roads.				
Right of Way	Haul trucks, loaders, forklifts, and water trucks always have the right-of-way.				
Moving Machinery	Be alert and remain clear of moving machinery. Do not work around any moving machine or perform work on any machine that has not been stopped and blocked to make it safe from hazardous motion. If the machine is powered by electricity, the electrical power source must be off, locked out, and tagged.				
Noise	Wear hearing protection in posted areas and other areas if appropriate.				
PPE	Wear safety glasses with side shields in all areas past the office. Use goggles or face shield when grinding, welding, cutting, or when using chemicals. Hard hats, steel toed boots and proper gloves are required when working.				
Inspections	All self propelled equipment must be inspected for defects before being placed in operation. Defects must be corrected in a timely manner.				
Tripping or Falling	Exercise care when getting in and out of your vehicle and when stepping over or around any obstacle. Use handrails on stairs and walkways. Use fall protection where there is a danger of falling.				
Injury from Lifting	Use correct lifting procedures to avaid injury and enlist aid in lifting heavy or awkward objects.				
Lock Out	All equipment must be blocked against hazardous motion when performing maintenance. Electrical lockout procedures must be followed anytime maintenance is performed on electrically powered equipment or systems.				
Fire or Explosion	Obey "No Smoking or Open Flame" signs in the areas where flammables exist. A fire extinguisher must be readily available when using torches or welders. Fires must be reported to management immediately.				
Fumes/Exhaust	Avoid areas where excessive welding fumes or engine exhausts are present until properly ventilated.				
Welding Flash	Avoid areas where operations are being conducted and do not look at flash.				
Tools	Plan your work. Always select and use the correct tool(s) for the work at hand. Do not use tools or equipment beyond their design capacity.				
Weather	Avoid working outside during extreme weather conditions such as thunderstorms, heavy rain, hail, or high winds. Make sure that snow and ice have been removed or covered with material to give a safe footing.				
First Aid/Injuries	First aid kits are located in the shop office, office bathroom an plant house. The stretcher is located in the shop and the blanket in the office bathroom. Eye wash stations are in the shop next to the office and in the plant house. All injuries must be reported immediately to site management.				
Ground Control	Do not attempt to enter any area where unsafe ground conditions or high walls exist. Mobile equipment in unsafe areas must be moved or towed to a safe area prior to servicing.				
Seat Belts	Where provided, seat belt usage is mandatory at all times on company property.				
Life Jackets	When traveling or working over water, coastguard approved life jackets must be available and used.				
Customer Trucks	Customers <u>must</u> remain in their vehicles or in a designated safe area during loading. Customers are not allowed to climb on truck beds while on mine property.				
Emergency phones	Emergency phones are located in the office.				
Emergency Procedures	In the event of an emergency our designated assembly area is (see diagram on reverse side).				
Your designated work area	Refer to diagram on reverse side.				

HAZARD AWARENESS

•	Use CB Channel to communicate with the office and mine personnel.						
•	Drivers communicate information with pit personnel.						
•	Loaded trucks have the right-of-way.						
•	Keep the scales free for the next truck. (No parking on scale)						
•	Drivers stay in cab of truck in the loading area.						
•	Trucks stay in vision of loader operators.						
•	Do not go behind loader.						
•	Seatbelts are required to be worn on mine property.						
•	No weapons, drugs, or alcohol on mine property.						
•	Drivers are to use designated truck route.						
•	Be cautious of falling/sliding materials.						
•	Drivers stay away from the plant.						
•	Do not crawl onto or into the bed of truck on mine property.						
•	You must have loader operator permission to exit your truck cab in the loading are.						
•	Safety equipment is to be worn on mine property as conditions demand, i.e. hard hats.						
	eve read, understood and intend to follow the Hazard Awareness Policies for the sake of my safety others.						
Dri	ver signature:						
Prir	nt drivers name: Date:						
Cor	mpetent person name: Date:						

NEW MINER TRAINING RECORD/CERTIFICATE

Miners Full Name (Print) Joe Miner

Mine or Contractor Name XYZ Mine ID# 00-00001

Subject 30 CFR Part 46.5	Course Length	Date	Competent Person	Location (Name & Address of	Miners Initials	
The miner received no less than 4 hours	training in the	following, b	efore beginning work:			
(b) (1) Introduction to work environment, mine tour, mining method/operation	1 hour	5-19-08	Norm Zeman	Mine site	JM	
(b)(2) Instruction on recognition and avoidance of electrical and other hazards	½ hour	5-19-08	Norm Zeman	Mine site	JM	
(b)(3) Emergency procedures, escape, and firefighting	1 hour	5-19-08	Norm Zeman	Mine Site	JM	
(b)(4) Health and safety aspects of tasks assigned	1 hour	5-19-08	Norm Zeman	Mine site	JM	
(b)(5) Instruction on statutory rights of miners and their representatives	1 hour	5-19-08	Norm Zeman	Mine site	JM	
(b)(6) Authority & responsibility of supervisors and miners= representatives	½ hour	5-19-08	Norm Zeman	Mine site	JM	
(b)(7) Introduction to your rules and procedures for reporting hazards	½ hour	5-19-08	Norm Zeman	Mine site	JM	
No later than 60 days:						
(c)(1) Self-rescue, respiratory devices, if used	½ hour	5-19-08	Norm Zeman	Mine site	JM	
(c)(2) First aid	2 hours	5-19-08	Norm Zeman	Mine Site	JM	
No later than 90 days (balance of 24 hours including the following subjects):						
Laborer at Power Screen Plant # 1	16 hours	5-20 & 21- 08	Jack Crusher	Plant area of mine site	JM	
Bobcat 753 Skid steer	16 hours	5-22-08 5-25-08	Jim Jones	Plant area of mine site	JM	

False certification is punishable under section 110 (a) and (f) of the Federal Mine Safety and Health Act I certify that the above training has been completed

<u>John Doe Safety Manager</u> (Signature of person responsible for health and safety training) 05/26/2008

NEWLY-HIRED EXPERIENCED MINER TRAINING RECORD/CERTIFICATE

Miner=s Full Name (Print) <u>Joe Miner</u>

Mine or Contractor Name XYZ Mine

Mine or Contractor	Mine or Contractor Name XYZ Mine 1D# 00-00001				
Subject 30 CFR Part 46.6	Course Length	Date	Compet t Perso		Initials
The miner has received the follo	wing training be	efore beginning	work:		
(b)(1) Introduction to work environment, mine tour, mining method/operation	1 hour	5-19-08	Norm Zeman	Mine site	JM
(b)(2) Instruction on recognition and avoidance of electrical and other hazards	½ hour	5-19-08	Norm Zeman	Mine site	JM
(b)(3) Emergency procedures, escape, and firefighting	½ hour	5-19-08	Norm Zeman	Mine site	JM
(b)(4) Health and safety aspects of tasks assigned	1 hour	5-19-08	Norm Zeman	Mine site	JM
(b)(5) Instruction on statutory rights of miners and their representatives	½ hour	5-19-08	Norm Zeman	Mine site	JM
(b)(6) Authority & responsibility of supervisors and miners= representatives	½ hour	5-19-08	Norm Zeman	Mine site	JM
(b)(7) Introduction to your rules and procedures for reporting hazards	½ hour	5-19-08	Norm Zeman	Mine site	JM
No later than 60 days:					
(c) Self-rescue, respiratory device if used	es, ½ hour	5-19-08	Norm Zeman	Mine site	JM

ID# 00 00001

NEW TASK TRAINING RECORD/CERTIFICATE

Miner's Full Name (Print) <u>Joe Miner</u>

Mine or Contractor Name XYZ Mine ID# 08-00001

New Task 30 CFR Part 46.7	Subject Length	Date	Competent Person	Location (Name & Address if Institution)	Miners Initials
The miner received the following train	ing before perforn	ning a new task, or	a change occurred in a	I an assigned task that affects health and s	safety risk:
753 Bob cat skid steer	16 hrs	5/21&22/0)8 Jack Crusher	Plant are of mine site	JM
763 Cat Haul truck	16 hrs	5/26&27/0	08 Jim Jones	Pit area of mine site	JM
777 Cat Haul Truck	8 hrs	6/1/08	Jim Jones	Pit area of mine site	JM
769 Cat Water Truck	8 hrs	6/10/08	Jim Jones	s Mine site	JM
1800 series Power Screen	24 hrs	6/11-13/0	8 Jack Crusher	Plant area of mine site	JM
Eagle 2500 crusher plant	24 hrs	6/14-16/0	8 Jack Crusher	Plant area of mine site	JM
1100 Lincoln Wire feed welder	8 hrs	6/19/08	Tom Mechani	Shop area	JM

False certification is punishable under section 110 (a) and (f) of the Federal Mine Safety and Health Act

I certify that the above training has been completed

John Doe Safety Manager	06/20/2008
Signature of person responsible for health and safety training)	Date

ANNUAL REFRESHER TRAINING RECORD/CERTIFICATE

Miners Full Name (Print)	Joe Miner	
Mine or Contractor Name	XYZ Mine	ID# <u>00-00001</u>

Subject 30 CFR Part 46.8	Subject Length	Date	Competent Person	Location (Name & Address if Institution)	Miners Initials
The miner received no less	than 8 hours of annual refre	sher training in	the following:		
Instruction on changes at the mine that could adversely affect the miner=s health or safety	1 hour	06/03/08	Norm Zeman	Mine site	JM
Health and safety subjects relevant to mining operations at the mine	1 hour	06/03/08	Norm Zeman	Mine site	JM
(For recommended subjects	s see 46.8 (c))				
Electrical hazards	1.5 hours	06/03/08	S.Smith Florida Power Inc	Mine site	JM
First Aid/CPR	2 hours	06/03/08	Kim Jones American Heart Assoc.	Mine site	JM
Equipment Inspection and hazards	1.5 hours	06/03/08	Dan Smith Caterpillar	Mine site	JM
Screen/crusher Inspection and Hazards	1 hour	06/03/08	Tom Magnum Eagle Crushers	Mine Site	JM

False certification is punishable under section 110 (a) and (f) of the Federal Mine Safety and Health $Act\,$

John Doe Safety Manager	06/03/2008
I certify that the above training has been completed	Date

MSHA Part 48.27 and 46.7 New Task Training Records

	D	ATE:
Mobile Eq	uipment Information:	
AERIAL I	LIFT:	CRANE:
SWEEPE	R: H	YDRO BLAST:
MODEL:	SERIAL	#:
<u>Oth</u>	er New Task:	
CONFIN	ED SPACE:	LOCK/OUT:
WELDIN	NG HAZARDS:	RIGGING:
_ PPE: O	THER:	
	·	
		MINER'S INTITALS
er section 110(a) and (f) of th has been completed.	he Federal Mine Safety & Healti	h Act.
	AERIAL I SWEEPE MODEL: MODEL: MODEL: MODEL: Oth CONFIN WELDIN PPE: O	MODEL: SERIAL MO

(Date)

(Signature of person responsible for Health and Safety Training)

http://www.msha.gov/REGS/COMPLIAN/PPM/PMVOL3B.HTM#21

Satisfying both Part 46 and Part 48 requirements

MSHA will allow independent contractors who work at both Part 46 and Part 48 surface mining operations to comply with the training requirements of Part 48, instead of complying with both training rules. This will eliminate the need for developing two training plans and complying with two record-keeping requirements. These contractors may choose to comply with the New Miner, Experienced Miner, Task, and Annual Refresher Training programs of Part 48 to satisfy the training requirements for both regulations. Independent contractors who choose to follow this policy must have their own Part 48 training plan approved by MSHA.

Part 46 defines construction workers who are exposed to hazards of mining operations as miners. Independent contractors that perform construction work on Part 46 properties may train under their own approved Part 48 training plan to satisfy the Part 46 requirement for training construction workers who are exposed to hazards of mining operations.

Operators, at Part 46 operations, remain responsible for ensuring that Site-specific Hazard Awareness Training (§ 46.11) is provided to these contractors.

Approved OMB Number 12: This certificate is require Failure to comply may re and 110, Public Law 91- Issue Certificate In Upon Completion 1. Print Full Name of Person PRINT FULL	REFRESHER 173 as amended by Pub mmediately of Training	sanctions as pr IIC Law 95-164. Serial Number (for	y Public Law 95-164. ovided by sections 108 operator's use)
2. Check Type of Approved Annual Refresher New Task (specify below) Date Task	Training Received: Experienced Newly Emplo Inexperience Initials Date	Miner yed, ed Miner Task	Hazard Training Other (specify) Initials Instr Studt
3. Check Type of Operation A. Surface B. Coal 4. Date Training Requirement 3/3/02 If completed, go to item	Construction Metal Fill in Date Duration of Ti	Underground Nonmetal	d Shaft & Slope
5. Check Subjects Complet Introduction to Work Er Hazard F Check Hazard F Check Of All Present Your Tr Transport & Communic	Roof/Gr & Ventil Boxes Topics Topic	round Control lation ap; Escapeways; incy Evacuation; ding p; Rock Dusting ory Health & Standards ty & Responsibility	Health Electrical Hazards First Aid Mine Gases Explosives Prevention of Accidents Other (specify)
	f the Federal Mine L. 91-173 as 4). on of Training (if institution, ame, ID, and Training)	Designated afety Perso give name & addres	on Signs here
Bate & Miner's 1 8. Date 3/3/02 M		gooture of person trained)	Person Here

Certificate of Training Approved OMB Number 12 This certificate is require	PART 4 NEW MINER	er 30, 2001.	ind Health A	Labor Administration Public Law 95-164.
Failure to comply may reand 110, Public Law 91-1		her sanction	ns as provi	ded by sections 108
Issue Certificate Im Upon Completion of	nmediately			erator's use)
1. Print Full Name of Person PRINT FULL			MIN	ER HERE
2. Check Type of Approved Annual Refresher New Task	Ехре	rienced Miner		Hazard Training Other (specify)
(specify below)		y Employed, perienced M iner		
Date Task	Initials Instr	Date Studt	Task	Initials Instr Studt
				- Oldar
	CHECK	APPROPR	IATE	
]	BOXES		
3. Check Type of Operation				
A. X Surface ✓ B. ☐ Coal	☐ Construct	Non	erground metal	☐ Shaft & Slope
4. Date Training Requirement 3/3/02 → If completed, go to item 6	Duration	oate and of Training	complete em 5, belo	
Check Subjects CompleteIntroduction to Work Env		rtially completed trai Roof/Ground Contro		Health
★ Hazard Recognition	_	& Ventilation		Electrical Hazards
		Mine Map; Escapev Emergency Evacua Barricading	ition;	First Aid
H&S Aspects of Tasks A	Assigned	Cleanup; Rock Dus	ting —	Mine Gases
X Statutory Rights of Mine		Mandatory Health 8	, <u> </u>	Explosives
☐ Self-Rescue & Respirate	ory Devices	Safety Standards	יש	Prevention of Accidents
☐ Transport & Communica		Authority & Respon of Supervisors & M	iners' 🔼 🤇	Other (specify)
Check the requir	ed subjects	Representatives	<u> </u>	porting Hazards
that the new mir		(signatur person re	sponsible for tr	g has been completed
recieved in train	ing.	Salatu	_	Signs here
7. Mine Name, ID, & Locatio List Mine Na		•	& address)	
Date & Miner's I	nitials Opti	onal		
8 Date			ave comple	ted the above training
3/3/02 JM	List	Compete	nt Pe	rson Here

Certificate of Training | PART 48

U.S. Department of Labor Mine Safety and Health Administration



Approved OMB Number 1219-0070, Expires September 30, 2001.

This certificate is required under Public Law 91-173 as amended by Public Law 95-164. Failure to comply may result in penalties and other sanctions as provided by sections 108 and 110. Public Law 91-173 as amended by Public Law 95-164.

and 110, Public Law 91-1/3	as amended b	by Public La	aw 95-164.		
Issue Certificate Imme Upon Completion of T		Seri	al Number (fo	r operator's	use)
 Print Full Name of Person Tra 	ained (first, midd	lle, last)	V-0		A CONTRACTOR OF THE CONTRACTOR
PRINT FULL	NAME	OF	TRAI	NEE	HERE
Check Type of Approved Tra Annual Refresher		enced Miner		□на	azard Training
New Task (specify below)	11 '	Employed, erienced Mir	ner		ther (specify)
Date Task	Initials	Date	Task		Initials
CHECK BOXES					
3. Check Type of Operation and	Related Industr	y:			
A. Surface	☐ Construction	on [] Undergrour	nd 🔲	Shaft & Slope
B. Coal	☐ Metal		☐ Nonmetal		
,	ATE OF	and	eck if not com d go to item 5,	•	
5. Check Subjects Comple T		complet Ground	ed training):	☐ Health	
	mileir	& Ventilation	Control	_	-111
☐ Hazard Recognition		<u>M</u> ine Map; E։	scapeways;	☐ Electrica	
☐ Emergency Medical Proced		Emergency E Barricading	evacuation;	☐ First Aid	
☐ H&S Aspects of Tasks Assi	gned 🔲 C	Cleanup; Roo	k Dusting		
☐ Statutory Rights of Miners		Mandatory H		Explosiv	
☐ Self-Rescue & Respiratory	Devices	Safety Stand		☐ Prevent	tion of Accidents
☐ Transport & Communication	Systems - C	of Supervisor Representati		Other (s	specify)
5. False certification is punish section 110 (a) and (f) of the Safety & Health Act (P. L. 91 amended by P. L. 95-164).	Federal Mine	(signature of p	erson responsible	for training)	een completed Signature
7. Mine Name, ID, & Location of	f Training (if inst	itution, give	name & addre	ess)	
FILL IN MINE	NAME.	I.D.	AND		
ACTUAL LOCAT		TRAI	NING		
8. Date	TE OF		that I have co		above training
	INING		iner's		ature

MSHA Form 5000-23, Jan. 99 (revised)

Copy 1 - Employer's Personnel Record

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(Name and location of Company)
All divisions and sections of the company are included within the program. The written program will be available in (location) for review by any interested employee.
(Name of Company) will meet the requirements of this regulation as follows:
1. Container Labeling:
(Person/position) will verify that all containers received for use will be provided with:
 a. Product identifier b. Signal word c. Hazard statement(s) d. Pictogram(s) e. Precautionary statement(s); and f. Name, address, and telephone number of the chemical manufacturer, importer, or other responsible party
2. Solid Material Labeling (Person/position) will verify that all solid materials not exempted due to their downstream use; were delivered with a label or received the label prior to the initial shipment, and need not be included in subsequent shipments unless information on the label changes.
(Person/position) at each work site will ensure that all secondary containers are labeled with either an extra copy of the original manufacturer's label or with our company's own labels which have: Product identifier, words, pictures, symbols or combination thereof, which provides at least general information regarding the hazards of the chemicals. For help with labeling contact the safety/health officer who is
3. Safety Data Sheets (SDS) Copies of the SDSs for all hazardous chemicals to which employees of this Company may be exposed will be in (Location) and (Location)
SDSs will be available to all employees in their work area for review during each work shift. If SDSs are not immediately available or new chemicals in use do not have an SDS, please immediately contact (person/position)

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4. Employee Training and Information

	will attend a safety and health orientation and will receive information and training on the following:
	a. An overview of the requirements contained in the Hazard Communication standard, Section 1910.1200.
	 b. Chemicals present in the workplace operations. c. Location and availability of our written hazard communication program, including our list of hazardous chemicals, and Safety data sheets.
	d . Physical, health, simple asphyxiation, combustible dust, and pyrophoric gas hazards, as well as hazards not otherwise classified, of the chemicals in the work area.
	e. Methods and observation techniques used to determine the presence or release of hazardous chemicals in the work area.
	f . How to lessen or prevent exposure to these hazardous chemicals through usage of control/work practices and personal protective equipment.
	 g. Steps the company has taken to lessen or prevent exposure to these chemicals. h. Safety emergency procedures to follow if they are exposed to these chemicals. i. How to read labels on shipped containers, as well as workplace labeling systems and review SDSs format and how to obtain appropriate hazard information.
	After attending the training class, each employee will sign a form to verify that they attended the training, received our written materials, and understood this company's policies on hazard communication.
	Prior to a new hazardous chemical being introduced into any section of this company, each employee of that section will be given information as outlined above. (Person/position) is responsible for ensuring that SDSs on the new chemical(s) are available.
List	of Hazardous Chemicals
	llowing is a list of all known hazardous chemicals used by employees of (name of any) Further information on each noted chemical can ained by reviewing SDSs located in/at (location) and (location)
obt	

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NOTE: The hazard communication standard only requires a list of all hazardous chemicals; however, it is felt that identifying the location and possible processes will aid the employer in carrying out the full program.

6. Hazardous Non-routine Tasks

site.

Occasionally, employees are required to perform hazardous non-routine tasks. Prior to starting work on such given projects, each affected employee will be given information by their supervisor about hazardous chemicals to which they may be exposed during such activity.

This information will include:

- a. Specific chemical hazards
- b. Protective/safety measures the employee can take
- c. Measures the company has taken to lessen the hazards including ventilation, respirators, presence of another employee, and emergency procedures.

Examples of non-routine tasks performed by employees of this company are:

TASK	_	HAZARDOUS CH	EMICAL	
	- -			
7. Chemicals in Unlabeled	Pipes			
Work activities are often p through unlabeled pipes.	erformed by	employees in areas who	ere chemicals ar	e transferred
Prior to starting work in the (person/position) for inform			ct	
a. The chemicals inb. Potential hazardc. Safety precaution	S	ould be taken		
8. Informing Contractors				
		n/position) ne following information:	to pro	vide

a. SDSs for hazardous chemicals to which they may be exposed while on the work

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- b. Precautions the employees may take to lessen the possibility of exposure by usage of appropriate protective measures.
- c. The labeling system used in the work place.

LIST OF HAZARDOUS CHEMICALS AND INDEX OF SDSs NAME OF COMPANY _____

HAZARDOUS CHEMICAL	OPERATION/AREA USED	SDS ON FILE

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EMPLOYER'S RECORD OF EMPLOYEES TRAINED AS PART OF HAZARD COMMUNICATION REQUIREMENT

IPLOYEE SIGNATURE	TRAINING GIVEN
	_
	
	····-
	 -
	
e of Training Signatur	re of Trainer

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Format of SDS's

- **Section 1, Identification** includes product identifier; manufacturer or distributor name, address, phone number; emergency phone number; recommended use; restrictions on use.
- Section 2, Hazard(s) identification includes all hazards regarding the chemical; required label elements.
- **Section 3, Composition/information on ingredients** includes information on chemical ingredients; trade secret claims.
- Section 4, First-aid measures includes important symptoms/ effects, acute, delayed; required treatment.
- **Section 5, Fire-fighting measures** lists suitable extinguishing techniques, equipment; chemical hazards from fire.
- **Section 6, Accidental release measures** lists emergency procedures; protective equipment; proper methods of containment and cleanup.
- Section 7, Handling and storage list precautions for safe handling and storage, including incompatibilities.
- **Section 8, Exposure controls/personal protection** lists OSHA's Permissible Exposure Limits (PELs); Threshold Limit Values (TLVs); appropriate engineering controls; personal protective equipment (PPE).
- Section 9, Physical and chemical properties lists the chemical's characteristics.
- Section 10, Stability and reactivity lists chemical stability and possibility of hazardous reactions.
- **Section 11, Toxicological information** includes routes of exposure; related symptoms, acute and chronic effects; numerical measures of toxicity.
- Section 12, Ecological information*
- Section 13, Disposal considerations*
- Section 14, Transport information*
- Section 15, Regulatory information*
- Section 16, Other information, includes the date of preparation or last revision.
- *Note: Since other Agencies regulate this information, OSHA will not be enforcing Sections 12 through 15(29 CFR 1910.1200(g)(2)).

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Pictograms

Health Hazards



Environmental Hazards

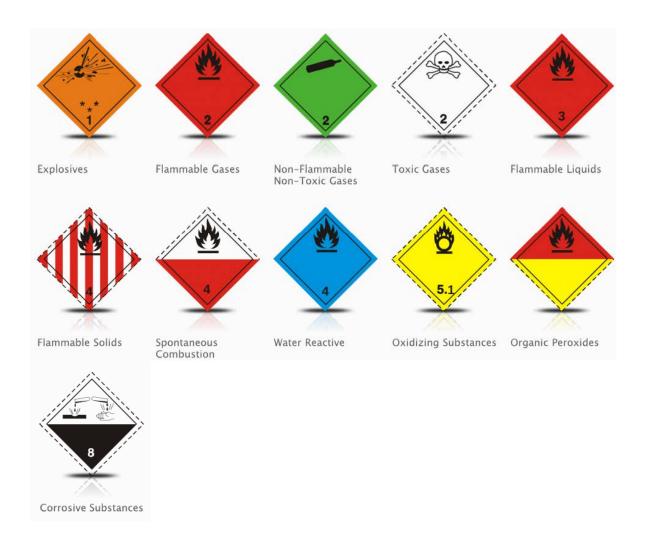


Physical Hazards



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Transportation Hazards





Immediately Reportable Accidents and Injuries

ONE CALL DOES IT ALL!



Mine operators are required to immediately call *MSHA*'s toll-free number at 1-800-746-1553 to notify MSHA of an immediately reportable accident. This single toll-free phone call is required by the Emergency Mine Evacuation Final Rule published in the Federal Register on December 8, 2006, and is the only call that mine operators will need to make to notify MSHA.

Mine operators must call immediately, but no later than 15 minutes from the time they know or should know that an accident has occurred.

Reportable Accidents and Injuries are:

- 1. A death of an individual at a mine;
- 2. An injury to an individual at a mine which has a reasonable potential to cause death;
- 3. An entrapment of an individual for more than thirty minutes or which has a reasonable potential to cause death;
- 4. An unplanned inundation of a mine by a liquid or gas;
- 5. An unplanned ignition or explosion of gas or dust;
- 6. In underground mines, an unplanned fire not extinguished within 10 minutes of discovery; in surface mines and surface areas of underground mines, an unplanned fire not extinguished within 30 minutes of discovery;
- 7. An unplanned ignition or explosion of a blasting agent or an explosive;
- 8. An unplanned roof fall at or above the anchorage zone in active workings where roof bolts are in use; or, an unplanned roof or rib fall in active workings that impairs ventilation or impedes passage;
- A coal or rock outburst that causes withdrawal of miners or which disrupts regular mining activity for more than one hour:
- 10. An unstable condition at an impoundment, refuse pile, or culm bank which requires emergency action in order to prevent failure, or which causes individuals to evacuate an area; or, failure of an impoundment, refuse pile, or culm bank;
- 11. Damage to hoisting equipment in a shaft or slope which endangers an individual or which interferes with use of the equipment for more than thirty minutes; and
- 12. An event at a mine which causes death or bodily injury to an individual not at the mine at the time the event occurs.

ONE CALL DOES IT ALL!

Immediately Report Accidents to MSHA at

1-800-746-1553

24 Hours a Day, 7 Days a Week, 365 Days a Year

IT'S THE LAW

Beginning December 8, 2006, mine operators are required by the Emergency Mine Evacuation Final Rule to call MSHA Call Center at 1-800-746-1553 to notify MSHA of immediately reportable accidents. Mine operators are required to notify MSHA immediately, but in no case later than 15 minutes after they know or should know an accident has occurred. For more information" visit www.msha.gov.

ACCIDENT REPORTING

30 CFR § 50.10 Immediate notification.

The operator shall immediately contact MSHA at once without delay and within 15 minutes at the toll-free number, 1-800-746-1553, once the operator knows or should know that an accident has occurred involving:

- (a) A death of an individual at the mine;
- (b) An injury of an individual at the mine which has a reasonable potential to cause death;
- (c) An entrapment of an individual at the mine which has a reasonable potential to cause death; or
- (d) Any other accident.

30 CFR § 50.11 Investigation.

- (a) After notification of an accident by an operator, the MSHA District Manager will promptly decide whether to conduct an accident investigation and will promptly inform the operator of his decision. If MSHA decides to investigate an accident, it will initiate the investigation within 24 hours of notification.
- (b) Each operator of a mine shall investigate each accident and each occupational injury at the mine. Each operator of a mine shall develop a report of each investigation. No operator may use Form 7000-1 as a report, except that an operator of a mine at which fewer than twenty miners are employed may, with respect to that mine, use Form 7000-1 as an investigation report respecting an occupational injury not related to an accident. No operator may use an investigation or an investigation report conducted or prepared by MSHA to comply with this paragraph. An operator shall submit a copy of any investigation report to MSHA at its request. Each report prepared by the operator shall include,
- (1) The date and hour of occurrence;
- (2) The date the investigation began;
- (3) The names of individuals participating in the investigation;
- (4) A description of the site;
- (5) An explanation of the accident or injury, including a description of any equipment involved and relevant events before and after the occurrence, and any explanation of the cause of any injury, the cause of any accident or cause of any other event which caused an injury;
- (6) The name, occupation, and experience of any miner involved;

- (7) A sketch, where pertinent, including dimensions depicting the occurrence;
- (8) A description of steps taken to prevent a similar occurrence in the future; and
- (9) Identification of any report submitted under §50.20 of this part.

30 CFR § 50.20 Preparation and submission of MSHA Report Form 7000-1--Mine Accident, Injury, and Illness Report.

- (a) Each operator shall maintain at the mine office a supply of MSHA Mine Accident, Injury, and Illness Report Form 7000-1. These may be obtained from the MSHA District Office. Each operator shall report each accident, occupational injury, or occupational illness at the mine. The principal officer in charge of health and safety at the mine or the supervisor of the mine area in which an accident or occupational injury occurs, or an occupational illness may have originated, shall complete or review the form in accordance with the instructions and criteria in §850.20-1 through 50.20-7. If an occupational illness is diagnosed as being one of those listed in §50.20-6(b)(7), the operator must report it under this part. The operator shall mail completed forms to MSHA within ten working days after an accident or occupational injury occurs or an occupational illness is diagnosed. When an accident specified in §50.10 occurs, which does not involve an occupational injury, sections A, B, and items 5 through 12 of section C of Form 7000-1 shall be completed and mailed to MSHA in accordance with the instructions in §50.20-1 and criteria contained in §850.20-4 through 50.20-6.
- (b) Each operator shall report each occupational injury or occupational illness on one set of forms. If more than one miner is injured in the same accident or is affected simultaneously with the same occupational illness, an operator shall complete a separate set of forms for each miner affected. To the extent that the form is not self-explanatory, an operator shall complete the form in accordance with the instructions in §50.20-1 and criteria contained in §\$50.20-2 through 50.20-7.

Link to the accident form website:

http://www.msha.gov/forms/elawsforms/7000-1.htm

U.S. Department of Labor

Mine Accident, Injury and Illness Report Mine Safety and Health Administration Section A - Identification D Approved For Use Through 07/31/2011 OMB Number 1219-000 MSHA ID Number Contractor ID Report Catagory Check here if report pertains to contractor Metal/Nonmetal Mining Coal Mining Mine Name Company Name Section B - Complete for Each Reportable Accident Immediately Reported to MSHA 1. Accident Code (circle applicable code - see instructions) 01 - Death 02 - Serious Injury 03 - Entrapment 07 - Explosives 08 - Roof Fall 06 - Mine Fire 04 - Inundation 05 - Gas or Dust Ignition 12 - Offsite injury 10 - Impounding Dam 11 - Hoisting 09 - Outburst 3. Date Investigation Started 2. Name of Investigator 4. Steps Taken to Prevent Recurrence of Accident Section C - Complete for Each Reportable Accident, Injury or Illness 5. Circle the Codes Which Best Describe Where Accident/Injury/Illness Occurred (see instructions) 02 Surface at Underground Mine 30 Mill. Preparation Plant, etc. 03 Strip/Open Pit Mine 04 Surface Auger Operation (a) Surface Location: 99 Office Facilities 17 Independent Shops (with own MSHA ID) 05 Culm Bank/Refuse Pile 06 Dredge Mining 12 Other Surface Mining (b) Underground Location: 02 Slope/Inclined Shaft 03 Face 04 Intersection 05 Underground Shop/Office 06 Other 01 Vertical Shaft 08 Other (c) Underground Mining Method: 05 Continuous Mining 06 Hand 01 Longwall 02 Shortwall 03 Conventional Stoping 07 Caving 7. Time of Accident . am 8. Time Shift Started • am 6. Date of Accident 9. Describe Fully the Conditions Contributing to the Accident/Injury/Illness, and Quantify the Damage or Impairment Model Number Manufacturer 10. Equipment Involved 10 Type MAN 11. Name of Witness to Accident/Injury/Illness 12. Number of Reportable Injuries or Illnesses Resulting from This Occurrence 13. Name of Injured/III Employee 14. Sex 15. Date of Birth 12 Month Male Day 14 Female 16. Last Four Digits of Social 17. Regular Job Title 18. Check if this 19. Check if Injury/Illness 16 Security Number Injury/Illness resulted in permanent disability 17 resulted in death. (include amputation, loss of use, 18 & permanent total disability. 19 21. Nature of Injury or Illness 20. What Directly Inflicted Injury or Illness? 20 21 22. Part of Body Injured 23. Occupational Ilness (circle applicable code - see instructions) 22 21 Occupational Skin Diseases or Affected 22 Dust Diseases of the Lungs 23 Respiratory Conditions (toxic agents) 24 Poisoning (toxic Materials) 24 25 Disorders (physical agents) 26 Disorders (repeated trauma) 29 Other 24. Employee's Work Activity When Years Weeks Experience For Official Use Only Injury or illness Occurred 25. Experience in This Job Title Degree 26. Experience at This Mine Accident Type Total Mining Experience Accident Class Section D - Return to Duty Information 30. Number of 31. Number of Days · 28. Permanently Transferred or 29. Date Returned to Regular Job at Scheduled Charge Restricted Work Terminated (if checked, Full Capacity (or item 28) Days Away from Keyword complete items 29,30, &31) Activity (if none, Work (if none Month Day Year enter 0) enter 0) Person Completing Form (name) Title Date This Report Prepared (month, Day, year) Area Code and Telephone Number MSHA Form 7000-1, Mar. 03 (revised)

MINE ACCIDENT, INJURY, AND ILLNESS REPORT MSHA FORM 7000-1

Section 50.20 of Part 50, Title 30, Code of Federal Regulations, requires a report to be prepared and filed with MSHA of each accident, occupational injury, or occupational illness occurring at your operation. The requirement includes all accidents, injuries, and illnesses as defined in Part 50 whether your employees or a contractor's employees are involved. A Form 7000-1 shall be completed and mailed within **ten working days** after an accident or occupational injury occurs, or an occupational illness is diagnosed.

This report is required by law (30 U.S.C. §813; 30 C.F.R. Part 50). Failure to report can result in the institution of a civil action for relief under 30 U.S.C. 9818 respecting an operator of a coal or other mine, and assessment of a civil penalty against an operator of a coal or other mine under 30 U.S.C. 9820(a). An individual who, being subject to the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 9801 at seq.) knowingly makes a false statement in any report can be punished by a fine of not more than \$10,000 or by imprisonment for not more than 5 years, or both. under 30 U.S.C. §820.(f). Any individual who knowingly and willfully makes any false, fictitious, or fraudulent statements, conceals a material fact, or makes a false, fictitious, or fraudulent entry, with respect to any matter within the jurisdiction of any agency of the United States can be punished by a fine of not more than \$10,000, or imprisoned for not more than 5 years, or both, under 18 U.S.C. 91001.

REPORTING INSTRUCTIONS

Form 7000-1 consists of four sheets, an original (page 1) and three copies. The original will be mailed to MSHA, Denver Safety and Health Technology Center. The first copy (page 2) will be mailed to the appropriate local MSHA District or Subdistrict Office. Envelopes are included with the forms for mailing to those offices. If the mailed forms do not show return to duty information on an injured employee, complete and mail the second copy (page 3) to MSHA, Denver Safety and Health Technology Center, when the employee returns to regular job at full capacity or a final disposition is made on the injury or illness. The third copy (page 4) is to be retained at the mine for a period of five years. It is important to remember that a Form 7000-1 is required on each accident as defined in 30 CFR Part 50 whether any person was injured or not. A form is required on each individual becoming injured or ill, even when several were injured or made ill in a single occurrence. The principal officer in charge of health and safety at the mine or the supervisor of the mine area in which the accident, injury, or illness occurred shall be responsible for completing the Form 7000-1. Note: First aid cases (those for which no medical treatment was received, no time was lost, and no restriction of work, motion, or loss of consciousness occurred) need not be reported.

SPECIFIC INSTRUCTIONS

Detailed instructions for completing Form 7000-1 are contained in Part 50. A copy of Part 50 was sent to every active and intermittently active mine and independent mining contractor. If you do not have a copy, you may obtain one from your local MSHA Mine Safety and Health District or Subdistrict Office.

Section A- IDENTIFICATION DATA

Check the report category indicating whether your operation is in the metal/nonmetal mining industry or the coal mining industry. MSHA ID Number is the number assigned to the operation by MSHA. If you are unsure of your number assignment, contact the nearest MSHA Mine Safety and Health District or Subdistrict Office. Reports on contractor activities at mines must include an MSHA-assigned contractor ID Number as well as the 7-digit operation ID.

Show mine name and company name. Independent contractors should provide the mine name and show the contractor name under "company name."

Section B- COMPLETE FOR EACH ACCIDENT IMMEDIATELY REPORTABLE TO MSHA

Section B is to be completed <u>only</u> when your operation has an accident that must be reported <u>immediately</u> to MSHA. Circle code 02 "Serious Injury" only if the injury has a reasonable potential to cause death. For additional detail on those specific kinds of accidents see Section 50.10 of Part 50. When it is necessary to complete Section B, circle the applicable accident code; give the name of the investigator (the person heading the investigating team on the accident); show the date the investigation was started; and describe briefly the steps taken to prevent a recurrence of such an accident.

Section C- COMPLETE FOR EACH REPORTABLE ACCIDENT, INJURY, OR ILLNESS

Section C must be completed on each form submitted to MSHA.

Item 5. If you are reporting an occurrence at a <u>surface</u> mine or other <u>surface</u> activity, circle the code which best describes the accident location in (a). Surface Location; do not mark any codes in (b) or (c). If you are reporting an occurrence in an <u>underground</u> mine, circle the code which best describes the underground location in (b) Underground Location <u>and</u> in (c) Underground Mining Method.

Items 6, 7, and 8. Show the date and time of the occurrence and the time the shift started in which the accident/incident occurred or was observed.

Item 9. Describe fully the conditions contributing to the occurrence. Detailed descriptions of the conditions provide the basis for accident and injury analyses which are intended to assist the mining industry in preventing future occurrences. Please see Part 50 for detail on what your narrative should include.

Item 10. If equipment was involved in the occurrence, name the type of equipment, the manufacturer, and the model number of the equipment.

Item 11. If there was a witness to the occurrence, give the name of the witness.

Item 12. If the occurrence resulted in one or more injuries, report the number. A separate report must be made on each injured person.

Item 13. Show the name of the injured person. [Note: In these instructions, "injured person" means a person either injured or ill.]

Item 14. Indicate the sex of the injured person.

Item 15. Show the date of birth of the injured person.

Item 16. Show the last four digits of the injured person's Social Security Number.

Item 17. Give the regular job title of the injured person at the time he was injured.

Item 18. Check this box if the injury or illness resulted in death.

Item 19. Check this box if the injury or illness resulted in a permanent disability. A permanent disability is any injury or occupational illness other than death which results in the loss (or complete loss of use) of any member (or part of a member) of the body, or a permanent impairment of functions of the body, or which permanently and totally incapacitates the injured person from following any gainful occupation.

Item 20. Name the object or substance that directly caused the injury or illness.

Item 21. Report the nature of injury or illness by naming the illness; or for injuries, by using common medical terms such as puncture wound, third degree burn, fracture, etc. For multiple injuries, enter the injury which was the most serious. Avoid general terms such as hurt, sore, sick, etc.

Item 22. Name the part of body with the most serious injury. **Item 23.** Occupational illness is any abnormal condition or disorder, other than one resulting from an occupational injury, which falls into the following categories:

Code 21 - Occupational Skin Diseases or Disorders. Examples: Contact dermatitis, eczema, or rash caused by primary irritants and sensitizers or poisonous plants; oil acne; chrome ulcers; chemical burns or inflammations; etc.

- Code 22 <u>Dust Diseases of the Lungs (Pneumoconioses)</u>.

 Examples: Silicosis, asbestosis, coal worker's pneumoconiosis, byssinosis, and other pneumoconioses.
- Code 23 Respiratory Conditions Due to Toxic Agents.

 Examples: Pneumonitis, pharyngitis, rhinitis, or acute congestion due to chemicals, dusts, gases, or fumes; etc.
- Code 24 <u>Poisoning (Systemic Effects of Toxic Materials)</u>.

 Examples: Poisoning by lead, mercury, cadmium, arsenic, or other metals, poisoning by carbon monoxide, hydrogen sulfide, or other gases; poisoning by benzol, carbon tetrachloride, or other organic solvents; poisoning by insecticide sprays such as parathion, lead arsenate; poisoning by other chemicals such as formaldehyde, plastics, and resins; etc.
- Code 25 Disorders Due to Physical Agents (Other than Toxic Materials). Examples: Heatstroke, sunstroke, heat exhaustion and other effects of environmental heat; freezing, frostbite and effects of exposure to low temperatures; caisson disease; effects of ionizing radiation (isotopes, x-rays, radium); effects of nonionizing radiation (welding flash, ultraviolet rays, microwaves, sunburn); etc.
- Code 26 <u>Disorders Associated with Repeated Trauma</u>.

 Examples: Noise-induced hearing loss; synovitis, tenosynovitis, and bursitis; Raynaud's phenomena; and other illness or disease" under Part 50 does not automatically mean a conditions due to repeated motion, vibration, or pressure.
- Code 29 All Other Occupational Illnesses. Examples: Infectious hepatitis, malignant and benign tumors, all forms of cancer, kidney diseases, food poisoning, histoplasmosis; etc.

Item 24. Describe what the employee was doing when he or she became injured or ill.

Items 25, 26, and 27. Show the number of weeks (or years and weeks) of experience of the injured person at the job title (indicated in Item 17), at your operation, and his/her total mining experience.

Section D - RETURN TO DUTY INFORMATION

Section D is to be completed in full when all return-to-duty information is available. If the information is not available within ten working days after a reportable occurrence, then the first two pages are sent to MSHA without Section D being completed; PAGE 3 is then mailed to DSHTC- with full information when the data are available. Until all the items are answered and the report sent to DSHTC-DMIS, the occurrence remains an open case.

Item 28. If the injured person was transferred or terminated as a result of the injury or illness, check the box and answer items **29**, **30**, and **31**.

Item 29. Show the date that the injured person returned to his regular job at full capacity or was transferred or terminated. This date should indicate when the count of days away from work and/or days of restricted work activity have stopped.

Item 30. Show the number of workdays 1/ the injured person did not report to his place of employment, i.e., number of days away from work.

Item 31. Show the number of workdays the injured person was on restricted work activity; do not include days away from work reported in Item 30.

At the bottom of the form, show the name of the person who completed the form; the date the report was prepared; and the telephone number where the person who completed the form may be reached.

1/ Note: The number of lost workdays should not include the day of injury or onset of illness, or any days on which the employee was not previously scheduled to work even though able to work, such as holidays or plant closures. Diagnosis of an "occupational

disability or impairment for which the miner is eligible for compensation, nor does the Agency intend for an operator's compliance with Part 50 to be equated with an admission of liability for the reported illness or disease. If a chest x-ray for a miner with a history of exposure to silica or other pneumoconiosis-causing dusts is rated at 1/0 or above, utilizing the International Labor Office (ILO) classification system, it is MSHA's policy that such a finding is, for Part 50 reporting, a diagnosis of an occupational illness, in the nature of silicosis or other pneumoconiosis and, consequently, reportable to MSHA.

DEFINITIONS

- (1) "Coal or other mine" means (a) an area of land from which minerals are extracted in nonliquid form or, if in liquid form, are extracted with workers underground, (b) private ways and roads appurtenant to such area, and (c) lands, excavations, underground passageways, shafts, slopes, tunnels and workings, structures, facilities, equipment, machines, tools, or other property including impoundments, retention dams, and tailings ponds, on the surface or underground, used in, or to be used in, or resulting from, the work of extracting such minerals from their natural deposits in nonliquid form, or if in liquid form, with workers underground, or used in, or to be used in, the milling of such minerals, or the work of preparing coal or other minerals, and includes custom coal preparation facilities. In making a determination of what constitutes mineral milling for purposes of this Act, the Secretary shall give due consideration to the convenience of administration resulting from the delegation to one Assistant Secretary of all authority with respect to the health and safety of miners employed at one physical establishment.
- (2) "Operator" means any owner, lessee, or other person who operates, controls, or supervises a coal or other mine or any designated independent contractor performing services or construction at such mine.
- (3) "Occupational injury" means any injury to a worker which occurs at a mine for which medical treatment is administered, or which results in death, loss of consciousness, inability to perform ail job duties on any day after an injury, or transfer to another job.
- (4) "Occupational illness" means an illness or disease of a worker which may have resulted from work at a mine or for which an award of compensation is made.
- (5) "Medical treatment" means treatment, other than first aid, administered by a physician or by a registered medical professional acting under the orders of a physician.

DIFFERENCES BETWEEN MEDICAL TREATMENT AND FIRST AID

Medical treatment includes, but is not limited to, the suturing of any wound, treatment of fractures, application of a cast or other professional means of immobilizing an injured part of the body, treatment of infection arising out of an injury, treatment of bruise by the drainage of blood, surgical removal of dead or damaged skin (debridement), amputation or permanent loss of use of any part of the body, treatment of second and third degree burns. Procedures which are diagnostic in nature are not considered by themselves to constitute medical treatment. Visits to a physician, physical examinations, x-ray examinations, and brief hospitalization for observations, where no evidence of injury or illness is found and no medical treatment given, do not in themselves constitute medical treatment. However, if scheduled workdays are lost because of hospitalization, the case must be reported. Procedures which are preventative in nature also are not considered by themselves to constitute medical treatment. Tetanus and flu shots are considered preventative in nature. First aid includes any one-time treatment and follow-up visit for the purpose of observation of minor scratches, cuts, burns, splinters, etc. Ointments, salves, antiseptics, and dressings to minor injuries are considered to be first aid.

(1) Abrasions

- (i) First aid treatment is limited to cleaning a wound, soaking, applying antiseptic and nonprescription medication, and bandages on the first visit and follow-up visits limited to observation including changing dressing and bandages. Additional cleaning and application of antiseptic constitutes first aid where it is required by work duties that soil the bandage.
- (ii) Medical treatment includes examination for removal of imbedded foreign material, multiple soakings, whirlpool treatment,

treatment of infection, or other professional treatments and any treatment involving more than a minor spot-type injury. Treatment of abrasions occurring to greater than full skin depth is considered medical treatment.

(2) Bruises

- (i) First aid treatment is limited to a single soaking or application of cold compresses, and follow-up visits if they are limited only to observation.
- (ii) Medical treatment includes multiple soakings, draining of collected blood, or other treatment beyond observation.
- (3) <u>Burns, Thermal and Chemical</u> (resulting in destruction of tissue by direct contact).
- (i) First aid treatment is limited to cleaning or flushing the surface, soaking, applying cold compresses, antiseptics or nonprescription medications, and bandaging on the first visit, and follow-up visits restricted to observation, changing bandages, or additional cleaning. Most first degree burns are amenable to first aid treatment.
- (ii) Medical treatment includes a series of treatments including soaks, whirlpool, skin grafts, and surgical debridement (cutting away dead skin). Most second and third degree burns require medical treatment.

(4) Cuts and Lacerations

- (i) First aid treatment is the same as for abrasions except the application of butterfly closures for cosmetic purposes only can be considered first aid.
- (ii) Medical treatment includes the application of butterfly closures for noncosmetic purposes, sutures (stitches), surgical debridement, treatment of infection, or other professional treatment.

(5) Eye Injuries

- (i) First aid treatment is limited to irrigation, removal of foreign material not imbedded in eye, and application of nonprescription medications. A precautionary visit (special examination) to a physician is considered as first aid if treatment is limited to above items, and follow-up visits if they are limited to observation only.
- (ii) Medical treatment cases involve removal of imbedded foreign objects, use of prescription medications, or other professional treatment.

(6) Inhalation of Toxic or Corrosive Gases

- (i) First aid treatment is limited to removal of the worker to fresh air or the one-time administration of oxygen for several minutes.
- (ii) Medical treatment consists of any professional treatment beyond that mentioned under first aid and all cases involving loss of consciousness.

(7) Splinters and Puncture Wounds

- (i) First aid treatment is limited to cleaning the wound, removal of foreign object(s) by tweezers or other simple techniques, application of antiseptics and nonprescription medications, and bandaging on the first visit. Follow-up visits are limited to observation including changing of bandages. Additional cleaning and applications of antiseptic constitute first aid where it is required by work duties that soil the bandage.
- (ii) Medical treatment consists of removal of foreign object(s) by physician due to depth of imbedment, size or shape of object(s), or location of wound. Treatment for infection, treatment of a reaction to tetanus booster, or other professional treatment, is considered medical treatment.

(8) Sprains and Strains

- (i) First aid treatment is limited to soaking, application of cold compresses, and use of elastic bandages on the first visit. Follow-up visits for observation, including re-applying bandage, are first aid.
- (ii) Medical treatment includes a series of hot and cold soaks, use of whirlpools, diathermy treatment, or other professional treatment.

PRIVACY ACT NOTICE FOR MINE ACCIDENT, INJURY AND ILLNESS REPORTS

GENERAL

This notice is given as required by Public Law 93-579 (Privacy Act of 1974) December 31, 1974, to the operators of mines providing personal information on injury and illness reports and accident investigations.

AUTHORITY

The authority to collect this information is Section 103 of Public Law 91-173, as amended by Public Law 95-164.

PURPOSE AND USE OF INFORMATION

The information collected will be used to help determine the cause of accidents, injuries, illnesses and fatalities associated with metal and nonmetallic and coal mining. the information will also be used with the intent to prevent and reduce future accidents, injuries, fatalities and illnesses.

EFFECTS OF NON-DISCLOSURE

You are required to furnish the information. Without it, MSHA may not be able to help prevent miners and other workers from becoming similarly hurt or ill in the future.

INFORMATION REGARDING PERSONAL IDENTIFICATION UNDER PUBLIC LAW 93-579 SECTION 7(b)

MSHA asks for the last 4 digits of the social security number under authority of Section 103 of Public Law 91-173, as amended by Public Law 95-164. This personal identification, which is not unique to any individual, helps MSHA establish the accuracy and usefulness of the information from injury and illness records.

BURDEN STATEMENT

Public reporting burden for this collection of information is estimated to average 30 minutes per response, including the time for reviewing instruction, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. This is a mandatory collection of information as required by 3 CFR 50.20. The information is used to establish injury, accident or illness files used to measure the levels of injury experience and identify those areas most in need of improvement. Send comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing this burden, the the Office of Program Evaluation and Information Resources, Mine Safety and Health Administration, U.S. Department of Labor, Room 2301, 1100 Wilson Boulevard, Arlington, VA 22209-3939, and to the Office of Management and Budget, Paperwork Reduction Project (1219-0007), Washington, D.C. 20503.

Persons are not required to respond to this collection of information unless it displays a currently valid control number.

QUARTERLY EMPLOYMENT REPORTS

30 CFR § 50.30 Preparation and submission of MSHA Form 7000-2--Quarterly Employment and Coal Production Report.

- (a) Each operator of a mine in which an individual worked during any day of a calendar quarter shall complete a MSHA Form 7000-2 in accordance with the instructions and criteria in §50.30-1 and submit the original to the MSHA Office of Injury and Employment Information, P.O. Box 25367, Denver Federal Center, Denver, Colo. 80225, within 15 days after the end of each calendar quarter. These forms may be obtained from the MSHA District Office. Each operator shall retain an operator's copy at the mine office nearest the mine for 5 years after the submission date.
- (b) Each operator of a coal mine in which an individual worked during any day of a calendar quarter shall report coal production on Form 7000-2.

You may also submit reports by facsimile, 888-231-5515. To <u>file electronically</u>, follow the instructions on the MSHA Internet site, http://www.msha.gov. For assistance in electronic filing, contact the MSHA help desk at 877-778-6055.

Here is a link to the quarterly website:

http://www.msha.gov/forms/elawsforms/7000-2.htm

MSHA ID#

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	February

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Total	Average	Total	Average	Total	Average
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Quarterly Mine Employment and Coal Production Report

previously reported:

(SEE INSTRUCTIONS ON REVERSE SIDE OF COPY 2)

1. Persons Working, Employee-Hours, and Coal Production
(1) Operation Sub Unit Code(s) | Code | (2) Average number | (3)

DOL - MSHA - PEIR - OIEI P.O. Box 25367 Denver, Colorado 80225 - 0367

(4) Production of clean coal

during quarter, (short

or	Quarter	Year	Mo.	Day	Yr.
-UI	waarter	i Gai		Mail Be	fore
Check	here if this rep	oort is being subm	itted by a contr	actor	
If any	information be	low is incorrect, p	lease enter corr	ect info	rmation h
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0	ian Nama:				
Operat	ion Name:				
Operat	ing Company	Name and Mailing	g Address:		
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County					
мена	ID Number		Contractor II	n	
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		Operation Na	ame		
	Operating (Company Name a	nd Mailing Add	ress	

Copy 1 - Return to MSHA (Denver)

Date Report Completed

previously	reported.		during quarter	during the quarter	tons)
Undergroun Mine	d Underground	01			
-	Surface Shops, Yards, etc.	02			
Surface Mine	Strip, Open Pit, or Quarry	03			
(including associated	Auger (Coal Mine Only)	04			
shops and yards)	Culm Bank or Refuse Pile (Coal Mine Only)	05			
,	Dredge	06			
_	Other Surface Mining (Metal/Nonmetal Only)	12			
Independent Sho	ops or Yards	17			
Breakers	Preparation Plants, or ted shops and yards)	30			
in an office)	e mine or plant working	99			
2. Other Rep	ortable Data				
How many M	SHA reportable injur	ies or	illnesses did you have t	his quarter?	
Person to be contacted regarding this report:				Tel. No. () -
	Title			Tel. No. (a codé
MSHA Form 7000-	2, July 97, (revised)			OMB Number 1219-0007; /	Approval Expires July 31, 2014

of persons working

(3) Total employee

hours worked

OBM Control Number 1219-0007; Approval Expires July 31, 2011

This report is required by law (30 U.S.C. subsection 813; 30 C.F.R. Part 50). Failure to report may result in the issuance of a citation or order under 30 U.S.C. subsection 814 to an operator of a coal or other mine, the assessment of a civil penalty against an operator of a coal or other mine under 30 U.S.C. subsection 820(a), and the institution of a civil action under 30 U.S. C. subsection 818. An individual who knowingly makes a false statement in any report shall, upon conviction, be punished by a fine of not more than \$10,000 or by imprisonment for not more than 5 years, or both, under 30 U.S.C. subsection 820(f). Whoever, in any matter within the jurisdiction of any department or agency of the United States knowingly and willfully falsifies, conceals or covers up by any trick scheme, or device, a material fact, or makes or uses any false writing or document knowing the same to contain any false, fictitous or fraudulent statement or entry, shall be fined under 18 U.S.C. or imprisioned not

Important:

more than five years, or both, under 18 U. S. C. subsection 1001.

(INSTRUCTIONS)

This form must be completed and mailed or faxed within 15 days after the end of each calendar quarter.

 Fill out this form as completely as possible and return Copy 1 of this report to: MSHA

PEIR - Office of Injury and Employment Information **OR** You may FAX Copy 1 to Fax # 1- 888 - 231 - 5515 P.O. BOX 25367

Denver, CO 80225-0367

- 2. If it is necessary to make any address changes, indicate correct information on this form.
- 3. When pre-addressed, this form is only for the operation with I. D. number as shown. Do not use for any other operation.
- Sand and Gravel operators report employment data under code 03 or 06 as appropriate, except for data on office workers which should be reported under code 99.
- 5. All mine operators and independent contractors reporting as required by 30 C.F.R. Part 50, should show persons working and employee hours worked; those producing coal should also show production date.
- 6. *Independent Contractors* should complete quarterly only <u>one</u> form for activities at all coal locations, and one form for activities at metal and nonmetal locations.

The public reporting burden for this collection of Information is estimated to average 30 minutes per response, including the time for reviewing instructions, searching existing date sources, gathering and maintaining the date needed, and completing and reviewing the collection of Information. Send commerts regarding this estimated response time or any other aspect of this collection of information, including suggestions for reducing this burden, to Mine Safety and Health Administration, U.S. Department of Labor, 1100 Wilson Boulevard, Arlington, VA 22209-3939.

Persons are not required to respond to this collection of information unless this form displays a currently valid OMB control number.

MSHA Form 7000-2, July 97 (revised)

30 CFR PART 50 M/NM ENTRY LEVEL TRAINING

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Objective:

1-1 To determine 30 CFR Part 50 report ability, the student will complete a written exercise using an example Part 50 mine file which includes data related to various accident, injury, and illness situations.

ABSTRACT

Title 30 CFR Part 50, promulgated January 1, 1978, defines the accident, injury, illness, employment and production (coal) reporting obligations to MSHA of operators working on mine properties. This report discusses information pertinent to the reporting requirements under Part 50 and provides additional reporting guidelines for independent contractors under Parts 50 and 45. Title 30 CFR Part 45 sets forth the obligations and procedures for identifying independent contractors performing services or construction at mines. This report also discusses the procedures followed in processing the reported data, a description of some statistical computations used in arriving at incident and severity rates, and a question and answer section.

INTRODUCTION

The report on 30 CFR Part 50 was first published in 1978 and revised in 1980. The present revision addresses questions frequently asked over the past several years and includes guidelines for independent contractors.

The Part 50 regulations require operators and contractors to investigate mine accidents and injuries and report to MSHA those which meet the described reporting criteria. The regulations also require operators and contractors to report employment data.

In order for MSHA to properly analyze accident, injury and illness data, it is important that adequate information be supplied. This information is required so that MSHA may evaluate and develop mine safety and health standards and programs which benefit the industry. Incorrect or incomplete reporting on the Quarterly Mine Employment and Coal Production Report (Form 7000-2) or on the Mine Accident, Injury and Illness Report (Form 7000-1) causes additional unnecessary work for both MSHA employees and mine operator. Failure to report may result in citations and monetary assessments.

Information presented in this report is intended to be interpretive and an elaboration of the requirements and policies of MSHA.

ACCIDENT, INJURY, AND ILLNESS REPORTING

The Mine Accident, Injury, and Illness Report Form 7000-1 must be completed for those incidents which are defined as "accidents", "occupational injuries", or "occupational illnesses". Form 7000-1 consists of four sheets, an original and three copies. The original (page 1) must be mailed within 10 working days of a reportable occurrence to: MSHA, Denver Safety and Health Technology Center (DSHTC), P. O. Box 25367, Denver, Colorado 80025. [A reorganization changed the originating office from the Health and Safety Analysis (currently shown on the form) to DSHTC. Additionally, the form's expiration date of September 1985, has been extended to 1988]. The first copy (page 2) of the form shall be mailed at the same time to the appropriate MSHA District or Subdistrict Office. If the Form 7000-1 concerns an injury to an employee and the returnto-duty information (Section D) is not known at that time, the second copy (page 3) shall be retained by the operator until the return-to-duty information is known. The operator will then complete the data items requested under Section D and send the second copy to the DSHTC address shown above. The DSHTC office must be furnished return-to-duty data. A third copy (page 4) with all relevant data items completed shall be retained at the mine office closest to the mine for a period of 5 years. Contractor reports may be retained where payroll records are kept. The principal officer in charge of health and safety at the mine or the supervisor of the mine area in which an accident, injury, or occupational illness may have occurred shall complete or review the completed Form 7000-1 using the instructions and criteria cited in 30 CFR Part 50.20-1 through 50.20-7. Forms 7000-1 may be obtained from the nearest MSHA District or Subdistrict Office.

DEFINITIONS

"Miner" means any individual working in a mine. Miner includes working owners, partners, officers and independent contractors on mine sites.

"Mine" means (a) an area of land from which minerals are extracted in non liquid form or, if in liquid form, are extracted with workers underground, (b) private ways and roads appurtenant to such areas, and (c) lands, excavations, underground passageways, shafts, slopes, tunnels and workings, structures, facilities, equipment, machines, tools, or other property including impoundments, retention dams, and tailings ponds, on the surface or underground, used in, or to be used in, or resulting from the work of extracting such minerals from their natural deposits in non liquid form, or if in liquid form, with workers underground, or used in, or to be used in, the milling of such minerals, or the work of preparing the coal or other minerals and includes custom coal preparation facilities.

"Work of preparing the coal" means the breaking, crushing, sizing, cleaning, washing, drying, mixing, storing, and loading of bituminous coal, lignite, or anthracite, and such other work of preparing coal as is usually done by the operator of the coal mine.

MSHA FORM 7000-1

Form 7000-1 is divided into four Sections, A through D. **Section A** relates to identification data: **Section B** lists the types of accidents which must be immediately reported to MSHA; **Section C** must be completed for each reportable accident, injury or illness; and **Section D** pertains to the employee's return-to-duty information.

SECTION A – IDENTIFICATION DATA

This section requests the 7-digit, numeric MSHA ID number, the 3-digit, alpha-numeric contractor ID number (if applicable), the report category (metal/nonmetal or coal mining), the name of the mine where the accident, injury or illness occurred, the company name and a box to check if the report pertains to a contractor. For contractors, the contractor name should be shown in addition to the "company name".

SECTION B - COMPLETE FOR EACH ACCIDENT IMMEDIATELY REPORTABLE TO MSHA

Item 1: For the purpose of completing **Section B**, "accident" means:

- 1. A death of an individual at a mine.
- 2. An injury to an individual at a mine which has a reasonable potential to cause death.
- 3. An entrapment of an individual at a mine for more than 30 minutes.
- 4. An unplanned inundation of a mine by a liquid or gas.
- 5. An unplanned ignition or explosion of gas or dust at a mine.
- 6. An unplanned mine fire not extinguished within 30 minutes of discovery.
- 7. An unplanned ignition or explosion of a blasting agent or an explosive at a mine.
- 8. An unplanned roof fall at or above the anchorage zone in active mine workings where roof bolts are in use; or, an unplanned roof or rib fall in active mine workings that impairs ventilation or impedes passage.
- 9. A coal or rock outburst that causes withdrawal of miners or that disrupts regular mining activity for more than one hour.
- 10. An unstable condition at an impoundment, refuse pile, or culm bank that requires emergency action in order to prevent failure, or which causes individuals to evacuate an area; or, failure of an impoundment, refuse pile or culm bank.
- 11. Damage to hoisting equipment in a shaft or slope that endangers an individual or that interferes with use of the equipment for more than 30 minutes.
- 12. An event at a mine that causes death or bodily injury to an individual not on the mine property at the time the event occurs. Examples: a detonation of explosives at a mine which throws material outside the mine property, or a haulage truck which rolls off the mine property and causes an injury.

Items 2, 3, and 4: Fill in the name of the mine investigator, the date the investigation started and the steps taken to prevent a similar accident from occurring in the future.

SECTION C - COMPLETE FOR EACH REPORTABLE ACCIDENT, INJURY OR ILLNESS

This section must be completed for each reportable occurrence.

Item 5: Where did the accident, injury, or illness occur? If it occurred on the <u>surface</u>, circle the appropriate code listed under "(a) Surface Location". If it occurred <u>underground</u>, circle the appropriate code under "(b) Underground Location". If it occurred on an underground <u>working section</u> or <u>working place</u>, circle the appropriate code under "(c) Underground Mining Method".

Item 6: Enter the date the accident, injury, or illness occurred. For illnesses, this may be the date of diagnosis or the date lost time began.

Item 7: Enter the time the accident, injury, or illness occurred. Be sure to check the correct box (a.m.) or (p.m.).

Item 8: Enter the time the shift started. Again be sure to check the appropriate box (a.m.) or (p.m.).

Item 9: For this item, mine operators or contractors should describe <u>fully</u> the conditions contributing to the incident and determine the damage or impairment. What is required is an understandable, complete narrative on the step-by-step sequence of events that led to the incident, a description of the property damage and a statement on the number of persons injured. Part 50 provides the following detail on the reporting desired for item 9:

Describe fully the conditions contributing to the accident and quantify the damage of impairment. Describe what happened and the reasons therefore, identify the factors which led or contributed to the accident, and identify any damage or impairment to the mining operation. The narrative shall clearly specify the actual cause or causes of the accident, and shall include the following: (i) Whether the accident involved any aspect of compliance with rules and regulations; (ii) Whether the accident involved mine equipment or the mining system; (iii) Whether the accident involved job skills and miner proficiency, training and attitude; and (iv) Whether the accident involved protective items relating to clothing, or protective devices on equipment.

Item 10: If equipment was involved, the type of equipment, manufacturer, and model number should be identified. This is most important for analytical studies.

Item 11: Enter the name(s) of any witness(es) to the incident.

The injuries and illnesses addressed in the remainder of this section are occupational injuries and illnesses. An "occupational injury" is any injury to an employee which

occurs at a mine for which medical treatment is administered, or which results in death or loss of consciousness, inability to perform all job duties on any day after the injury, restriction of work or motion, lost workdays, temporary assignment to other duties on any day after the injury, transfer to another job, or termination. "Occupational illness" is an illness or disease of an employee which may have resulted from work at a mine or for which an award of compensation is made.

Item 12: Indicate the number of reportable injuries or illnesses resulting from the occurrence. If the report is made on an "accident" listed in Section B, and no reportable injuries or illnesses occurred, item 12 should show "none"; the remaining questions in Section C and several of the questions in Section D are not applicable. If one or more injuries or illnesses resulted from the incident report, a separate Form 7000-1 must be completed and mailed to MSHA for each injured or ill person.

Items 13 through 15: State the name, sex and date of birth of the injured or ill employee.

Item 16: State the last four digits of the affected worker's Social Security Number.

Item 17: State the employee's "regular job title". This should not be confused with the workers activity at the time of the incident; for example, a mechanic who was injured while operating a front end loader would be reported as a "mechanic", not a "loader-operator". Worker activity is requested in item 24.

Items 18 and 19: Check these items if the injury or illness resulted in death or permanent disability.

Item 20: What directly inflicted the injury or illness? Examples: injuries inflicted by a bucket on a front-end loader, a power shovel cable, a roller on a conveyor belt system, a blade on a dozer, etc.

Item 21: Report the nature of the injury or illness by naming the illness, or, for injuries, by using common medical terms such as puncture wound, third degree burn, fracture, etc. For multiple injuries, name the injury which was the most serious. Do not use meaningless, general terms such as "hurt", "sore", "sick", etc.

Item 22: What part of the body was injured or affected? If more than one part of the body was involved, name the part with the most serious injury. For example, if an injured employee has a bruised finger and a broken ankle, write "ankle". If the injured employee suffered an amputation, name the specific part lost. If finger(s) or toe(s) are amputated, two items of information are needed: (1) name the finger(s) or toe(s) involved; (2) state at which phalange(s)/joint(s) the amputation occurred. Refer to Appendix D for a chart of scheduled charges for the hand and foot.

Item 23: Occupational illness-circle the code which most accurately describes the category of the illness. Occupational illnesses are distinguished from injuries by the fact that they do not result from accidents or instantaneous single incidents but rather from

extended exposure. Some illnesses under codes 21 and 24 may occur after relatively short exposure; however, the physiological reaction to such exposure is not instantaneous and therefore they are considered illnesses rather than injuries. Examples of occupational illness follow. Remember, this list is not comprehensive and is intended to give the reader an idea of the range of illnesses which may occur in the work environment.

- Code 21—Occupational Skin Diseases of Disorders. Examples: Contact dermatitis, eczema, or rash caused by primary irritants and sensitizers or poisonous plants; oil acne; chrome ulcers; chemical burns or inflammations. (Tissue damage only, resulting from a thermal or chemical burn is classified as an injury, not an illness).
- **Code 22**—<u>Dust Diseases of the Lungs (Pneumoconiosis)</u>. Examples: Silicosis, asbestosis, coal workers' pneumoconiosis, and other pneumoconiosis.
- **Code 23**—<u>Respiratory Conditions Due to Toxic Agents</u>. Examples: pneumonitis, pharyngitis, rhinitis or acute congestion due to chemicals, dusts, gases, or fumes.
- Code 24—Poisoning (Systemic Effects of Toxic Materials). Examples: poisoning by: lead, mercury, cadmium, arsenic, or other metals, carbon monoxide, hydrogen sulfide or other gases; benzol, carbon tetrachloride, or other organic solvents; insecticide sprays such as parathion, lead arsenate; poisoning by other chemicals such as formaldehyde, plastics and resins.
- Code 25—Disorders Due to Physical Agents (Other than Toxic Materials). Examples: heatstroke, sunstroke, heat exhaustion and other effects of environmental heat; freezing, frostbite and effects of exposure to low temperatures; caisson disease; effects of ionizing radiation (radon daughters, non-medical, non-therapeutic X-Rays, radium); effects of non-ionizing radiation (welding flash, ultraviolet rays, microwaves, sunburn).
- Code 26—Disorders Associated with Repeated Trauma. Examples: noise-induced hearing loss; synovitis, tenosynovitis, and bursitis; Raynaud's phenomena; and other conditions due to repeated motion, vibration, or pressure. This category is only appropriate for those conditions which have been diagnosed as inflammation type illnesses and noise induced hearing loss which occurred over a prolonged day-in day-out exposure to the work environment. Do not include incidents that produce sprains or strains or other conditions merely because the employee is unable to recall a specific event of the day relating to the injury. These are generally brought on by a single movement or occurrence.
- **Code 29**—<u>All Other Occupational Illnesses</u>. Examples: infectious hepatitis, malignant and benign tumors, any form of cancer, kidney diseases, food poisoning, histoplasmosis.

<u>NOTE</u>: Conditions resulting from animal bites, such as insect or snake bites are considered to be injuries.

Item 24: Describe the exact activity the injured employee was performing when he or she was injured or first noticed symptoms of the illness. Examples: driving a frontend loader; pulling and energized power cable with bare hands; riding on the side of haulage equipment; backing a dozer down a ramp; etc.

Item 25: Indicate the number of years and/or weeks of experience in the job title reported in Item 17.

Item 26: Indicate the number of years and/or weeks the injured/ill person was employed at this operation.

Item 27: Indicate the employee's total mining experience – include experience at this operation and all experience at previous mining operations.

SECTION D - RETURN TO DUTY INFORMATION

Item 28: Check this item if the worker's employment was terminated or if the employee was permanently transferred to another regular job as a direct result of the occupational injury or occupational illness.

Item 29: Show the date that the injured or ill person returned to his or her regular job at full capacity (not to restricted work activity) or was transferred or terminated.

Item 30: Enter the number of workdays, consecutive or not, that the employee would have worked but could not because of the occupational injury or illness. The number of days away from work should not include the day of injury or onset of illness or any days that the employee would not have worked even though able to work. If an employee loses a day from work solely because of the unavailability of professional medical personnel for initial observation or treatment and not as a direct consequence of the injury or illness, the day should not be counted as a day away from work. If an employee, who is scheduled to work Monday through Friday, is injured on Friday and returns to work on Monday, the case does not involve any "Days Away From Work" even if the employee was unable to work on Saturday or Sunday. If this same employee has been scheduled to work on Saturday, even if that Saturday constituted overtime, the Saturday would be counted in the "Days Away From Work", and the case would be classified as a Lost Workday Case. An injured or ill employee cannot avoid accumulating lost workdays by being placed on vacation or personal leave. If the employee had been scheduled to work, the days the employee lost due to his or her injury or illness would be counted as lost workdays. Do not include in the lost workday count holidays or any days on which the mine was not operating for any reason.

For an employee not having a regularly scheduled shift, it may be necessary to <u>estimate</u> the number of lost workdays. An estimate of the number of days that the employee would have worked should take into account the prior work history of the employee and days worked by fellow employees in the same area or occupation.

In some cases, an injured or ill employee may miss one or more scheduled days or shifts and it will be uncertain if the employee was truly unable to work on the days missed. Situations may arise when a physician concludes that the employee is able to work but the employee feels that he or she is not able. In such instances, the employer should make the final judgment based on all available evidence. Similarly, if a doctor tells the employee to take time off and the company requests a second opinion, and the second doctor says the employee can return to work, it would be the employer's decision as to when the employee was able to return to work.

Item 31: Enter the number of days or restricted work activity. These are the number of work days, consecutive or not, on which, because of the occupational injury or illness:

- 1. The employee was assigned to another job on a temporary basis; or –
- 2. The employee worked at a permanent job less than full time; or could not perform all aspects of the job whether required to or not; or –
- 3. The employee worked at a permanently assigned job but could not perform all the duties normally connected with it.

The number of days of restricted work activity should not include the day of the injury or onset of illness, or any days the employee did not work even though able to work. If an injured or ill employee receives scheduled follow—up medical treatment or observation which results in the loss of part or all of a workday solely because of the unavailability of professional medical personnel, it will not be counted as a day of restricted work activity. Days of restricted work activity end as the result of any of the following: (a) the employee returns to his or her regularly scheduled job and performs all of its duties for a full day or shift; (b) the employee is permanently transferred to another permanent job. (If this happens, even though the employee could not perform his or her original job any longer, the days of restricted work activity will stop), or (c) the employee is terminated or leaves the mine.

Return-to-duty information is generally available within the 10-day reporting requirement; however some occurrences result in injuries and illnesses which are of longer duration. After the employee returns to work at full capacity or a final disposition of the case is made (e.g., transfer or termination of employment), the operator shall complete Section D and mail page 3 within 5 working days to DSHTC. The original of this form should be mailed to DSHTC within 10 days of the incident regardless of the length of time the employee is away from work.

The name of the person completing this form must be entered at the bottom followed by the date on which the report was prepared. A telephone number including area code is requested so that the person may be contacted if any question arises with regard to the completed form.

MEDICAL TREATMENT AND FIRST AID

Medically treated injuries are reportable. First aid injuries are <u>not</u> reportable provided there are no lost workdays, restricted work activity or transfer because of the injury.

<u>Medical treatment</u> does not include first aid treatment (one-time treatment and subsequent observation of minor scratches, cuts, burns, splinters, and so forth, which do not ordinarily require medical care) even if it was provided by a physician or a registered professional person.

What follows is a discussion of diagnostic procedures and preventive procedures and treatment, and a discussion of medical and first aid treatments. It is not possible to list all types of medical procedures and treatments and <u>on that basis alone</u> determine whether first aid or medical treatment was involved. The important point to be stressed is that the decision as to whether a case involves medical treatment should be made on the basis of whether the case <u>normally</u> would require medical treatment. The decision cannot be made on the basis of who treats the case. First aid can be administered by a physician or another medical person and medical treatment can be administered by someone other than a physician.

DIAGNOSTIC PROCEDURES

<u>Hospitalization</u> for observation, where no medical treatment is rendered, other than first aid, is not considered medical treatment. However, if the employee misses any part of his or her next scheduled shift, the case would become reportable because of lost work days.

<u>Visits to a physician or nurse</u> for observation <u>only</u> or for a routine change of dressing are <u>not</u> considered medical treatment.

<u>X—ray examination</u> for possible fracture, dislocation, etc., is considered a diagnostic procedure and as such is neither medical treatment nor first aid. If the X—ray is negative, the case in not reportable, unless the injury required other medical treatment or met one of the other criteria for reportability. If the X—ray is positive, the case is reportable.

<u>Physical examination</u> in itself is merely diagnostic and is <u>not</u> considered medical treatment.

<u>Reactions</u> to or side effects from diagnostic procedures, which are necessitated by a work related injury or illness are reportable.

PREVENTIVE PROCEDURES AND TREATMENTS

<u>Tetanus shots</u>—both initial shots and boosters are considered preventive in nature and are <u>not</u> by themselves considered medical treatment. However, treatment of a reaction to a tetanus shot administered because of a work injury <u>would</u> be considered medical treatment, and would make the case reportable.

<u>Prescription medication</u>—the use of prescription medication alone in any case other than for an eye injury is not reportable medical treatment for an "occupational injury".

<u>Ointments and salves</u>—the application of ointments and salves to prevent the drying or cracking of skin may be considered first aid.

<u>Antiseptics and dressings</u>—the application of antiseptics to a minor injury, which does not itself require medical treatment, may be considered first aid. Additional cleansing and application of antiseptics constitutes first aid if it is necessitated by work duties that soil the dressings.

<u>Preventive medication</u>—<u>reaction</u> to preventive medication administered at work (such as flu shots) would not constitute a reportable case.

Off-the-job cases—treatments at work of off-the-job injuries and illnesses are not reportable.

MEDICAL TREATMENT

- Suturing (stitching) of any wound. Butterfly stitches are considered medical treatment except in the few instances where this method of closing a wound has been selected for cosmetic reasons only.
- Treatment of fractures.
- Application of a cast, splint, or other professional means of immobilizing an injured part of the body.
- Treatment of infection resulting from a work injury.
- Treatment of a bruise by the drainage of blood.
- Surgical debridement (the removal of foreign material and dead or contaminated tissue). This requires extensive care and treatment. This does not include excising the outer layer of skin.
- Treatment of abrasions that occur at greater than full skin depth.
- Treatment of second-and third-degree burns is almost always medical treatment.

MEDICAL TREATMENT AND FIRST AID FOR CERTAIN TYPES OF INJURIES

Abrasion. First aid treatment is limited to cleaning a wound, soaking, applying antiseptics, nonprescription medication and bandages on the firs visit. Follow-up visits are limited to observation including changing the dressing and bandages. Additional cleaning and application of antiseptics constitutes first aid where it is necessitated by work duties that soil the bandage. **Medical treatment** includes examination for removal of imbedded foreign material, multiple soakings, whirlpool treatment, treatment of infection, or other professional treatments and any treatment involving more than a minor, spot-type injury. Treatment of abrasions occurring at greater than full skin depth is considered medical treatment.

Bruises. First aid treatment is limited to a single soaking or application of cold compresses, and follow-up visits if they are limited only to observation. **Medical treatment** includes multiple soakings, draining of collected blood, or other treatment beyond mere observation.

Burns, thermal and chemical (resulting in the destruction of tissue by direct contact). **First aid treatment** is limited to cleaning or flushing the surface, soaking, applying cold compresses, antiseptics, and bandaging on the firs visit. Follow-up visits are limited to observation, changing bandages, or additional cleaning. Most first-degree burns only require first aid treatment. **Medical treatment** includes a series of treatments including soaks, whirlpool, skin grafts, and surgical debridement. Most second and third degree burns require medical treatment.

Cuts and lacerations. First aid treatment is the same as for abrasions except the application of butterfly closures for cosmetic purposes only may be considered first aid. **Medical treatment** includes the application of butterfly closures for noncosmetic purposes, sutures (stitches), surgical debridement, treatment of infection, or other physician-type treatments.

Eye injuries. First aid treatment is limited to irrigation, removal of foreign material not imbedded in the eye, and application of nonprescription medications. A precautionary diagnostic visit (special examination) to a physician is considered as first aid if the treatment is limited to the above items. Follow-up visits are limited to observation only. Medical treatment cases involve removal of imbedded foreign objects, use of prescription medications, or other physician type treatment.

Inhalation of toxic or corrosive gases. First aid treatment is limited to removal of the employee to fresh air or the one time administration of oxygen for several minutes. **Medical treatment** consists of any professional treatment beyond that mentioned under first aid and all cases involving loss of consciousness.

Foreign objects. First aid treatment is limited to cleaning the wound, removal of any foreign object by tweezers or other simple techniques, application of antiseptics and

nonprescription medications, and bandaging on the first visit. Follow-up visits are limited to observation including changing of bandages. Additional cleaning and application of antiseptic constitute firs aid where it is necessitated by work duties that soil the bandage. **Medical treatment** consists of the removal of any foreign object by a physician due to the depth of imbedment, the size or shape of the objects, or the location of wound. Treatment for infection, treatment of a reaction to tetanus booster, or other professional treatment is considered medical treatment.

MSHA FORM 7000-2

The Quarterly Mine Employment and Coal Production Report (Form 7000-2) must be completed by each operator of a mine in which any individual worked during any day of a calendar quarter or by an independent contractor working on mine property and meeting the reporting requirements under 30 CFR Part 45 guidelines. To minimize the burden of quarterly employment reporting for contractors, each contractor only needs to complete one MSHA Form 7000-2 for all work done on coal properties and Form 7000-2 for all work done on metal/nonmetal properties. Each operator of a coal-producing mine and each coal-producing independent contractor shall also report coal production on Form 7000-2, the original form shall be submitted to: MSHA, Safety and Health Technology Center, P. O. Box 25367, Denver, Colorado 80225, within 15 days after the end of each calendar quarter: Calendar quarters end on the last day of March, June, September, and December. Each operator shall retain their copy of Form 7000-2 at the office where forms are received. Form 7000-2 is a DATA-MAILER which is mailed to each mine operator and independent contractor at the end of each quarter with sufficient time to submit the form to MSHA. Extra copies, if needed, of Form 7000-2 may be obtained from MSHA District or Subdistrict offices. Preprinted DATA-MAILERS show some completed data items for the mine specified. The completed data items include: MSHA identification number, the calendar quarter for which the report is intended, the county where the mine is located, the name of the mine, company name, mailing address, and coded designations for sub-units previously reported by the mine operator. DATA-MILERS sent to independent contractors differ slightly on two items: county and operation names shown encompass all counties and all mining operations an independent contractor worked during the quarter.

CONTENT OF MSHA FORM 7000-2

MSHA I.D. NUMBER is the 7-digit number assigned by MSHA to the mine operation and when applicable, the 3-digit number assigned to an independent contractor. Questions regarding the I.D. number(s) to use should be directed to the appropriate MSHA District or Subdistrict office.

Calendar Quarter: the first calendar quarter is January, February, and March; second quarter is April, May, and June; third quarter is July, August, and September; and fourth quarter is October, November, and December.

County is the name of the county, borough, or independent city in which the operation is located. Independent contractors can work in various counties.

Operation Name is the specific name of the mine or plant to which the MSHA I.D. number was assigned and for which the quarterly employment report is being submitted. Independent contractors' operation name refers to all the mining operations at which the contractor worked.

Company Name is the name of the operating company to which the submitted report pertains.

Mailing Address is the address of the mine office where the quarterly employment report is to be retained.

Persons Working, Employee Hours, and Coal Production—

1. Operation Sub-Units

Underground mine operations should report employment and hours worked data on employees working underground on the first line (Code 01). Coal mine operations and independent contractors should report short tons of clean coal produced from underground operations on this line. If there are any employees working at any time during the quarter **in associated surface shops and yards** (except at mill operations, preparation plants, or breakers) at the underground mine, report data on those employees on the second line (Code 2). Report data on office workers on line 10 (Code 99).

Strip, Open Pit mine, or Quarry operations should report data on employees working at the surface mine on the third line (Code 03). Include associated shops and yard employees. Coal mine operators and independent contractors should report short tons of clean coal produced from strip mining on this line. Report data on office workers on line 10 (Code 99).

Auger mines (coal only) report data on employees and short tons of clean coal produced on the fourth line (Code 04). Include associated shop and yard employees. Report data on office workers on line 10 (Code 99).

Culm bank or refuse pile operations (coal only) report data on employees and short tons of clean coal produced on the fifth line (Code 05). Include associated shop and yard employees. Report data on office workers on line 10 (Code 99).

Dredge operations report data on employees on the sixth line (Code 06). Employees included are those on the dredge and all associated plant, shop, and yard employees, both dredge and land based. Coal dredge operators should report short tons of clean

coal produced from dredging on this line. Report data on office workers on line 10 (Code 99).

Other surface mine operations (metal/nonmetal only) not included above should report employment and hours worked data on the seventh line (Code 12). Include associated shop and yard employees. Report data on office workers on line 10 (Code 99).

Sand and gravel operations should report employment and hours worked data under line 3 (Code 06) as appropriate except for office workers, which should be reported on line 10 (Code 99).

Independent shops or yards or both are those operations not associated directly with a specific mining operation. Such operations have a unique MSHA ID number which is not shared with any other mining activity. Report data on these employees on the eighth line (Code 17) and on office workers on line 10 (Code 99).

Processing plants, mill operations, preparation plants, or breakers report data on all employees on the ninth line (Code 30). Include crushing, sizing, grinding, concentrating, and associated shops and yards that are not a part of any mining operation and not reported under any of the above categories. Sand and gravel operations should only report under Codes 03, 06, or 99.

Office workers (all professional and clerical personnel at the mine or plant) should be reported on line 10 (Code 99).

2. Average number of persons working during quarter—

Show the average number of employees or other persons working on the payroll during all active periods in the quarter. Include all classes of employees (supervisory, professional, technical, proprietors, owners, operator, partners, and service personnel) on your payroll, full or part time. REPORT EACH EMPLOYEE UNDER ONE SUB UNIT ONLY. For example: if one or more persons work in the mine and the mill or office, report data on them to the sub-unit where they spend most of their time. If necessary, you may estimate for the major activity. The average number of employees working during each pay period and then dividing by the number of pay periods. Do not include in the count those pay periods where no one worked. We can use as an example a quarter with five pay periods where employees worked, and the number of employees in each pay period was 10, 12, 13, 14, and 15 respectively. To compute the the number of employees working each (10+12+13+14+15=64); divide by the number of pay periods (64 divided by 5=12.8). Rounding 12.8 to the nearest whole number, we get 13 as the average number of persons working.

3. Total employee hours worked during the quarter—

Show the total actual hours worked by all employees for the sub-unit reported during the quarter covered. Include all time where the employee was actually on duty;

<u>exclude</u> vacation, holiday, sick leave, and all other off duty time, even though paid for. Make certain that each overtime hour is reported as one hour, and not as the overtime pay multiple for an hour of work. The hours reported should be obtained from payroll or other time records. If actual hours are not available, they may be estimated on the basis of scheduled hours. Make certain <u>not to include</u> hours paid for but not worked; such as vacation, sick leave, personal leave or days away from work due to work related injuries. Do not include time spent on mine property outside of regularly scheduled shifts, i.e., bath house, parking lot, etc.

4. Production of clean coal (short tons)—

This section is to be completed only by operators of underground or surface coal mines, or independent contractors extracting coal, but not by operators of central or independent coal preparation plants or operators of metal or nonmetal mines. Agreement should be made between production operators and independent contractors so that coal produced is not double reported. Enter the total production of clean coal from the mine. The production figure must include coal shipped from the mine and coal used for fuel at the mine, but exclude refuse and coal produced at another mine and purchased for use at the mine.

Other Reportable Data. Indicate the number of MSHA reportable injuries or illnesses occurring at your operation during the <u>quarter covered</u> by this report. If none occurred, write "0" or "none". This data is crosschecked for compatibility through computer output against the 7000-1 forms that are filed. Show the name, title, and telephone number, including the area code of the person to be contacted regarding data on this report, and show the date that this report was completed.

REPORT PROCESSING

Each report document received is assigned a control number and then microfilmed. The procedure permits rapid recovery of original document data which may be needed for analysis or other uses. Report forms with discrepancies will be sent to the mine operator or the District or Subdistrict office so that enforcement personnel may determine needed changes or additions after consulting with mine officials.

Since Form 7000-2 is a preprinted DATAMAILER, only data on the mining operation identified by the preprinted 7-digit identification number should be reported on the form. Do not report more than one underground mine or type of mining on one form. An operator moving a portable crusher from place to place in one state is permitted to report work done at all locations under one 7-digit identification number. An operator working in several pits in one county can have one number for all activities. These particular groups of operations are inspected by MSHA under a single 7-digit number. This does not apply to independent contractors. Contractors report all coal mining activities on one form and all metal/nonmetal mining activities on one form. All operation sub-unit codes (0-99) are valid.

The total number of workers reported and total hours worked are checked against the numbers previously reported by the mine. If the reported employment and coal production fall outside the established range, the report must be verified. Obviously, employee hours must be reported in sub-units where employees are reported and conversely, employees must be reported where employee hours are reported. Do not report average employees if there have been no employee hours worked. It is not necessary to send coal stockpile figures. We are interested in employee hours worked and production of clean coal.

If production or other necessary information have been omitted, the report will be processed and then returned to the operator to provide the missing data.

Each injury submitted to MSHA on Form 7000-1 is presumed to describe a reportable accident, illness, or injury—not a first aid case. For that reason, HAS makes certain that each report is accounted for in the data base. MSHA shall assign coded designations to a prescribed number of data items and enter these on file to describe reported accidents, injuries, and illnesses.

DEGREE OF INJURY OR ILLNESS

In processing injury and illness reports, the Division of Mining Information Systems assigns standard "degree" codes. "Degree" is a means to rank—order reported injuries and illnesses. The following degree codes have been established:

Degree 1	Cases resulting in death.
Degree 2	Cases resulting in permanent total or permanent partial disability.
Degree 3	Cases resulting in days away from work only.
Degree 4	Cases resulting in days away from work as well as days of restricted work activity.
Degree 5	Cases resulting in days of restricted work activity only.
Degree 6	Cases that do not result in death, days away from work, or days of restricted work activity (medical treatment only).
Degree 7	Cases of diagnosed occupational illness.
Degree 8	Cases involving fatal or nonfatal injuries due to natural causes to employees on mine property.
Degree 9	Cases involving fatal or nonfatal injuries to non-employees on or off mine property.
Degree 10	All other cases submitted to MSHA.

Degree determination is made through the data provided on the 7000-1 form in items 18, 19, 21, 22, 28, 29, 30, and 31.

STANDARD TIME CHARGES

Cases resulting in death or permanent total disability are assigned 6,000 lost workdays. This is historically considered the <u>average</u> working life expectancy of all persons in the labor force. The assumption is made for each employee killed or permanently disabled that he or she would have continued working throughout the period of his or her working life expectancy were it not for the accident.

"Permanent total disability" is the classification for any injury other than death which permanently and totally incapacitates a miner from following any gainful occupation or which results in the loss or the complete loss of use, of any of the following in one accident:

- Both eyes
- One eye and one hand, arm, leg, or foot
- Any two of the following not on the same limb: hand, arm, foot, or leg

"Permanent partial disability" is the classification for any injury other than death or permanent total disability which results in the loss, or complete loss of use, of any member or part of a member of the body, or any permanent impairment of functions of the body or part thereof, regardless of any preexisting disability of the affected member or impaired body function. The following injuries are <u>not</u> classified as permanent partial disability:

- Loss of the tip of a finger or the tip of a toe without bone involvement
- Loss of permanent teeth

Appendices C and D depict a Tabulation and Chart on scheduled charges used by MSHA for permanent partial disabilities. The scheduled charge for fatalities and permanent total disabilities is 6,000 days. Charges are assigned as a means to determine the relative severity of certain injuries regardless of the actual days lost. In the event that a report submitted to MSHA on a permanent disability does not specify the exact segment lost, e.g., "Middle phalange of ring finger"; or the extent of loss of use, e.g., "twenty – five percent loss of use of left thumb", MSHA will assign the maximum charge shown for the body member.

INCIDENCE RATES AND SEVERITY MEASURES

Standard statistical measures have been designed to measure rates of occurrence of injuries or illnesses or both and to measure the severity of injuries.

Rates of occurrence are called "incidence rates" (IR) and are based on 200,000 exposure hours (equivalent to 100 employees working 2,000 hours a year). An incidence rate may be computed for any selected degree(s) according to the formula:

IR (selected degree(s) = $\underline{\text{no. of cases in selected degree(s)}}$ X 200,000 exposure or employee hours

A severity measure (SM) may be computed for any degree 1 through 5 and uses "days away from work" and "days of restricted work activity" and exposure hours, as follows:

SM (degree(s) = $\underline{\text{sum of days for selected degree(s)}}$ X 200,000 exposure or employee hours

GUIDELINES FOR INDEPENDENT CONTRACTORS

The following are excerpts from MSHA Policy Memorandum 82-6MM dated May 26, 1982, and 81-35C dated October 26, 1981, concerning independent contractors' compliance under 30 CFR 45 and 50.

The primary purpose of 30 CFR 45.3, 45.4, 50.20, and 50.30 is to collect information that is necessary for MSHA to effectively and efficiently administer the Act. MSHA's experience has been, however, that these provisions generally best serve this purpose when applied to independent contractors that perform the following types of work at mines:

- 1. Mine development, including shaft and slope sinking;
- 2. Construction or reconstruction mine facilities; including building or rebuilding preparation plants and mining equipment, and building additions to existing facilities;
- 3. Demolition of mine facilities:
- 4. Construction of dams;
- 5. Excavation or earthmoving activities involving mobile equipment;
- 6. Equipment installation, such as crushers and mills;
- 7. Equipment service or repair of equipment on mine property for a period exceeding five consecutive days at a particular mine;
- 8. Material handling within mine property; including haulage of coal, ore, refuse, etc., unless for the sole purpose of direct removal from or delivery to mine property unless the majority of time is spent on mine property; and
- 9. Drilling and blasting.

Accordingly, the following guidelines have been adopted:

- 1. <u>Independent contractor identification numbers and independent contractor register</u> under 30 CFR Part 45.
 - (a) Except as otherwise determined by the District Manager, independent contractors that perform the types of work listed above should be issued MSHA identification numbers under 45.3. When contractors who have not been assigned a number are cited, an identification number will be assigned through the appropriate District or Subdistrict office.

(b) Except as otherwise determined by the District Manager, the production operator is required to maintain the information required under 45.4(b) for all independent contractors that perform the types of work listed above. However, for all independent contractors at the mine, the production operator is required to secure and provide the information required under 45.4(b) within a reasonable time after it is requested by an inspector.

The purpose of these guidelines is to make Part 45 more effective in incorporating independent contractors into MSHA's enforcement program. MSHA's experience so far under Part 45 has been that a significant number of independent contractors at mine sites conduct activities to which only the most general provisions of the Act and very few, if any, of MSHA's standards and regulations apply. Nevertheless, these contractors performing the type of work to which the Act's provisions are primarily directed and a majority of MSHA's standards and regulations apply. The result has been to impede the assignment of identification numbers to the contractors most likely to become involved in MSHA enforcement action, and to impose unnecessary paperwork burdens on production operators. To resolve these problems, the above guidelines are designed to focus the procedural requirements of Part 45 on those independent contractors performing the type of work that poses the greatest safety and health risks for miners. It should be remembered, however, that MSHA's assignment of identification numbers to independent contractors, or the production operator's maintenance of information concerning contractors at the mine, has no effect on the responsibility of each independent contractor to comply with all provisions of the Act, standards and regulations that apply to their work.

- 2. <u>Notification, investigation, reporting, and recordkeeping requirements for independent contractors under 30 CFR Part 50.</u>
 - (a) Except as otherwise determined by the District Manager, independent contractors are required to report accidents, injuries and illnesses under Part 50.20, maintain records of such reports under 50.40, and file quarterly employment reports under 50.30 only as to the types of work listed earlier.
 - (b) Without regard to the type of work being performed, all independent contractors are required to comply with the notification, investigation, and preservation of evidence requirements of 50.10, 50.11, 50.12, and are required to comply with 50.41 regarding verification of reports.

Under the initial guidelines, independent contractors were required to comply with all of the provisions of Part 50. These guidelines have been revised to provide that independent contractors are required to report accidents, injuries, or illnesses on MSHA Form 7000-1 and file quarterly employment and production reports on MSHA Form 7000-2 only as to the types of work listed earlier. The remaining provisions of Part 50, which primarily involve notification and investigation procedures for accidents, still must be complied with by all independent contractors working at mine sites regardless of the type of work

being performed. These revised guidelines recognize that independent contractors engaged in types of work that are not listed are generally those performing activities which involve very limited exposure to hazards. Therefore, a quarterly accounting of the contractors and their employees performing these activities at mine sites is not essential for MSHA to develop useful information regarding the accidents, injuries, and illnesses that occur at mines. Having determined that quarterly accounting of low – hazard activities is unnecessary, it is also unnecessary to report the accidents, injuries or illnesses that may occur in performing them, since no incidence data or other useful information could be developed based on such reporting.

Contractors that perform the type of work listed earlier during any calendar quarter must complete and file a separate MSHA Form 7000-2 for the work performed at metal and nonmetal mines and a separate form for the work performed at coal mines. To minimize the reporting burden, only one MSHA Form 7000-2 must be completed and filed for the work performed at metal and nonmetal mines and only one MSHA form 7000-2 must be completed and filed for the work performed at coal mines.

Only the types of work listed need to be reported; other types of work performed at mines should not be included. Contractors producing coal would be considered performing an activity under type 8 – material handling. The information necessary to complete a Form 7000-2 is the production of clean coal in short tons, the average number of employees and total employee hours involved in the work being reported. First, this employment and production information must be computed separately for the surface mines and underground mines where the work being reported was performed. For work performed at underground mines, this information must be separated for work performed underground and for work performed on the surface of underground mines, and then entered on the appropriated line. For work performed at surface mines, this information must be separated for the several types of surface mines, this information must be separated for the several types of surface mines indicated on the Form (e.g., strip, open pit or quarry, auger, dredge) and then entered on the appropriate line. When work being reported on any particular line was performed at more than one site, the required employment information should be computed together.

The contractor and the production operator may coordinate the submission of their quarterly reports so that the production operator actually submits the report covering the contractor. When this is done, a separate Form 7000-2 must be filed for the operator and each independent contractor is individually responsible for complying with 50.30. Consequently, if the production operator fails to submit the separate quarterly employment and production report covering the contractor, the contractor may be cited for a violation of this compliance responsibility.

MSHA/OSHA JURISDICTION

In 1979, an Interagency Agreement was reached between MSHA and OSHA delineating certain areas of authority and providing for coordination of efforts and procedures for resolving jurisdictional questions. The list of mining operations and minerals for which MSHA has authority to regulate includes; underground, open pit, solution and auger mining, quarrying, dredging (when the primary purpose is to recover metal or nonmetallic minerals for milling and/or sale or use), hydraulicking, ponds (brine evaporation) and milling which is one or more of the following processes: crushing, grinding, pulverizing, sizing, concentrating, washing, drying, roasting, palletizing, sintering, evaporation, calcining, kiln treatment, sawing and cutting stone, heat expansion, retorting (mercury), leaching and briquetting. Minerals are coal, metal and nonmetal, sand and gravel, and crushed and dimension stone. MSHA also has authority over borrow pits whose use is related to mining or is on mine property and the construction of facilities to be used for any of the above mining.

OSHA regulatory authority commences as indicated in the following types of operations which may be on or contiguous to mining and/or milling operations:

Gypsum Board Plant—If the plant is located on mine property, at the point when milling, as defined, is completed, and the gypsum and other materials are combined to enter the sequential processes necessary to produce gypsum board. If not located on mine property, OSHA has authority over the entire plant.

Brick, Clay Pipe, Refractory Plants—After arrival of raw materials at the plant stockpile.

Ceramic Plant—After arrival of clay and other additives at the plant stockpile.

Fertilizer Products—At the point when milling, as defined, is completed and two or more raw materials are combined to produce another product. "Kiln", as it relates to these products for roasting and drying, is considered to be within the scope of the milling definition.

Asphalt-Mixing Plant, Concrete Ready-Mix or Batch Plants—After arrival of sand and gravel or aggregate at the plant stockpile.

Custom Stone Finishing—At the point when milling, as defined, is completed, and the stone is polished, engrave, or otherwise processed to obtain a finished product and includes sawing and cutting when associated with polishing and finishing.

Smelting—At he point where milling, as defined, is completed and metallic ores or concentrates are blended with other materials and are thermally processed to produce metal.

Electro winning—At the point where milling, as defined, is completed, and metals are recovered by means of electrochemical processes.

Refining—At the point where milling, as defined, is completed, and material enters the sequential processes to produce a product of higher purity.

When any question of jurisdiction between OSHA and MSHA arises, the appropriate MSHA District Manager and OSHA Regional Administrator or OSHA State Designee in those States with approved plans shall attempt to resolve it at the local level. If this attempt does not succeed, the question will be referred to the National Office. If still unresolved, the matter will be referred to the Secretary of Labor for decision.

QUESTIONS AND ANSWERS ON PART 50 REPORTING

AUDITS

- 1. Q. Why are Part 50 audits conducted?
 - A. Part 50 audits are conducted (1) to ensure that an operator understands what is reportable, to determine if he or she is complying correctly and to determine whether the operator is under-or over-reporting cases; (2) if an audit is requested by the operator; (3) because a mine is on the Program of Accident Reduction (PAR), which requires that a 3-year audit be conducted at that mine; (4) in order to determine the winners of the Sentinels of Safety Award competition, audits are conducted on the top five potential winners in each canvass; (5) when a fatality occurs at a mine, the mine is audited for the year of the fatality and the two preceding years.

BACK INJURY

- 2. Q. Are strains, sprains and back injuries reportable?
 - A. Strains, sprains and back injuries are reportable if they occur at a mine and meet the stated conditions in the definition of occupational injuries. Any lost workdays and any days of restricted work activity must be reported.
- 3. Q. What if an employee, on entering the mine, sneezes hard and injures his or her back. Is the back injury reportable?
 - A. The answer to this question is based on the definition of an "occupational injury". An "occupational injury" means any injury to a mine worker which occurs at a mine for which medical treatment is administered. The injury is reportable if it

- requires more than first aid or if it meets any of the other requirements for reportability.
- 4. Q. One of my employees told me that her back was hurting but she could not recall doing anything that might have hurt it. Is this an illness or an injury? Do I have to report it?
 - A. Back cases are considered to be injuries because they are usually initiated by a single event, or bodily motion. If the symptoms occurred at work and the employee received medical treatment and/or lost time from work or lost consciousness or was restricted in her work or motion, the case would be reportable. See the questions on "Recurrence" in this report.

BEE/WASP STINGS, INSECT/ANIMAL BITES

- 5. Q. Are bee and wasp stings and insect or snake bites on mine property considered to be occupational injuries or illnesses?
 - A. These are classified as occupational injuries because of the instantaneous event.

BLOOD-LEAD LEVEL, ELEVATED

- 6. Q. What about the findings of elevated blood-lead levels or other substances. Are these reportable?
 - A. Test results showing elevated levels of lead in the blood by themselves do not require reporting. However, the case would be reportable if the employee has symptoms of lead poisoning, such as colic, nerve or renal damage, anemia and gum problems or receives treatment for lead poisoning or receives treatment to lower blood-lead levels.

CENTRAL OFFICE

- 7. Q. Several professional employees work out of a central office location and make frequent visits to several mines. If one of these employees is injured at a mine site, is the injury attributed to the mine or the central office?
 - A. The injury would be attributed to the mine at which the injury occurred. The intent is to determine the hazards in that particular work environment. The individual mine may include the hours the company employees spent on the property on the 7000-2 quarterly report.

CHIROPRACTOR

- 8. Q. Is treatment by a chiropractor considered medical treatment?
 - A. Yes.

CONTRACTOR REPORTING

- 9. Q. Should contractors hauling coal report to MSHA?
 - A. Haulage of coal, ore, refuse, etc., is considered reportable unless it is for the sole purpose of direct removal from or delivery to mine property. The inspectorate can determine if a contractor should report.
- 10. Q. Must a contractor report if he or she tests and blasts holes on mine property?
 - A. Yes, "drilling and blasting" is included as one of the types of work activities reportable to MSHA. See the guidelines for independent contractors in this report.
- 11. Q. Must an independent contractor own a mine or mine coal or other minerals in order to be required to report to MSHA?
 - A. Contractors need not own mines or mine coal or other minerals in order to be subject to the reporting requirements. If the answer is "yes" to any one of the nine work types listed earlier, a contractor is required to report.
- 12. Q. Should a contractor report if he or she hauls from a tipple to railroad cars?
 - A. If all the activity is on mine property, yes.
- 13. Q. Are all contractors working on mine property required to report?
 - A. No, MSHA recognizes that independent contractors engaged in types of work not listed in the guidelines have limited exposure to mining hazards and therefore reporting by them is not essential for developing useful information regarding accidents and injuries that occur at mines.
- 14. Q. Is an injury to a "service" contractor or his or her employees reportable?
 - A. An injury to a contractor servicing non-mining facilities such as candy machines, toilets, etc., on the surface is not reportable if the injury is caused by the "service" contractor's equipment. However, if an injury is caused by the environment of the mine or by the mine operator's machines or equipment, etc., the injury is reportable.

- 15. Q. Are contractors that do reclamation work at mine sites obligated to report to MSHA?
 - A. Not if the mine has been placed in an "abandoned" status by MSHA which means MSHA no longer inspects the operation.
- 16. Q. Can the production operator submit the contractor's quarterly information?
 - A. The contractor and production operator may coordinate the submission of their quarterly reports so that the production operator actually submits the report covering the contractor provided this is the <u>only</u> mining operation at which the contractor works.

When this is done, a separate Form 7000-2 must be filed for the production operator and each contractor. The independent contractor is individually responsible for complying with 50.30. Consequently, if the production operator fails to submit the separate quarterly employment report covering the contractor, the contractor may be cited for a violation of the reporting requirements.

- 17. Q. Should an owner of a haulage truck with no employees report?
 - A. A self-employed contractor should report the hours he or she works on mine properties if the work performed meets one of the nine work types listed in the guideline of this report.
- 18. Q. What do the letters "M" and "C" represent which are printed immediately after the contractor I.D. number on the 7000-2 Form?
 - A. "M" denotes metal/nonmetal properties; "C" denotes coal properties. If work is done by the same contractor on both types of properties, they should be submitted on two separate forms.
- 19. Q. Do contractors report production?
 - A. Yes, if they are actually extracting coal.
- 20. Q. May a contractor use a separate 7000-2 Form for each of his other mine sites or for each region serving different mine sites or must all activities by combined on one form?
 - A. A contractor must use one Form 7000-2 for reporting all coal mining activities and another Form 7000-2 for all metal and nonmetal activities.
- 21. Q. If a fatality occurs while a contractor is performing "low hazard activity", must that fatality be reported to MSHA?

A. Yes, the fatality should be reported immediately and a Form 7000-1 must also be submitted.

DATA – MAILER

- 22. Q. What is a DATA—MAILER?
 - A. A DATA—MAILER is a computer addressed form that is sent quarterly to each mining establishment. The report shows the mine name and mine identification number and reduces the possibility of reporting for an incorrect location. Receipt of the mailed report acts as a reminder to the operator of the requirement to submit this report to MSHA. Because the report is mailed to operators quarterly, operators do not have to maintain a supply of the forms.

A DATA—MAILER sent to each independent contractor indicates the contractor identification number and includes all mining operations the contractor may have worked at. The contractor is required to submit an employment and coal production report to MSHA if identified as working at mine sites in one of the nine work categories.

DAYS AWAY FROM WORK

- 23. Q. What are "days away from work" and how are they calculated?
 - A. "Days away from work" are days which the employee would have worked but could not because of an occupational injury or an occupational illness. To determine the number of days away from work, do not include the day the injury occurred (or the onset of the illness) or any days that the employee was not scheduled to work, i. e., if the employee worked a five-day week and the mine was on a seven-day work week, only five workdays each week would be subject to being charged as days away from work. Lost workdays, for employees not assigned to a regular shift, may be estimated on the basis of scheduled days.

DAYS OF RESTRICTED WORK ACTIVITY

- 24. Q. What are "days of restricted work activity"?
 - A. "Days of restricted work activity" are days the employee was assigned to another job on a temporary basis; days the employee worked at a permanent job less than full time; or days the employee worked at a permanently assigned job but could not perform all the duties normally connected with that job because of an occupational injury or an occupational illness.

- 25. Q. In order to avoid "days away from work", what kind of job may an injured person perform to be on "restricted work activity"?
 - A. Part 50 does not specify what kind of job. The Part states that days of restricted work activity include any days that the employee:
 - is assigned to another job on a temporary basis; or
 - works at a permanent job les than full time; or
 - works at a permanently assigned job but is unable to perform all duties connected with the job

DRUGS, ALCOHOL INFLUENCE, HORSEPLAY

- 26. Q. If an employee is injured while under the influence of alcohol or drugs or engaged in horseplay, is the injury reportable?
 - A. Yes, if the worker is on mine property when injured.

EMPLOYMENT

- 27. Q. I was told that when I complete the MSHA Form 7000-2 because I have employees working underground (Code 01), I must also show employment in Code 02. Is this true?
 - A. Yes, for example, 30 CFR Part 75 §1403(d) requires an attendant be on the surface when persons are being hoisted or lowered underground. Part 75, §1600-1 requires a person be always on duty at a communication facility when miners are underground. Employees such as these should be shown in Code 02 with an estimate of the hours worked in surface activities.

EXTRA COPIES

- 28. Q. Where may I obtain extra copies of the MSHA Forms 7000-1 and 7000-2?
 - A. These forms may be obtained from the appropriate MSHA District or Subdistrict Office.

FATALITIES

- 29. Q. How are questions on chargeability or fatalities resolved?
 - A. The chargeability of fatalities is, for the most part, straightforward. In cases where chargeability must be determined, a committee, chaired by the Chief, Division of Mining Information Systems (DMIS), with one member from Coal Mine Safety and Health and one member from Metal and Nonmetal Mine Safety and Health, reviews all relevant material on the questionable fatality.

Questions on the chargeability of individual fatalities originate in the offices of the enforcement Administrators. Chargeability questions are sent to the Chief, DMIS, who in turn, sends all relevant material on the questioned fatality to members of the committee who review the material and send their recommendations and comments back to him. If the decision is not unanimous, the chairperson and members discuss the problem areas responsible for the difference of opinion until a consensus decision is reached.

Part 50 is basic and direct in applying chargeability criteria. If a worker is killed on mine property, the death of that worker is chargeable. A worker will include employees of the mine, salesmen, delivery people, all construction workers employed in any construction capacity at the mine, and others with business at the mine. The fatalities of heart attack victims and of other workers who die on mine property from personal impairment not complicated by or resulting from their work activity will not be chargeable. However, these deaths should be reported to MSHA, as chargeability may have to be determined through the committee. If a contractor servicing non-mining facilities on the surface of a mine, or an employee of such a contractor, is fatally injured, the fatality will be charged to the mining industry, if the injury was caused by the "mine", as defined.

Since the criteria of Part 50 are so basic and direct, it is accepted that the majority of questionable chargeability cases will be decided at the Administrator's level.

FORM 7000-1 COMPLETENESS, TIMELINESS

- 30. Q. What must be reported to MSHA on Form 7000-1?
 - A. All accidents defined in 50.2(h) as well as occupational injuries and illnesses must be reported.
- 31. Q. On the 7000-1 Form, items 5 through 11 in Section C are questions concerning an accident. Does that mean I answer questions only when my mine has experienced an accident reported in Section B?

- A. No. Those questions are answered each time a Form 7000-1 is completed. Part 50 and the instructions accompanying Form 7000-1 indicate that MSHA's intent was to receive answers to items 5 through 11 on each completed form. Answers to items 5 through 11 are also required when occupational illnesses are reported.
- 32. Q. On the 7000-1 Form, why is it necessary to report an injured person's name and the last four digits of the Social Security number?
 - A. MSHA uses this information as a means to spot duplicate reports. At some mining operations, more than one person has been given responsibility for submitting Form 7000-1 reports and it is not unusual for MSHA to receive duplicate reports.
- 33. Q. Must there be a witness to an accident for it to be reportable?
 - A. No. a witness is not necessary for an event to be reportable.
- 34. Q. Why must Form 7000-1 be submitted within 10 days?
 - A. Part 50 requires the operators to mail completed forms to MSHA within ten working days after an accident or occupational injury occurs or an accupational illness is diagnosed. Timely reporting is needed in order to provide statistical data for the purpose of promoting health and safety in the mining industry and providing up-to-date information in response to special requests.
- 35. Q. One of my employees has been away from work for several weeks and just now has informed me that his absence was due to a work injury. Is it too late to file a 7000-1?
 - A. No. the regulations require that a Form 7000-1 be submitted to MSHA within ten days from the date of the injury or illness or from the date of diagnosis or when the case was made known to the operator. More importantly, however, it is your responsibility to investigate the accident and make a determination of whether or not it meets the MSHA reporting criteria. This should be done as soon as possible and independent of any decision as to whether the injury is compensable.
- 36. Q. I understand that Section D of the 7000-1 is to be completed when the final disposition of a case is known. Does this mean that I do not need to sign and date the form until that information is known?
 - A. No. Your name, title, telephone number (including area code) and date the report was prepared should be completed when you report the original case. Section D only refers to questions 28 through 31 of the Form.

HEARING LOSS

- 37. Q. An employee was tested and found to have experienced some hearing loss. How much loss must occur for it to be reportable?
 - A. First, it is important to determine what type of exposure caused the loss. If the loss resulted from an instantaneous exposure in the work environment, the case would be considered and injury and would be reportable if it required medical treatment, loss of consciousness, restriction of work or motion or transfer to another job. If the loss may have developed from work exposure other than instantaneously then it would be considered an illness. A loss in either ear is reportable if the condition has been reported to the operator and if it may have been directly caused by or aggravated by the work environment. MSHA does not however require reporting of hearing loss brought on solely by normal deterioration.

HEART ATTACKS

- 38. Q. What if an employee suffers a heart attack at work, is taken home and subsequently dies. Is this a reportable case?
 - A. Yes. All fatal or nonfatal heart attacks occurring on mine property, occupational injuries and occupational illness must be reported. Heart attacks are classified as illnesses because they normally do not result from work accidents or single, instantaneous exposure in the environment. Most fatalities due to heart attacks are considered to be the result of natural causes and not from work activity. However, all such incidents whether or not the employee dies on the mine property should be reported and a final chargeability determination will be made by MSHA on a case-by-case basis.

HERNIA

- 39. Q. I have an employee who suffered a hernia at work. He went to a doctor who diagnosed the hernia condition, but did not treat it. The employee returned to his regular job the next day. How should this be reported?
 - A. A Form 7000-1 should be completed showing the date of the injury or date of diagnosis. A hernia is considered a permanent partial disability and the case will be assigned a standard time charge of 50 days unless the hernia is repaired. (See the following question).
- 40. Q. An employee suffered a hernia at work but received no treatment initially and returned to work at full capacity the next day. A month later the employee had the

hernia surgically repaired. The employee subsequently missed ten days from work. How do I report this?

A. A Form 7000-1 should be completed within 10 days of the injury. A standard time charge of 50 days would be assigned by MSHA if the hernia had remained unrepaired whether or not any time was lost from work. When the hernia was surgically repaired and the employee returned to work at full capacity, Page 3 of the MSHA Form 7000-1 should be completed showing the actual lost work days. It should be clearly stated in the form that the hernia has now been repaired. At this point, the charge of 50 days will be replaced by the count of actual lost workdays.

HOISTING EQUIPMENT

- 41. Q. What constitutes "Damage to hoisting equipment in a shaft or slope which endangers an individual or which interferes with the use of the equipment for more than 30 minutes"?
 - A. Damage may be considered to be caused by some accident that involved hoisting equipment, or resulting from hoisting equipment failure. A natural occurrence such as ice in a shaft may cause the shaft and hoist to be shut down for more than 30 minutes. However, where no accident occurs, equipment is not damaged, and no individuals were endangered, the natural occurrence would not itself be reportable.

IMPOUNDMENT, REFUSE PILE, CULM BANK

- 42. Q. Are impoundments, refuse piles, and culm banks considered to have the same kinds of hazards?
 - A. Yes, an "accident" involving any one of the three is considered to have occurred where: (a) emergency action is required in order to prevent failure of the piled material; or (b) the apparent instability of the material requires that individuals must be evacuated from an area; or (c) the piled material fails.

INDEPENDENT SHOPS, YARDS

- 43. Q. Define Code 17 "Independent Shops and Yards" on Form 7000-2.
 - A. A 7-digit, ID number is assigned to an operation under Code 17 when one shop services several mines. If a shop is associated with one mine, the employees and their hours are included with that mine in the respective sub-unit.

INVESTIGATION REPORT

- 44. Q. Can a 7000-1 Form be used as an investigation report?
 - A. No, mine operators may not use Form 7000-1 as an investigation report on the 12 events defined as "accidents". However, operators of mines with fewer than 20 employees may use Form 7000-1 as an investigation report for occupational injuries where no "accident" is involved.

LIGHTNING

- 45. Q. Is an injury to an employee struck by lightning reportable?
 - A. Yes, if the employee is on mine property when struck.

OCCUPATIONAL ILLNESS

- 46. Q. What is an occupational illness?
 - A. An occupational illness is an illness or disease of an employee. The illness is reportable if it <u>may</u> have resulted from work or exposure at a mine or was an illness for which an award of compensation was made.

OCCUPATIONAL INJURY

- 47. Q. What is an occupational injury?
 - A. An occupational injury is any injury to an employee which occurs at a mine. To be reportable, the injury must (1) require medical treatment, or (2) result in death or loss of consciousness, or (3) result in the inability of the injured person to perform all of the job duties required by the job on any day after the injury, or (4) require the injured person to be temporarily assigned to other duties, or (5) require the injured person to be transferred to another job, or (6) require the injured person to be terminated.

OFF MINE PROPERTY

- 48. Q. Are off-mine-property injuries reportable to MSHA?
 - A. MSHA has authority over what occurs on mine property. MSHA exercises no authority over highways and other off-mine locations. Offsite fatal and nonfatal

injuries caused by an event at a mine are investigated by MSHA and should be reported to MSHA, however, they are not charged to the mining industry.

PAIN PRESCRIPTIONS

- 49. Q. Our company doctor routinely dispenses Darvon instead of aspirin for pain. Does this constitute medical treatment and thus make the case reportable?
 - A. Prescription medication—the use of prescription medication alone in any case other than for an eye injury is <u>not</u> reportable medical treatment for an "occupational injury".

PARKING LOT INJURIES

- 50. Q. Are parking lot injuries reportable when employees are just arriving for work or leaving after the end of a shift?
 - A. Yes, if this parking lot is on mine property. Injuries to employees are reportable if they happen anywhere on mine property.

PERMANENT DISABILITY

- 51. Q. One of my employees lost the tip of his ring finger in an accident at work. MSHA charged us with 60 lost days even though the employee came back to work in ten days. Why was this done?
 - A. In cases involving a permanent total or permanent partial disability, MSHA has retained the schedule of time charges established by the American National Standards Institute. MSHA believes that these injuries deserve special emphasis because the employees incur, by definition, a permanent disability which puts a continuing limitation on their working ability and productiveness throughout their lives. The standard time charges represent estimates of the average percentage of working ability lost by the employee experiencing that impairment. The percentages are applied to a maximum loss possibility of 6,000 days. The amputation of the distal portion of the employee/s ring finger, for example, is considered as equivalent to the loss of one percent of full productive ability or 60 days.

- 52. Q. If an employee suffers a permanent disability and loses no time, is this considered a lost time accident?
 - A. Yes, because permanent disabilities are assigned a standard charge of days lost. See question 51 above.

PERMANENT TRANSFER

- 53. Q. What constitutes a permanent transfer?
 - A. A specified time period cannot be stated as a requirement. However, an injured employee <u>cannot</u> be considered "permanently transferred" when put on restricted work activity. For example, a transfer of an injured employee to the lamp house to allow the employee to mend from an injury <u>will not</u> be considered a "permanent transfer".

PNEUMOCONIOSES

- 54. Q. An employee has been diagnosed as having coal workers' pneumoconiosis and wants to transfer to a less dusty area of the mine. Is this reportable?
 - A. Yes. This is an instance of a diagnosed occupational illness and must be reported to MSHA. Item 28 of the Form 7000-1 should be checked as this would be a permanent transfer.

PRE—EXISTING CONDITION

- 55. Q. What if an employee has a pre existing condition?
 - A. A pre existing condition has no bearing on reportability. Every event is reportable when it meets the reporting criteria.
- 56. Q. If a work injury to a diabetic employee becomes infected, is it reportable?
 - A. Yes. Treatment of infection due to an injury constitutes medical treatment regardless of any pre existing condition of the employee.

PROSTHESIS

- 57. Q. If a prosthesis an employee is wearing is broken from a minor work injury, is the time lost waiting for repair reportable?
 - A. No. If no bodily injuries occurred causing lost time.

QUESTIONABLE INJURIES

- 58. Q. Should an operator report questionable injuries?
 - A. Operators have an obligation to investigate all injuries happening or alleged to have happened on mine property. After an investigation has been completed, the operator must make the determination as to whether the incident is reportable to MSHA. If he has any doubt, he should report. If the operator's conclusion is that no incident occurred, then there is nothing to report.

RECURRENCE

- 59. Q. One of my employees hurt his back on Monday and missed work the next two days. He came back on Thursday and so I mailed in a Form 7000-1. The employee missed work again on Friday because of his back problem. How should I report this?
 - A. An injury may be considered a recurrence <u>if</u> the condition recurs within six working days of the employee's return to work <u>and</u> there is no new event, occurrence or accident which contributed to the recurrence.
 - The additional time lost from work must be reported, however, by sending the Division of Mining Information Systems a <u>duplicate copy</u> of the Form 7000-1 which was previously submitted, with a statement attached substantiating the conditions and indicating the number of additional lost workdays. All other instances must be reported as separate cases. It is sufficient to be a new recordable case if work exposure was a contributing factor. Aggravation of a previous injury due to the work environment will not be considered a recurrence, but will be considered a separate case.
- 60. Q. What if the original injury had been considered a "first-aid-case" or a no-lost-time, medical treatment case and later the worker loses time as a result of the injury?
 - A. The same general concept holds true: If the lost time occurs within six working days of the original injury date, and there is no indication that a new injury occurred, use the procedure described below which applied to your reporting

problem: (1) if the injury had been considered a "first-aid case", a complete Form 7000-1 should be submitted showing the date of the occurrence and the date lost time began; (2) if the injury had been reported as a no-lost-time medical treatment case, submit a <u>duplicate copy</u> of the original Form 7000-1 with a statement attached substantiating the conditions and showing the date the lost time began and the number of lost workdays.

NOTE: The same reporting requirements apply to cases where the recurrence of an injury would cause a worker to be placed on restricted work activity, or to be transferred or terminated.

REPORTS, AVAILABLE

- 61. Q. What types of reports are available from MSHA to the general public?
 - A. The following reports are available:
 - 1. Fatalgrams (Metal and Nonmetal)
 - 2. Federal Register issues on MSHA
 - 3. Mine Injuries and Worktime Quarterly
 - 4. Annual Injury Experience in (Coal, Metal, Nonmetal, Stone, Sand and Gravel) Mining.
 - 5. Policy Memoranda, Program Information Bulletins, and Special Informational letters.
 - 6. Program Circulars (Yellow Jacket reports and "T" Grams) and Informational Reports on various aspects of mining and mining statistics.

For more information on these reports, contact the Safety and Health Technology Center, Division of Mining Information Systems.

RIGHTS OF WAY, RAILROADS

- 62. Q. Are injuries happening on railroads and right-of-way located on mine property reportable?
 - A. Injuries occurring at these locations are judged on a case-by-case basis by MSHA.

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ROOF FALL, UNPLANNED

- 63. Q. What are the criteria used to determine a reportable, unplanned roof fall?
 - A. An unplanned roof fall must be reported in the following cases: a roof fall that occurs at or above the anchorage zone in active workings where roof bolts are in use; or an unplanned roof or rib fall in active workings where the fall impairs ventilation or impedes passage. For answers to specific cases, refer to the appropriate MSHA District or Subdistrict Manager.

SERIOUS INJURY

- 64. Q. How does an operator know which injuries are "serious injuries" under Section B and immediately reportable to MSHA?
 - A. Part 50 states injuries shall be considered as "immediately reportable accidents" if they are so serious as to have a <u>reasonable</u> potential to cause death. Only those injuries which would be considered to be potentially fatal should be reported as a "serious" injury under Section B.

SEVERITY RATES

- 65. Q. Are days of restricted work activity used in computing severity rates?
 - A. Yes. Severity measures are computed by using days of restricted work activity, days away from work and standard time charges for cases of permanent disability.

TEETH, PERMANENT OR FALSE

- 66. Q. Is an injury to an employee involving permanent teeth or false teeth reportable?
 - A. Loss or damage to permanent teeth causing dental repair is reportable. Broken false teeth or damage to artificial limbs does not constitute a reportable injury. Bodily injuries which may occur in the same incident may be reported if other criteria are met.

TETANUS, FLU SHOTS

67. Q. Treatment of a reaction to a tetanus shot administered because of an injury on mine property is considered medical treatment, and would make the case

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- reportable. Does this mean that treatment of reactions to flu shots given on mine property would be considered reportable?
- A. No. Reaction to flu shots would not be reportable since they were not given as a result of an injury.
- 68. Q. What reactions are there to tetanus shots?
 - A. A local reaction which could cause a painful, hot or swollen arm or systemic reaction which causes shortness of breath, hives, or causes a person to pass out.

TRESPASSERS

- 69. Q. Are accidents, injuries, or illness involving trespassers reportable?
 - A. No. Trespassers do not meet the Part 50 definition of "miner".

VACATION, PERSONAL LEAVE

- 70. Q. Can an employee be placed on vacation or personal leave in order to avoid accumulating lost workdays?
 - A. No. However, days away from work would not be counted for the time the employee was on leave provided such leave had been scheduled and approved in advance.

WORKERS' COMPENSATION

- 71. Q. Are all Workers' Compensation injury cases reportable to MSHA?
 - A. No. For example: an employee on company business injured off mine property is not MSHA's responsibility. However, some cases not accepted by Workers' Compensation are still reportable to MSHA.
- 72. Q. Can an operator use a Workers' Compensation form to report to MSHA?
 - A. Part 50 requires operators to report injuries only on Form 7000-1.

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APPENDICES

APPENDIX A—MSHA FORM 7000-1 MINE ACCIDENT, INJURY AND ILLNESS REPORT

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APPENDIX D—CHART OF SCHEDULED CHARGES IN DAYS

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SUBPART A – GENERAL

56.1 Purpose and scope.

This part 56 sets forth mandatory safety and health standards for each surface metal or nonmetal mine, including open pit mines, subject to the Federal Mine Safety and Health Act of 1977. The purpose of these standards is the protection of life, the promotion of health and safety, and the prevention of accidents.

56.2 Definitions.

The following definitions apply in this part, except in any subpart preceded by a separate set of definitions:

American Table of Distances means the current edition of "The American Table of Distances for Storage of Explosives" published by the Institute of Makers of Explosives.

Approved means tested and accepted for a specific purpose by a nationally recognized agency.

Authorized person means a person approved or assigned by mine management to perform a specific type of duty or duties or to be at a specific location or locations in the mine.

Barricaded means obstructed to prevent the passage of persons, vehicles, or flying materials.

Blasting agent means any substance classified as a blasting agent by the Department of Transportation in 49 CFR 173.114a (44 FR 31182, May 31, 1979) which is incorporated by reference. This document is available for inspection at each Metal and Nonmetal Safety and Health District Office of the Mine Safety and Health

Administration, and may be obtained from the U.S. Government Printing Office, Washington, D.C. 20402.

Blasting area means the area near blasting operations in which concussion or flying material can reasonably be expected to cause injury.

Blasting cap means a detonator which is initiated by a safety fuse.

Blasting circuit means the electrical circuit used to fire one or more electric blasting caps.

Blasting switch means a switch used to connect a power source to a blasting circuit.

Booster means any unit of explosive or blasting agent used for the purpose of perpetuating or intensifying an initial detonation.

Capped fuse means a length of safety fuse to which a blasting cap has been attached.

Capped primer means a package or cartridge of explosives which is specifically designed to transmit detonation to other explosives and which contains a detonator.

Circuit breaker means a device designed to open and close a circuit by nonautomatic means and to open the circuit automatically on a predetermined overcurrent setting without injury to itself when properly applied within its rating.

Combustible means capable of being ignited and consumed by fire.

Company official means a member of the company supervisory or technical staff.

Competent person means a person having abilities and experience that fully qualify him to perform the duty to which he is assigned.

Conductor means a material, usually in the form of a wire, cable, or bus bar, capable of carrying an electric current.

Delay connector means a non-electric short interval delay device for use in delaying blasts which are initiated by detonating cord.

Detonating cord means a flexible cord containing a solid core of high explosives.

Detonator means any device containing a detonating charge that is used to initiate an explosive and includes but is not limited to blasting caps, electric blasting caps and non-electric instantaneous or delay blasting caps.

Distribution box means a portable apparatus with an enclosure through which an electric circuit is carried to one or more cables from a single incoming feed line, each cable circuit being connected through individual overcurrent protective devices.

Electric blasting cap means a detonator designed for and capable of being initiated by means of an electric current.

Electrical grounding means to connect with the ground to make the earth part of the circuit.

Employee means a person who works for wages or salary in the service of an employer.

Employer means a person or organization which hires one or more persons to work for wages or salary.

Explosive means any substance classified as an explosive by the Department of Transportation in 49 CFR 173.53, 173.88 and 173.100 which are incorporated by reference. title 49 CFR is available for inspection at each Metal and Nonmetal Mine Safety and Health District Office of the Mine Safety and Health Administration, and may be obtained from the U.S. Government Printing Office, Washington, DC 20402.

Face or bank means that part of any mine where excavating is progressing or was last done.

Flammable means capable of being easily ignited and of burning rapidly.

Flash point means the minimum temperature at which sufficient vapor is released by a liquid or solid to form a flammable vapor-air mixture at atmospheric pressure.

Highway means any public street, public alley, or public road.

High potential means more than 650 volts.

Hoist means a power driven windlass or drum used for raising ore, rock, or other material from a mine, and for lowering or raising persons and material.

Igniter cord means a fuse, cordlike in appearance, which burns progressively along its length with an external flame at the zone of burning, and is used for lighting a series of safety fuses in the desired sequence.

Insulated means separated from other conducting surfaces by a dielectric substance permanently offering a high resistance to the passage of current and to disruptive discharge through the substance. When any substance is said to be insulated, it is understood to be insulated in a manner suitable for the conditions to which it is subjected. Otherwise, it is, within the purpose of this definition, uninsulated. Insulating covering is one means for making the conductor insulated.

Insulation means a dielectric substance offering a high resistance to the passage of current and to a disruptive discharge through the substance.

Lay means the distance parallel to the axis of the rope in which a strand makes one complete turn about the axis of the rope.

Low potential means 650 volts or less.

Magazine means a facility for the storage of explosives, blasting agents, or detonators.

Major electrical installation means an assemblage of stationary electrical equipment for the generation, transmission, distribution, or conversion of electrical power.

Mantrip means a trip on which persons are transported to and from a work area.

Mill includes any ore mill, sampling works, concentrator, and any crushing, grinding, or screening plant used at, and in connection with, an excavation or mine.

Misfire means the complete or partial failure of a blasting charge to explode as planned.

Multipurpose dry-chemical fire extinguisher means a listed or approved multipurpose drychemical fire extinguisher having a minimum rating of 2-A:10-B:C, by Underwriters Laboratories, Inc., and containing a minimum of 4.5 pounds of dry-chemical agent.

Non-electric delay blasting cap means a detonator with an integral delay element and capable of being initiated by miniaturized detonating cord.

Overburden means material of any nature, consolidated or unconsolidated, that overlies a deposit of useful materials or ores that are to be mined.

Overload means that current which will cause an excessive or dangerous temperature in the conductor or conductor insulation.

Permissible means a machine, material, apparatus, or device that has been investigated, tested, and approved by the Bureau of Mines or the Mine Safety and Health Administration and maintained in permissible condition.

Potable water means water which shall meet the applicable minimum health requirements for drinking water established by the State or community in which the mine is located or by the Environmental Protection Agency in 40 CFR part 141, pages 169-182 revised as of July 1, 1977. Where no such requirements are applicable, the drinking water provided shall conform with the Public Health Service Drinking Water Standards, 42 CFR part 72, subpart J, pages 527-533, revised as of October 1, 1976. Publications to which references are made in this definition are hereby made a part hereof. These incorporated publications are available for inspection at each Metal and Nonmetal Mine Safety and Health District Office of the Mine Safety and Health Administration.

Powder chest means a substantial, nonconductive portable container equipped with a lid and used at blasting sites for explosives other than blasting agents.

Primer means a unit, package, or cartridge of explosives used to initiate other explosives or blasting agents, and which contains a detonator.

Reverse-current protection means a method or device used on direct-current circuits or equipment to prevent the flow of current in the reverse direction.

Roll protection means a framework, safety canopy or similar protection for the operator when equipment overturns.

Safety can means an approved container, of not over five gallons capacity, having a spring-closing lid and spout cover.

Safety fuse means a flexible cord containing an internal burning medium by which fire is conveyed at a continuous and uniform rate for the purpose of firing blasting caps or a black powder charge.

Safety switch means a sectionalizing switch that also provides shunt protection in blasting circuits between the blasting switch and the shot area.

Scaling means removal of insecure material from a face or high-wall.

Secondary safety connection means a second connection between a conveyance and rope, intended to prevent the conveyance from running away or falling in the event the primary connection fails.

Shaft means a vertical or inclined shaft, a slope, incline or winze.

Short circuit means an abnormal connection of relatively low resistance, whether made accidentally or intentionally, between two points of different potential in a circuit.

Slurry (as applied to blasting). See "Water gel."

Stray current means that portion of a total electric current that flows through paths other than the intended circuit.

Substantial construction means construction of such strength, material, and workmanship that the object will withstand all reasonable shock, wear, and usage, to which it will be subjected.

Suitable means that which fits, and has the qualities or qualifications to meet a given purpose, occasion, condition, function, or circumstance.

Travelway means a passage, walk or way regularly used and designated for persons to go from one place to another.

Water gel or Slurry (as applied to blasting) means an explosive or blasting agent containing substantial portions of water.

Wet drilling means the continuous application of water through the central hole of hollow drill steel to the bottom of the drill hole.

Working place means any place in or about a mine where work is being performed.

PROCEDURES

56.1000 Notification of commencement of operations and closing of mines.

The owner, operator, or person in charge of any metal and nonmetal mine shall notify the nearest Mine Safety and Health Administration and Metal and Nonmetal Mine Safety and Health District Office before starting operations, of the approximate or actual date mine operation will commence. The notification shall include the mine name, location, the company name, mailing address, person in charge, and whether operations will be continuous or intermittent.

When any mine is closed, the person in charge shall notify the nearest district office as provided above and indicate whether the closure is temporary or permanent.

SUBPART B - GROUND CONTROL

56.3000 Definitions.

The following definitions apply in this subpart.

Rock fixture. Any tensioned or nontensioned device or material inserted into the ground to strengthen or support the ground.

Travelway. A passage, walk, or way regularly used or designated for persons to go from one place to another.

MINING METHODS

56.3130 Wall, bank, and slope stability.

Mining methods shall be used that will maintain wall, bank, and slope stability in places where persons work or travel in performing their assigned tasks. When benching is necessary, the width and height shall be based on the type of equipment used for cleaning of benches or for scaling of walls, banks, and slopes.

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This standard requires that mining methods that will maintain wall, bank, and slope stability shall be used in places where persons work or travel in performing their assigned tasks.

Consistent with this standard, MSHA requires that a bench located immediately above the area where miners work or travel be maintained in a condition adequate to retain material that may slide, ravel, or slough onto the bench from the wall, bank, or slope. However, there may be instances in which the ground conditions at a mine present a particular hazard. In such situations, more than one bench above the area where miners work or travel must be maintained in a condition adequate to retain material that may come onto the bench from the wall, bank, or slope. It is normally expected that one bench will be so maintained, but if more than one bench above the area where miners work or travel is necessary, only the number of benches necessary to provide adequate protection will be required to be maintained.

A bench may be considered adequate even if material has accumulated on the bench. In determining whether a bench with material accumulated on it is adequate, consideration shall be given, but not limited to the following factors: (a) the method of mining; (2) the amount of material on the bench; (3) the amount and rate of material coming onto the bench; (4) the angle of the bank, wall, or slope, particularly if it is close to the angle of repose; (5) the composition of the wall, bank, or slope; and (6) the configuration of the bench.

If the bench immediately above an area where miners work or travel is no longer adequate to catch material, and sending miners and equipment onto the bench to clean it presents a greater hazard than raveling or sloughing, cleaning is not appropriate. Examples of such circumstances may be were there are concerns about the stability of the bench itself, concerns that removal of material from the bench would destabilize the slope immediately above the bench, or concerns that the equipment could overtravel the edge of the bench. Where the bench cannot be safely cleaned, other measures shall be taken to protect miners. Other measures may include placing a berm at the base of the wall, bank, or slope to prevent the overtravel of material into the area where miners work or travel or ceasing mining in the affected area.

56.3131 Pit or quarry wall perimeter.

In places where persons work or travel in performing their assigned tasks, loose or unconsolidated material shall be sloped to the angle of repose or stripped back for at least 10 feet from the top of the pit or quarry wall. Other conditions at or near the perimeter of the pit or quarry wall which create a fall-of-material hazard ton persons shall be corrected.

SCALING AND SUPPORT

56.3200 Correction of hazardous conditions.

Ground conditions that create a hazard to persons shall be taken down or supported before other work or travel is permitted in the affected area. Until corrective work is completed, the area shall be posted with a warning against entry and, when left unattended, a barrier shall be installed to impede unauthorized entry.

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This standard prohibits work or travel, other than corrective work, in areas where hazardous ground conditions exist. Posting of a warning against entry is required until corrective work is completed if workers could enter the area inadvertently. In addition, barriers are required if the area is left unattended prior to the completion of the corrective work. The mode of travel in the area must be evaluated to determine what type of barrier is appropriate to "impede" unauthorized entry. Examples of barriers would be piles of muck, piles of large boulders or a timber barricade. These barriers would have openings to allow access for persons who are correcting the hazardous conditions. These posting and barrier requirements do not apply to underground face areas under development where the corrective work is performed on a continuing basis as a part of the mining cycle, and the only workers exposed are those engaged in the corrective activity.

56.3201 Location for performing scaling.

Scaling shall be performed from a location which will not expose persons to injury from falling material, or other protection from falling material shall be provided.

56.3202 Scaling tools.

Where manual scaling is performed, a scaling bar shall be provided. This bar shall be of a length and design that will allow the removal of loose material without exposing the person performing this work to injury.

56.3203 Rock fixtures.

- (a) For rock bolts and accessories addressed in ASTM F432-95, "Standard Specification for Roof and Rock Bolts and Accessories," the mine operator shall
 - (1) Obtain a manufacturer's certification that the material was manufactured and tested in accordance with the specifications of ASTM F432-95; and
 - (2) Make this certification available to an authorized representative of the Secretary and to the representative of miners.
- (b) Fixtures and accessories not addressed in ASTM F432-95 may be used for ground support provided they
 - (1) Have been successful in supporting the ground in an area with similar strata, opening dimensions and ground stresses in any mine; or

- (2) Have been tested and shown to be effective in supporting ground in an area of the affected mine which has similar strata, opening dimensions, and ground stresses as the area where the fixtures are expected to be used. During the test process, access to the test area shall be limited to persons necessary to conduct the test.
- (c) Bearing plates shall be used with fixtures when necessary for effective ground support.
- (d) The diameter of finishing bits shall be within a tolerance of plus or minus 0.030 inch of the manufacturer's recommended hole diameter for the anchor used. When separate finishing bits are used, they shall be distinguishable from other bits.
- (e) Damaged or deteriorated cartridges of grouting material shall not be used.
- (f) When rock bolts tensioned by torquing are used as a means of ground support,
 - (1) Selected tension level shall be
 - (i). At least 50 percent of either the yield point of the bolt or anchorage capacity of the rock, whichever is less; and
 - (ii). No greater than the yield point of the bolt or anchorage capacity of the rock.
 - (2) The torque of the first bolt, every tenth bolt, and the last bolt installed in each work area during the shift shall be accurately determined immediately after installation. If the torque of any fixture tested does not fall within the installation torque range, corrective action shall be taken.
- (g) When grouted fixtures can be tested by applying torque, the first fixture installed in each work place shall be tested to withstand 150 foot-pounds of torque. Should it rotate in the hole, a second fixture shall be tested in the same manner. If the second fixture also turns, corrective action shall be taken.
- (h) When other tensioned and nontensioned fixtures are used, test methods shall be established to verify their effectiveness.
- (i) The mine operator shall certify that tests were conducted and make the certification available to an authorized representative of the Secretary.

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This standard contains the requirements for installation and testing of all rock fixtures and accessories used for ground support. In all cases where rock fixtures are selected as the method used to support ground, they must meet the requirements of 56/57.3203.

All bolts tensioned by torquing must be within the torque range set out in paragraph (f)(1). Mine operators are required to test the first, tenth and last bolt installed in each work area during the shift as a check on whether or not the torquing requirements are being achieved. When the testing process reveals that a fixture is not properly torqued, steps must be taken to determine the extent of defective installation and to correct all improperly installed fixtures.

The ground conditions in many active face areas require the installation of only a few bolts during each blasting cycle. Testing of the first and last bolts in each work area will help ensure the integrity of the ground in these instances. Where large numbers of bolts are installed on a continuing basis, testing of the first, tenth and last bolt in each work area would normally provide the frequency of testing necessary to identify a bolting problem and enable the operator to take corrective action.

The mine operator must certify that all tests required by this standard have been conducted. In the case of testing of the ASTM bolts and accessories by the manufacturer of the devices, the mine operator's certification responsibility is satisfied by obtaining a copy of the manufacturer's certification and making it available to the inspector.

The correction of improperly installed fixtures will also help to ensure compliance with standard 56.3130 which requires that wall, bank and slope stability be maintained at surface mines where miners are exposed, and standard 57.3360, which requires that ground support systems at underground mines be designed, installed and maintained to control the ground where miners are exposed.

PRECAUTIONS

56.3400 Secondary breakage.

Prior to secondary breakage operations, material to be broken, other than hanging material, shall be positioned or blocked to prevent movement which would endanger persons in the work area. Secondary breakage shall be performed from a location which would not expose persons to danger.

56.3401 Examination of ground conditions.

Persons experienced in examining and testing for loose ground shall be designated by the mine operator. Appropriate supervisors or other designated persons shall examine and, where applicable, test ground conditions in areas where work is to be performed prior to work commencing, after blasting, and as ground conditions warrant during the work shift. Highwalls and banks adjoining travelways shall be examined weekly or more often if changing ground conditions warrant.

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Under this standard the mine operator must designate the persons experienced in ground control who will examine and test the ground. These persons may be supervisors or miners. Mine management retains the responsibility for examination and testing of ground conditions. The standard also specifies when examinations and tests must be made. The 57.3401 requirement for examination of travelways is not applicable to escape routes from underground mines. The examination and maintenance of underground escape routes are specifically addressed in 57.11051, Escape Routes.

56.3430 Activity between machinery or equipment and the highwall or bank.

Persons shall not work or travel between machinery or equipment and the highwall or bank where the machinery or equipment may hinder escape from falls or slides of the highwall or bank. Travel is permitted when necessary for persons to dismount.

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This standard is applicable to surface mines and surface areas of underground mines. It addresses the hazards which exist when persons work or travel near a highwall or bank and their escape from a fall or slide of material could be hindered by the machinery and equipment in their escape path.

If escape could be hindered, no work or travel is permitted. If, however, the machinery or equipment poses no hindrance, the standard is not applicable. Consideration must be given to: the height of the wall or bank; the distance between the equipment and wall or bank; the size and positioning of the equipment; the location of the worker in relation to the

escape route; and any surrounding noise levels or distractions which could prevent the detection of falling ground.

Where machinery or equipment becomes disabled near a highwall or bank, the equipment operator can often safely exit on the side away from the hazard. If this is not possible, exit on the wall side is permitted. Remounting on the wall side may also become necessary in order to reposition or move the equipment to a safe location for repairs. When the equipment is not removed for repair, it must be repositioned at the site so that workers will not be exposed to fall of ground hazards from which their escape is hindered.

SUBPART C - FIRE PREVENTION AND CONTROL

56.4000 Definitions.

The following definitions apply in this subpart.

Combustible liquids. Liquids having a flash point at or above 100 °F (37.8 °C). They are divided into the following classes:

Class II liquids – those having flash points at or above 100 °F (37.8 °C) and below 140 °F (60 °C).

Class IIIA liquids – those having flash points at or above 140 °F (60 °C) and below 200 °F (93.4 °C).

Class IIIB liquids – those having flash points at or above 200 °F (93.4 °C).

Combustible material. A material that, in the form in which it is used and under the conditions anticipated, will ignite, burn, support combustion, or release flammable vapors when subjected to fire or heat. Wood, paper, rubber, and plastics are examples of combustible materials.

Fire resistance rating. The time, in minutes or hours, that an assembly of materials will retain its protective characteristics or structural integrity upon exposure to fire.

Flammable gas. A gas that will burn in the normal concentrations of oxygen in the air.

Flammable liquid. A liquid that has a flash point below 100 °F (37.8 °C), a vapor pressure not exceeding 40 pounds per square inch (absolute) at 100 °F (37.8 °C), and is known as a Class I liquid.

Flash point. The minimum temperature at which sufficient vapor is released by a liquid to form a flammable vapor-air mixture near the surface of the liquid.

Multipurpose dry-chemical fire extinguisher. An extinguisher having a rating of at least 2-A:10-B:C and containing a nominal 4.5 pounds or more of dry-chemical agent.

Noncombustible material. A material that, in the form in which it is used and under the conditions anticipated, will not ignite, burn, support combustion, or release flammable vapors when subjected to fire or heat. Concrete, masonry block, brick, and steel are examples of noncombustible materials.

Safety can. A container of not over five gallons capacity that is designed to safely relieve internal pressure when exposed to heat and has a spring-closing lid and spout cover.

Storage tank. A container exceeding 60 gallons in capacity used for the storage of flammable or combustible liquids.

56.4011 Abandoned electric circuits.

Abandoned electric circuits shall be deenergized and isolated so that they cannot become energized inadvertently.

PROHIBITIONS/PRECAUTIONS/HOUSEKEEPING

56.4100 Smoking and use of open flames.

No person shall smoke or use an open flame where flammable or combustible liquids, including greases, or flammable gases are –

- (a) Used or transported in a manner that could create a fire hazard; or
- (b) Stored or handled.

56.4101 Warning signs.

Readily visible signs prohibiting smoking and open flames shall be posted where a fire or explosion hazard exists.

56.4102 Spillage and leakage.

Flammable or combustible liquid spillage or leakage shall be removed in a timely manner or controlled to prevent a fire hazard.

56.4103 Fueling internal combustion engines.

Internal combustion engines shall be switched off before refueling if the fuel tanks are integral parts of the equipment. This standard does not apply to diesel-powered equipment.

56.4104 Combustible waste.

- (a) Waste materials, including liquids, shall not accumulate in quantities that could create a fire hazard.
- (b) Until disposed of properly, waste or rags containing flammable or combustible liquids that could create a fire hazard shall be placed in covered metal containers or other equivalent containers with flame containment characteristics.

56.4130 Electric substations and liquid storage facilities.

- (a) If a hazard to persons could be created, no combustible materials shall be stored or allowed to accumulate within 25 feet of the following:
 - (1) Electric substations.
 - (2) Unburied, flammable or combustible liquid storage tanks.
 - (3) Any group of containers used for storage of more than 60 gallons of flammable or combustible liquids.
- (b) The area within the 25-foot perimeter shall be kept free of dry vegetation.

56.4200 General requirements.

- (a) For fighting fires that could endanger persons, each mine shall have
 - (1) Onsite firefighting equipment for fighting fires in their early stages; and
 - (2) Onsite firefighting equipment for fighting fires beyond their early stages, or the mine shall have made prior arrangements with a local fire department to fight such fires
- (b) This onsite firefighting equipment shall be
 - (1) Of the type, size, and quantity that can extinguish fires of any class which could occur as a result of the hazards present; and
 - (2) Strategically located, readily accessible, plainly marked, and maintained in fire-ready condition.

56.4201 Inspection.

- (a) Firefighting equipment shall be inspected according to the following schedules:
 - (1) Fire extinguishers shall be inspected visually at least once a month to determine that they are fully charged and operable.
 - (2) At least once every twelve months, maintenance checks shall be made of mechanical parts, the amount and condition of extinguishing agent and expellant, and the condition of the hose, nozzle, and vessel to determine that the fire extinguishers will operate effectively.
 - (3) Fire extinguishers shall be hydrostatically tested according to Table C-1 or a schedule based on the manufacturer's specifications to determine the integrity of extinguishing agent vessels.
 - (4) Water pipes, valves, outlets, hydrants, and hoses that are part of the mine's firefighting system shall be visually inspected at least once every three months for damage or deterioration and use-tested at least once every twelve months to determine that they remain functional.
 - (5) Fire suppression systems shall be inspected at least once every twelve months. An inspection schedule based on the manufacturer's specifications or the equivalent shall be established for individual components of a system and followed to determine that the system remains functional. Surface fire suppression systems are exempt from these inspection requirements if the systems are used solely for the protection of property and no persons would be affected by a fire.
- (b) At the completion of each inspection or test required by this standard, the person making the inspection or test shall certify that the inspection or test has been made and the date on which it was made. Certifications of hydrostatic testing shall be retained until the fire extinguisher is retested or permanently removed from service. Other certifications shall be retained for one year.

Table C-1 Hydrostatic Test Intervals for Fire Extinguishers

Extinguisher type	Test interval (years)
Soda Acid	5
Cartridge-Operated Water and/or Antifreeze	5
Stored-Pressure Water and/or Antifreeze	5

Wetting Agent	5
Foam	5
AFFF (Aqueous Film Forming Foam)	5
Loaded Stream	5
Dry-Chemical with Stainless Steel Shells	5
Carbon Dioxide	5
Dry-Chemical, Stored Pressure, with Mild Steel Shells,	
Brazed Brass Shells, or Aluminum Shells	12
Dry-Chemical, Cartridge or Cylinder	
Operated, with Mild Steel Shells	12
Bromotrifluoromethane Halon 1301	12
Bromochlorodifluoromethane Halon 1211	12
Dry-Powder, Cartridge or Cylinder-Operated, with Mild	
Steel Shells ¹	12
¹ Except for stainless steel and steel used for compressed gas	
cylinders, all other steel shells are defined as "mild steel" shells.	

56.4202 Fire hydrants.

If fire hydrants are part of the mine's firefighting system, the hydrants shall be provided with

- (a) Uniform fittings or readily available adapters for onsite firefighting equipment;
- (b) Readily available wrenches or keys to open the valves; and
- (c) Readily available adapters capable of connecting hydrant fittings to the hose equipment of any firefighting organization relied upon by the mine.

Extinguisher recharging or replacement.

Fire extinguishers shall be recharged or replaced with a fully charged extinguisher promptly after any discharge.

56.4230 Self-propelled equipment.

- (a) (1) Whenever a fire or its effects could impede escape from self-propelled equipment, a fire extinguisher shall be on the equipment.
 - (2) Whenever a fire or its effects would not impede escape from the equipment but could affect the escape of other persons in the area, a fire extinguisher shall be on the equipment or within 100 feet of the equipment.
- (b) A fire suppression system may be used as an alternative to fire extinguishers if the system can be manually activated.
- (c) Fire extinguishers or fire suppression systems shall be of a type and size that can extinguish fires of any class in their early stages which could originate from the equipment's inherent fire hazards. Fire extinguishers or manual actuators for the suppression system shall be located to permit their use by persons whose escape could be impeded by fire.

FIREFIGHTING PROCEDURES/ALARMS/DRILLS

56.4330 Firefighting, evacuation, and rescue procedures.

- (a) Mine operators shall establish emergency firefighting, evacuation, and rescue procedures. These procedures shall be coordinated in advance with available firefighting organizations.
- (b) Fire alarm procedures or systems shall be established to promptly warn every person who could be endangered by a fire.
- (c) Fire alarm systems shall be maintained in operable condition.

56.4331 Firefighting drills.

Emergency firefighting drills shall be held at least once every six months for persons assigned firefighting responsibilities by the mine operator.

FLAMMABLE AND COMBUSTIBLE LIQUIDS AND GASES

56.4400 Use restrictions.

- (a) Flammable liquids shall not be used for cleaning.
- (b) Solvents shall not be used near an open flame or other ignition source, near any source of heat, or in an atmosphere that can elevate the temperature of the solvent above the flash point.

56.4401 Storage tank foundations.

Fixed, unburied, flammable or combustible liquid storage tanks shall be securely mounted on firm foundations. Piping shall be provided with flexible connections or other special fittings where necessary to prevent leaks caused by tanks settling.

56.4402 Safety can use.

Small quantities of flammable liquids drawn from storage shall be kept in safety cans labeled to indicate the contents.

56.4430 Storage facilities.

- (a) Storage tanks for flammable or combustible liquids shall be
 - (1) Capable of withstanding working pressures and stresses and compatible with the type of liquid stored;
 - (2) Maintained in a manner that prevents leakage;
 - (3) Isolated or separated from ignition sources to prevent fire or explosion; and
 - (4) Vented or otherwise constructed to prevent development of pressure or vacuum as a result of filling, emptying, or atmospheric temperature changes. Vents for storage of Class I, II, or IIIA liquids shall be isolated or separated from ignition sources. These pressure relief requirements do not apply to tanks used for storage of Class IIIB liquids that are larger than 12,000 gallons in capacity.
- (b) All piping, valves, and fittings shall be
 - (1) Capable of withstanding working pressures and stresses;
 - (2) Compatible with the type of liquid stored; and
 - (3) Maintained in a manner that prevents leakage.
- (c) Fixed, unburied tanks located where escaping liquid could present a hazard to persons shall be provided with
 - (1) Containment for the entire capacity of the largest tank; or

(2) Drainage of a remote impoundment area that does not endanger persons. However, storage of only Class IIIB liquids does not require containment or drainage to remote impoundment.

Flammable and Combustible Liquid Definitions http://www.ehs.neu.edu/hazsign.htm

Flammable liquids – Defined as liquids having closed cup flash points below 100°F (37.8°C) and vapor pressures not exceeding 40 psi (276 kPa) (2.76 bar) at 100°F (37.8°C). Flammable liquids are referred to as Class 1 liquids.

- a. **Class IA liquids** flash points below 73°F (22.8°C) and boiling points below 100°F (37.8°C).
- b. **Class IB liquids** flash points below 73°F (22.8°C) and boiling points at or above 100°F (37.8°C).
- c. **Class IC liquids** flash points at or above 73°F (22.8°C) and below 100°F (37.8°C).

Combustible Liquids – Defined as liquids having closed cup flash points at or above 100°F (37.8°C). Combustible liquids are referred to as Class II or Class III liquids.

- a. **Class II liquids** flash points at or above 100°F (37.8°C) and below 140°F (60°C).
- b. **Class IIIA liquids** flash points at or above 140°F (60°C) and below 200°F (93.4°C).
- c. Class IIIB liquids flash points at or above 200°F (93.4°C).

INSTALLATION/CONSTRUCTION/MAINTENANCE

56.4500 Heat sources.

Heat sources capable of producing combustion shall be separated from combustible materials if a fire hazard could be created.

56.4501 Fuel lines.

Fuel lines shall be equipped with valves capable of stopping the flow of fuel at the source and shall be located and maintained to minimize fire hazards. This standard does not apply to fuel lines on self-propelled equipment.

56.4502 Battery-charging stations.

- (a) Battery-charging stations shall be ventilated with a sufficient volume of air to prevent the accumulation of hydrogen gas.
- (b) Smoking, use of open flames, or other activities that could create an ignition source shall be prohibited at the battery charging station during battery charging.
- (c) Readily visible signs prohibiting smoking or open flames shall be posted at battery-charging stations during battery charging.

56.4503 Conveyor belt slippage.

Belt conveyors within confined areas where evacuation would be restricted in the event of a fire resulting from belt-slippage shall be equipped with a detection system capable of automatically stopping the drive pulley. A person shall attend the belt at the drive pulley when it is necessary to operate the conveyor while temporarily bypassing the automatic function.

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This standard requires that belt conveyors shall be equipped with a detection system capable of automatically stopping the drive pulley in the event of excessive slippage of the belt, where ignition of the belt could create a hazard to personnel. The detection systems required by this standard are available on an over-the-counter basis from several manufacturers.

For surface operations, areas that could create a hazard to personnel in the event of a fire include the following:

- 1. Surge tunnels.
- 2. Conveyor belts located in areas where other combustible or flammable materials are stored within 25 feet of the belt. This is to prevent a conveyor belt fire from spreading and becoming a large and more serious fire. The policy is consistent with distances used as safeguards in the electrical and explosives standards.
- 3. Any restricted area where a conveyor belt fire could hinder the escape of personnel who normally work in that area.

56.4530 Exits.

Buildings or structures in which persons work shall have a sufficient number of exits to permit prompt escape in case of fire.

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This standard requires that surface buildings or structures in which persons work shall have a sufficient number of exits to permit prompt escape in case of fire. The standard applies to buildings or structures where persons normally work.

Excluded from the requirements of this standard are those areas where persons work infrequently, e.g., change rooms, surge tunnels, toilet facilities, and cafeterias. "Exits" may be doorways, passageways, windows, or other openings that lead out of the building or structure. While the standard uses the word "exits", a single exit may be acceptable where it permits the prompt escape of persons in case of fire.

When considering what constitutes sufficient exits, the following factors should be considered: (1) the size of the exit(s); (2)the height of the exit(s) from the ground; (3) the size of the building; (4) the number of persons who normally work in the area serviced by the exit(s); (5) the nature of the operations; (6)the presence of potential fire hazards; (7) the type of materials with which the building is constructed, e.g., wood, brick, block, stone, metal, concrete; and (8) the presence of fire suppression devices or the availability of fire extinguishers.

56.4531 Flammable or combustible liquid storage buildings or rooms.

(a) Storage buildings or storage rooms in which flammable or combustible liquids, including grease, are stored and that are within 100 feet of any person's work station

shall be ventilated with a sufficient volume of air to prevent the accumulation of flammable vapors.

- (b) In addition, the buildings or rooms shall be
 - (1) Constructed to meet a fire resistance rating of at least one hour; or
 - (2) Equipped with an automatic fire suppression system; or
 - (3) Equipped with an early warning fire detection device that will alert any person who could be endangered by a fire, provided that no person's work station is in the building.
- (c) Flammable or combustible liquids in use for day-to-day maintenance and operational activities are not considered in storage under this standard.

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Surface Buildings or Rooms for Flammable or Combustible Liquid Storage

57.4533 Surface Buildings or Structures in Vicinity of Mine Openings Standard 56/57.4531 requires that certain ventilation and construction measures be included in buildings and rooms where flammable or combustible liquids are stored on the surface, if the storage is located within 100 feet of a work station. Standard 57.4533 requires that surface buildings and similar structures located within 100 feet of certain mine openings be constructed with specified fire protection characteristics.

Several compliance alternatives are permitted for achieving appropriate fire protection in both standards. If a mine operator chooses alternative (b)(1) of 30 CFR 56/57.4531 or alternative (b) of 57.4533, difficulty may be encountered in determining what types of construction meet a fire-resistance rating of at least one hour. MSHA enforcement personnel may also need assistance in recognizing one hour fire resistant construction due to the numerous combinations of techniques and materials which may be used.

Clarification in this regard is contained in the section on "Fire Safety in Building Design and Construction," pages 6-60 through 6-79 of the Fire Protection Handbook, 14th Edition, Section 6, Chapter 7 entitled Structural Integrity During Fire, published by the National Fire Protection Association (NAPA). This reference material provides fire resistance ratings for certain types of material and its related thickness for such structural components as beams, joists, trusses or girders, load-bearing walls, stud walls and partitions, various finishes over wood framing, and floor and roof construction. Additional information regarding fire resistant building materials and assemblies may be retrieved from Underwriters Laboratories Inc., The Factory Mutual System, The National Bureau of Standards, trade association publications, and various building codes.

WELDING/CUTTING/COMPRESSED GASES

56.4600 Extinguishing equipment.

- (a) When welding, cutting, soldering, thawing, or bending
 - (1) With an electric arc or with an open flame where an electrically conductive extinguishing agent could create an electrical hazard, a multipurpose dry-chemical fire extinguisher or other extinguisher with at least a 2-A:10-B:C rating shall be at the worksite.

- (2) With an open flame in an area where no electrical hazard exists, a multipurpose dry-chemical fire extinguisher or equivalent fire extinguishing equipment for the class of fire hazard present shall be at the worksite.
- (b) Use of halogenated fire extinguishing agents to meet the requirements of this standard shall be limited to Halon 1211 (CBrClF(sub)2) and Halon 1301 (CBrF(sub)3). When these agents are used in confined or unventilated areas, precautions based on the manufacturer's use instructions shall be taken so that the gases produced by thermal decomposition of the agents are not inhaled.

56.4601 Oxygen cylinder storage.

Oxygen cylinders shall not be stored in rooms or areas used or designated for storage of flammable or combustible liquids, including grease.

56.4602 Gauges and regulators.

Gauges and regulators used with oxygen or acetylene cylinders shall be kept clean and free of oil and grease.

56.4603 Closure of valves.

To prevent accidental release of gases from hoses and torches attached to oxygen and acetylene cylinders or to manifold systems, cylinder or manifold system valves shall be closed when

- (a) The cylinders are moved;
- (b) The torch and hoses are left unattended; or
- (c) The task or series of tasks is completed.

56.4604 Preparation of pipelines or containers.

Before welding, cutting, or applying heat with an open flame to pipelines or containers that have contained flammable or combustible liquids, flammable gases, or explosive solids, the pipelines or containers shall be

- (a) Drained, ventilated, and thoroughly cleaned of any residue;
- (b) Vented to prevent pressure build-up during the application of heat; and
- (c) (1) Filled with an inert gas or water, where compatible; or
 - (2) Determined to be free of flammable gases by a flammable gas detection device prior to and at frequent intervals during the application of heat.

APPENDIX I TO SUBPART C OF PART 56 – NATIONAL CONSENSUS STANDARDS

Mine operators seeking further information in the area of fire prevention and control may consult the following national consensus standards.

MSHA	
standard	National consensus standard
56.4200,	NFPA No. 10 – Portable Fire Extinguisher.
56.4201	NFPA No. 11 – Low Expansion Foam and Combined
	Agent Systems.
	NFPA No. 11A – High Expansion Foam Systems.

	NFPA No. 12 – Carbon Dioxide Extinguishing Systems.
	NFPA No. 12A – Halon 1301 Extinguishing Systems.
	NFPA No. 13 – Water Sprinkler Systems.
	NFPA No. 14 – Standpipe and Hose Systems.
	NFPA No. 15 – Water Spray Fixed Systems.
	NFPA No. 16 – Foam Water Spray Systems.
	NFPA No. 17 – Dry-Chemical Extinguishing Systems.
	NFPA No. 121 – Mobile Surface Mining Equipment.
	NFPA No. 291 – Testing and Marketing Hydrants.
	NFPA No. 1962 – Care, Use, and Maintenance of Fire
	Hose, Connections, and Nozzles.
56.4202	NFPA No. 14 – Standpipe and Hose Systems.
	NFPA No. 291 Testing and Marketing Hydrants.
56.4203	NFPA No. 10 – Portable Fire Extinguishers.
56.4230	NFPA No. 10 – Portable Fire Extinguishers.
	NFPA No. 121 – Mobile Surface Mining Equipment.

SUBPART D - AIR QUALITY AND PHYSICAL AGENTS

AIR QUALITY

56.5001 Exposure limits for airborne contaminants.

Except as permitted by §56.5005 –

- (a) Except as provided in paragraph (b) of this section, the exposure to airborne contaminants shall not exceed, on the basis of a time weighted average, the threshold limit values adopted by the American Conference of Governmental Industrial Hygienists, as set forth and explained in the 1973 edition of the Conference's publication, entitled "TLV's Threshold Limit Values for Chemical Substances in Workroom Air Adopted by ACGIH for 1973," pages 1 through 54, which are hereby incorporated by reference and made a part hereof. This publication may be obtained from the American Conference of Governmental industrial Hygienists by writing to the Secretary-Treasurer, P.O Box 1937, Cincinnati, Ohio 45201, or may be examined in any Metal and Nonmetal Mine Safety and Health District Office of the Mine Safety and Health Administration. Excursions above the listed thresholds shall not be of a greater magnitude than is characterized as permissible by the Conference.
- (b) The 8-hour time weighted average airborne concentration of asbestos dust to which employees are exposed shall not exceed 2 fibers per milliliter greater than 5 microns in length, as determined by the membrane filter method at 400-450 magnification (4 millimeter objective) phase contrast illumination. No employees shall be exposed at any time to airborne concentrations of asbestos fibers in excess of 10 fibers longer than 5 micrometers, per milliliter of air, as determined by the membrane filter method over a minimum sampling time of 15 minutes. "Asbestos" is a generic term for a number of hydrated silicates that, when crushed or processed, separate into flexible fibers made up of fibrils. Although there are many asbestos minerals, the term "asbestos" as used herein is limited to the following minerals: chrysotile, amosite, crocidolite, anthophylite asbestos, tremolite asbestos, and actinolite asbestos.

(c) Employees shall be withdrawn from areas where there is present an airborne contaminant given a "C" designation by the Conference and the concentration exceeds the threshold limit value listed for that contaminant.

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.5001(a) Nuisance Particulates

The only nuisance particulates for which a citation can be issued are those that are listed specifically as nuisance particulates in Appendix E of the 1973 TLV Booklet and exceed the 10 mg/m3TLV. At mines where the commodity produced is an unlisted nuisance particulate, and there is no silica hazard, continue to sample and analyze airborne dusts for listed toxic substances and take appropriate enforcement action.

56.5002 Exposure monitoring.

Dust, gas, mist, and fume surveys shall be conducted as frequently as necessary to determine the adequacy of control measures.

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The standard requires mine operators to conduct dust, gas, mist and fume surveys as frequently as necessary to determine the adequacy of control measures. The purpose is to help assure that the miners are not exposed to harmful concentrations of airborne contaminants. This could include carbon monoxide in underground mines, nitrogen oxides after blasting, welding fumes, silica- containing dust, mercury and any other airborne contaminant, especially where there is a history of overexposures. It does not include noise.

There are many methods used to measure airborne contaminants. The sampling and analytical methods used by the mine operator should be consistent with established scientific principles, such as NIOSH recommended methods and comparable to the 1973 ACGIH TLVs.

56.5005 Control of exposure to airborne contaminants.

Control of employee exposure to harmful airborne contaminants shall be, insofar as feasible, by prevention of contamination, removal by exhaust ventilation, or by dilution with uncontaminated air. However, where accepted, engineering control measures have not been developed or when necessary by the nature of work

involved (for example, while establishing controls or occasional entry into hazardous atmospheres to perform maintenance or investigation), employees may work for reasonable periods of time in concentrations of airborne contaminants exceeding permissible levels if they are protected by appropriate respiratory protective equipment. Whenever respiratory protective equipment is used a program for selection, maintenance, training, fitting, supervision, cleaning, and use shall meet the following minimum requirements:

- (a) Respirators approved by NIOSH under 42 CFR part 84 which are applicable and suitable for the purpose intended shall be furnished and miners shall use the protective equipment in accordance with training and instruction.
- (b) A respirator program consistent with the requirements of ANSI Z88.2-1969, published by the American National Standards Institute and entitled "American National

Standards Practices for Respiratory Protection ANSI Z88.2-1969," approved August 11, 1969, which is hereby incorporated by reference and made a part hereof. This publication may be obtained from the American National Standards Institute, Inc., 1430 Broadway, New York, New York 10018, or may be examined in any Metal and Nonmetal Mine Safety and Health District Office of the Mine Safety and Health Administration.

(c) When respiratory protection is used in atmospheres immediately harmful to life, the presence of at least one other person with backup equipment and rescue capability shall be required in the event of failure of the respiratory equipment.

ANSI Z88.2 – 1969, requires, in part, that:

- (1) Written standard operating procedures be developed governing respirator selection, use and care (3.5.1, 7.1¹),
- (2) The user receive instruction and training in the nature of the hazard, the proper use of the respirator, and its limitations (3.5.3, 7.4),
- (3) The user be provided an opportunity to wear the respirator in a test atmosphere (7.4) (i.e. qualitative or quantitative fit test)
- (4) Respirators not be worn when conditions prevent a good face seal, such as a growth of beard or sideburns that project under the face piece (7.5);
- (5) Face piece fit be checked by the wearer <u>each time</u> the respirator is worn, by following the manufacturer's face piece fitting instructions, such as conducting a positive and negative pressure test (7.5);
- (6) The program adequately address respirator maintenance and care, including inspection for defects, cleaning and disinfecting, repair, and storage (8); and,
- (7) Frequent random inspections be conducted by a qualified individual to assure that respirators are properly selected, used, cleaned, and maintained (10.3).

Additionally, pursuant to 30 CFR 56/57.20011, areas where respirator use is required, must be posted with signs warning of the nature of the hazard and protective action required.

It is important that the entire ANSI Z88.2 – 1969 be reviewed when establishing or evaluating a respiratory protection program. A copy of ANSI Z88.2 – 1969, is available from your local MSHA, Metal and Nonmetal Mine Safety and Health office. MSHA personnel are also available to assist mine operators in establishing an adequate respiratory protection program. Please note, however, that MSHA does not accept respiratory protection in lieu of feasible engineering controls.

¹ The numbers in parenthesis refer to the cited section of the ANSI standard.

Additional information on respiratory protection, including a list of NIOSH certified respirators, is available from the National Institute for Occupational Safety and Health @ 1.800.35NIOSH.

PROCEDURES FOR CHECKING AND TESTING RESPIRATOR FIT

<u>Negative Pressure Fit Check</u> – used with tight fitting face pieces to check the seal before entering a potentially contaminated atmosphere. The inlet(s) on the filters are sealed while the wearer gently inhales. The inward collapse of the mask, and absence of a noticeable inward rush of air, provides reasonable assurance that the mask is not leaking and is properly seated on the face.

<u>Positive Pressure Fit Check</u> – used with tight fitting face pieces to check the seal before entering a potentially contaminated atmosphere. The exhalation port is sealed while the wearer gently exhales. The buildup of pressure inside the mask, and absence of a noticeable outward rush of air, provides reasonable assurance that the mask is not leaking and is properly seated on the face.

<u>Qualitative Fit Test</u> – a pass/fail fit test that relies on the subject's sensory response to detect the leakage of a challenge agent past the respirator seal. The test is performed by exposing the wearer to a challenge agent easily detected by irritation (smoke), taste (Saccharine or Bittrex) or odor (isoamyl acetate). The subject must be able to sense the agent when not protected. If irritant smoke or isoamyl acetate are used, the respirator must be equipped with an appropriate air – purifying filter.

<u>Quantitative Fit Test</u> – a fit test that uses an instrument to measure the effectiveness of a respirator seal in excluding the ambient atmosphere. The test is performed by dividing the measured concentration of a challenge agent outside of the respirator by the measured concentration of the challenge agent inside the respirator face piece. The normal air purifying element should be replaced with an essentially perfect purifying element such as an HEPA filter.

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Nuisance Particulates

The only nuisance particulates for which a citation can be issued are those that are listed specifically as nuisance particulates in Appendix E of the 1973 TLV Booklet and exceed the 10 mg/m3TLV. At mines where the commodity produced is an unlisted nuisance particulate, and there is no silica hazard, continue to sample and analyze airborne dusts for listed toxic substances and take appropriate enforcement action.

Issuing Citations on the Basis of Vacuum Bottle or Bistable Gas Samples

Vacuum bottle or bistable gas samples may be used as the principal determining factor in classifying a mine as gassy (30 CFR 57.22003). However, vacuum bottle and bistable gas samples cannot be used as the basis for the issuance of citations or orders unless arrangements for special sampling bottles are made. The principal use of vacuum bottles and bistables is for rough screening to determine if potential problems exist which require more thorough evaluation.

Issuing and Terminating Citations

Except where indicated, inspectors shall treat standards 56/57.5001 and 56/57.5005 as one standard when issuing citations. Issue one 56/57.5001(a)/.5005 citation for each miner whose exposure to airborne contaminant(s) exceeds the contaminant's enforcement level. The Metal and Nonmetal Health Inspection Procedures Handbook provides instructions on calculating the contaminant's enforcement level.

The body of the citation must contain all pertinent information, such as: the contaminant's permissible exposure limit (PEL) and error factor; the shift or time-weighted average (SWA/TWA); the date of the overexposure; the date of the citation; the miner's location and job description; whether an adequate respirator was provided and worn and a respiratory protection program was in place consistent with 56/57.5005; and the reason for the overexposure, such as obvious deficiencies or breakdowns in the operator's control system. The citation's initial abatement date should reflect the time needed to provide an appropriate respirator and develop a respiratory protection program consistent with 56/57.5005. Give less time if you can identify more expedient controls that will bring the miner's exposure into compliance. For highly toxic or dangerous contaminants, keep the abatement time to a minimum.

Once the operator's respiratory protection program is in place, extend the citation's abatement date to allow a reasonable time to utilize engineering or administrative controls. You do not need to modify the standard number, 56/57.5001(a)/.5005, when the operator has the respiratory protection program in place.

Initially write the citation to require feasible engineering or administrative controls provided the overexposed miner was already wearing an appropriate respirator and the operator had an appropriate respiratory protection program. The operator may use an appropriate respirator and respiratory protection program instead of such controls when the miner is installing controls or occasionally enters hazardous atmospheres to perform maintenance or investigation.

Terminate a citation when the use of administrative or engineering controls reduces the miner's exposure to the contaminant's enforcement level. If the miner's exposure exceeds the enforcement level, citations can only be terminated when the operator has used all feasible engineering and administrative controls, has an appropriate respiratory protection program, and the miner is wearing an appropriate respirator.

If the operator fails to provide an appropriate respirator and implement an appropriate respiratory protection program within the abatement time, and further extension of the abatement time is not warranted, a 104(b) order can be issued. The order can be modified, once an appropriate respirator and respiratory protection program are provided, to allow the operator to continue to operate until feasible administrative or engineering controls are established.

Where MSHA requires a respiratory protection program for compliance, inspectors can cite without resampling if the operator fails to follow the program's requirements. In such a case, cite 56/57.5005 alone as the standard violated.

Standard 56/57.5001(a) requires that a miner's exposure shall not exceed the permissible limit of any substance on the TLV list. When the TLV is exceeded, standard 56/57.5005 mandates that operators install all feasible engineering controls to reduce a miner's exposure to the TLV. Respiratory protection is required when controls are not feasible, as well as when establishing controls, and during occasional entry into hazardous atmospheres to perform short-term maintenance or investigations. Whenever respirators are required, operators must establish a respirator program containing all elements of the standard, which incorporates ANSI Z88.2-1969. The inspector must evaluate the effectiveness of the respiratory protection in order to determine whether miners are protected from overexposure. If the operator's respiratory protection program fails to include proper selection and fit testing, the .5001(a)/.5005 violation is significant and substantial ("S and S").

Respirator selection directly affects the efficiency of the respirator. Respirators are designed to protect wearers from inhalation of hazardous atmospheres. There are many different types of respirators but each is limited in protection and application. A respirator can only protect against atmospheres for which it is designed. Without proper selection a serious health hazard may occur. A serious hazard may also occur if the respirator, even though properly selected, is not fitted as required by the standard. Fit testing is essential in order to assign the correct model and size respirator to a miner. Otherwise, it is likely that the respirator will leak and the miner will be overexposed to the toxic substance.

There are other factors that should be considered by the inspector on a case-by-case basis when determining whether the violation should be "S and S" with regard to an operator's respiratory protection program. These factors include training, cleaning and sanitizing, and maintenance of respirators.

With regard to listed nuisance particulates and silver metal overexposures between 0.01 mg/m3 and 0.1 mg/m3, operators must use engineering controls to reduce exposure to the permissible limit and comply with the respiratory protection requirements of standard 56/57.5005. However, the .5001(a)/.5005 citation for overexposure to nuisance particulates and to silver metal in the above concentration range is not "S and S." Overexposures to soluble compounds of silver, such as silver nitrate, above 0.01 mg/m3 should be considered "S and S" if adequate protection was not worn.

.5005(a) Use of Certified Mercury Respirators For mercury vapor, the use of MSHA-NIOSH certified chemical cartridge respirators is required. This is the belt-mounted Comfo II respirator with Mersorb cartridges. The purpose of the belt-mounted design is to allow the wearer to easily observe the saturation indicator on the mercury cartridge. The use of face- mounted MSA Comfo II respirators with Mersorb cartridges is only acceptable in work situations where the breathing tube of the belt-mounted respirator can become a safety hazard, the work performed causes tension on the breathing tube which can break the seal, or the breathing tube is too short for the wearer and provided that visual checks of the cartridge indicators are made every half hour. The checks on the face-mounted respirator can be made by looking into a mirror or by checking the respirator in uncontaminated air. Because leakage of mercury vapor into the respirator cannot be detected by the wearer, it is critical that a good facepiece-to-face seal be maintained and that the indicator be monitored to prevent breakthrough through the cartridges.

.5005(c) Definition of Immediately Harmful to Life The definition of "immediately harmful to life" in this standard is the same as that of "immediately dangerous to life or health" (IDLH) as defined by NIOSH, which is acute respiratory exposure that poses an immediate threat of loss of life, immediate or delayed irreversible adverse health effects, or acute eye exposure that would prevent escape from a hazardous atmosphere.

56.5006 Restricted use of chemicals.

The following chemical substances shall not be used or stored except by competent persons under laboratory conditions approved by a nationally recognized agency acceptable to the Secretary.

- (a) Carbon tetrachloride.
- (b) Phenol,
- (c) 4-Nitrobiphenyl,
- (d) Alpha-naphthylamine,
- (e) 4,4-Methylene Bis (2-chloroaniline),
- (f) Methyl-chloromethyl ether,
- (g) 3,3 Dichlorobenzidine,
- (h) Bis (chloromethyl) ether,
- (i) Beta-napthylamine,
- (j) Benzidine,
- (k) 4-Aminodiphenyl,
- (l) Ethyleneimine,
- (m)Beta-propiolactone,
- (n) 2-Acetylaminofluorene,
- (o) 4-Dimethylaminobenzene, and
- (p) N-Nitrosodimethylamine.

SUBPART E - EXPLOSIVES

56.6000 Definitions.

The following definitions apply in this subpart.

Attended. Presence of an individual or continuous monitoring to prevent unauthorized entry or access.

Barrier. A material object, or objects that separates, keeps apart, or demarcates in a conspicuous manner such as cones, a warning sign, or tape.

Blast area. The area in which concussion (shock wave), flying material, or gases from an explosion may cause injury to persons. In determining the blast area, the following factors shall be considered:

- (1) Geology or material to be blasted.
- (2) Blast pattern.
- (3) Burden, depth, diameter, and angle of the holes.
- (4) Blasting experience of the mine.
- (5) Delay system, powder factor, and pounds per delay.
- (6) Type and amount of explosive material.

(7) Type and amount of stemming.

Blast site. The area where explosive material is handled during loading, including the perimeter formed by the loaded blast holes and 50 feet (15.2 meters) in all directions from loaded holes. A minimum distance of 30 feet (9.1 meters) may replace the 50-foot (15.2-meter) requirement if the perimeter of loaded holes is

demarcated with a barrier. The 50-foot (15.2-meter) and alternative 30-foot (9.1-meter) requirements also apply in all directions along the full depth of the hole.

Blasting agent. Any substance classified as a blasting agent by the Department of Transportation in 49 CFR 173.114a(a). This document is available at any MSHA Metal and Nonmetal Safety and Health district office.

Detonating cord. A flexible cord containing a center core of high explosives which may be used to initiate other explosives.

Detonator. Any device containing a detonating charge used to initiate an explosive. These devices include electric or nonelectric instantaneous or delay blasting caps and delay connectors. The term ``detonator' does not include detonating cord. Detonators may be either ``Class A'' detonators or ``Class C'' detonators, as

classified by the Department of Transportation in 49 CFR 173.53, and 173.100. This document is available at any MSHA Metal and Nonmetal Safety and Health district office.

Emulsion. An explosive material containing substantial amounts of oxidizers dissolved in water droplets, surrounded by an immiscible fuel.

Explosive. Any substance classified as an explosive by the Department of Transportation in 49 CFR 173.53, 173.88, and 173.100. This document is available at any MSHA Metal and Nonmetal Safety and Health district office.

Explosive material. Explosives, blasting agents, and detonators.

Flash point. The minimum temperature at which sufficient vapor is released by a liquid to form a flammable vapor-air mixture near the surface of the liquid.

Igniter cord. A fuse that burns progressively along its length with an external flame at the zone of burning, used for lighting a series of safety fuses in a desired sequence.

Laminated partition. A partition composed of the following material and minimum nominal dimensions: \1/2\-inch-thick plywood, \1/2\-inch-thick gypsum wallboard, \1/8\-inch-thick low carbon steel, and \1/4\- inch-thick plywood, bonded together in that order (IME-22 Box). A laminated partition also includes

alternative construction materials described in the Institute of Makers of Explosives (IME) Safety Library Publication No. 22, "Recommendations for the Safe Transportation of Detonators in a Vehicle with other Explosive Materials," (May 1993), and the "Generic Loading Guide for the IME-22 Container," (October

1993). This incorporation by reference has been approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies are available at

MSHA, 1100 Wilson Boulevard Room 2436, Arlington, Virginia 22209-3939, and at all Metal and Nonmetal Mine Safety and Health district

offices, or available for inspection at the Office of the Federal Register, 800 North Capitol Street, NW., 7th Floor, suite 700, Washington, DC.

Loading. Placing explosive material either in a blast hole or against the material to be blasted.

Magazine. A bullet-resistant, theft-resistant, fire-resistant, weather-resistant, ventilated facility for the storage of explosives and detonators (BATF Type 1 or Type 2 facility).

Misfire. The complete or partial failure of explosive material to detonate as planned. The term also is used to describe the explosive material itself that has failed to detonate.

Multipurpose dry-chemical fire extinguisher. An extinguisher having a rating of at least 2-A:10-B:C and containing a nominal 4.5 pounds or more of dry-chemical agent.

Primer. A unit, package, or cartridge of explosives which contains a detonator and is used to initiate other explosives or blasting agents.

Safety switch. A switch that provides shunt protection in blasting circuits between the blast site and the switch used to connect a power source to the blasting circuit.

Slurry. An explosive material containing substantial portions of a liquid, oxidizers, and fuel, plus a thickener.

Storage facility. The entire class of structures used to store explosive materials. A `storage facility" used to store blasting agents corresponds to a BATF Type 4 or 5 storage facility.

Water gel. An explosive material containing substantial portions of water, oxidizers, and fuel, plus a cross-linking agent.

STORAGE

56.6100 Separation of stored explosive material.

- (a) Detonators shall not be stored in the same magazine with other explosive material.
- (b) When stored in the same magazine, blasting agents shall be separated from explosives, safety fuse, and detonating cord to prevent contamination.

56.6101 Areas around explosive material storage facilities.

- (a) Areas surrounding storage facilities for explosive material shall be clear of rubbish, brush, dry grass, and trees for 25 feet in all directions, except that live trees 10 feet or taller need not be removed.
- (b) Other combustibles shall not be stored or allowed to accumulate within 50 feet of explosive material. Combustible liquids shall be stored in a manner that ensures drainage will occur away from the explosive material storage facility in case of tank rupture.

56.6102 Explosive material storage practices.

- (a) Explosive material shall be
 - (1) Stored in a manner to facilitate use of oldest stocks first;
 - (2) Stored according to brand and grade in such a manner as to facilitate identification; and
 - (3) Stacked in a stable manner but not more than 8 feet high.
- (b) Explosives and detonators shall be stored in closed nonconductive containers except that nonelectric detonating devices may be stored on nonconductive racks provided the case-insert instructions and the date-plant-shift code are maintained with the product.

56.6130 Explosive material storage facilities.

- (a) Detonators and explosives shall be stored in magazines.
- (b) Packaged blasting agents shall be stored in a magazine or other facility which is ventilated to prevent dampness and excessive heating, weather-resistant, and locked or attended. Drop trailers do not have to be ventilated if they are currently licensed by the Federal, State, or local authorities for over-the-road use. Facilities other than magazines used to store blasting agents shall contain only blasting agents.
- (c) Bulk blasting agents shall be stored in weather-resistant bins or tanks which are locked, attended, or otherwise inaccessible to unauthorized entry.
- (d) Facilities, bins or tanks shall be posted with the appropriate United States Department of Transportation placards or other appropriate warning signs that indicate the contents and are visible from each approach.

56.6131 Location of explosive material storage facilities.

- (a) Storage facilities for any explosive material shall be
 - (1) Located so that the forces generated by a storage facility explosion will not create a hazard to occupants in mine buildings and will not damage dams or electric substations; and
 - (2) Detached structures located outside the blast area and a sufficient distance from power lines so that the power lines, if damaged, would not contact the magazines.
- (b) Operators should also be aware of regulations affecting storage facilities in 27 CFR part 55, in particular, §§55.218 and 55.220. This document is available at any MSHA Metal and Nonmetal Safety and Health district office.

56.6132 Magazine requirements.

- (a) Magazines shall be -
 - (1) Structurally sound;
 - (2) Noncombustible or the exterior covered with fire-resistant material:
 - (3) Bullet resistant:
 - (4) Made of nonsparking material on the inside;
 - (5) Ventilated to control dampness and excessive heating within the magazine;
 - (6) Posted with the appropriate United States Department of Transportation placards or other appropriate warning signs that indicate the contents and are visible from each approach, so located that a bullet passing through any of the signs will not strike the magazine;
 - (7) Kept clean and dry inside;

- (8) Unlighted or lighted by devices that are specifically designed for use in magazines and which do not create a fire or explosion hazard;
- (9) Unheated or heated only with devices that do not create a fire or explosion hazard;
- (10) Locked when unattended; and
- (11) Used exclusively for the storage of explosive material except for essential nonsparking equipment used for the operation of the magazine.
- (b) Metal magazines shall be equipped with electrical bonding connections between all conductive portions so the entire structure is at the same electrical potential. Suitable electrical bonding methods include welding, riveting, or the use of securely tightened bolts where individual metal portions are joined. Conductive portions of nonmetal magazines shall be grounded.
- (c) Electrical switches and outlets shall be located on the outside of the magazine.

56.6133 Powder chests.

- (a) Powder chests (day boxes) shall be
 - (1) Structurally sound, weather-resistant, equipped with a lid or cover, and with only nonsparking material on the inside;
 - (2) Posted with the appropriate United States Department of Transportation placards or other appropriate warning signs that indicate the contents and are visible from each approach;
 - (3) Located out of the blast area once loading has been completed;
 - (4) Locked or attended when containing explosive material; and
 - (5) Emptied at the end of each shift with the contents returned to a magazine or other storage facility, or attended.
- (b) Detonators shall be kept in chests separate from explosives or blasting agents, unless separated by 4-inches of hardwood or equivalent, or a laminated partition. When a laminated partition is used, operators must follow the provisions of the Institute of Makers of Explosives (IME) Safety Library Publication No. 22, "Recommendations for the Safe Transportation of Detonators in a Vehicle with other Explosive Materials," (May 1993), and the "Generic Loading Guide for the IME-22 Container," (October 1993). This incorporation by reference has been approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies are available at MSHA, 1100 Wilson Boulevard Room 2436, Arlington, Virginia 22209-3939, and at all Metal and Nonmetal Mine Safety and Health district offices, or available for inspection at the Office of the Federal Register, 800 North Capitol Street, NW., 7th Floor, suite 700, Washington, DC.

56.6140 Magazine location.

Magazines shall be located in accordance with the current American Table of Distances for storage of explosives.

TRANSPORTATION

56.6200 Delivery to storage or blast site areas.

Explosive material shall be transported without undue delay to the storage area or blast site.

56.6201 Separation of transported explosive material.

Detonators shall not be transported on the same vehicle or conveyance with other explosives except as follows:

- (a) Detonators in quantities of more than 1000 may be transported in a vehicle or conveyance with explosives or blasting agents provided the detonators are
 - (1) Maintained in the original packaging as shipped from the manufacturer; and
 - (2) Separated from explosives or blasting agents by 4-inches of hardwood or equivalent, or a laminated partition. The hardwood or equivalent shall be fastened to the vehicle or conveyance. When a laminated partition is used, operators must follow the provisions of the Institute of Makers of Explosives (IME) Safety Library Publication No.22, "Recommendations for the Safe Transportation of Detonators in a Vehicle with other Explosive Materials," (May 1993), and the "Generic Loading Guide for the IME-22 Container," (October 1993). This incorporation by reference has been approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies are available at MSHA, 1100 Wilson Boulevard Room 2436, Arlington, Virginia 22209-3939, and at all Metal and Nonmetal Mine Safety and Health district offices, or available for inspection at the Office of the Federal Register, 800 North Capitol Street, NW., 7th Floor, suite 700, Washington, DC.
- (b) Detonators in quantities of 1000 or fewer may be transported with explosives or blasting agents provided the detonators are
 - (1) Kept in closed containers; and
 - (2) Separated from explosives or blasting agents by 4-inches of hardwood or equivalent, or a laminated partition. The hardwood or equivalent shall be fastened to the vehicle or conveyance. When a laminated partition is used, operators must follow the provisions of IME Safety Library Publication No. 22, "Recommendations for the Safe Transportation of Detonators in a Vehicle with other Explosive Materials," (May 1993), and the "Generic Loading Guide for the IME-22 Container," (October 1993). This incorporation by reference has been approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a) and 1 CFR part 51. Copies are available at MSHA, 1100 Wilson Boulevard Room 2436, Arlington, Virginia 22209-3939, and at all Metal and Nonmetal Mine Safety and Health district offices, or available for inspection at the Office of the Federal Register, 800 North Capitol Street, NW., 7th Floor, suite 700, Washington, DC.

56.6202 Vehicles.

- (a) Vehicles containing explosive material shall be
 - (1) Maintained in good condition and shall comply with the requirements of subpart M of this part;
 - (2) Equipped with sides and enclosures higher than the explosive material being transported or have the explosive material secured to a nonconductive pallet;
 - (3) Equipped with a cargo space that shall contain the explosive material (passenger areas shall not be considered cargo space);
 - (4) Equipped with at least two multipurpose dry-chemical fire extinguishers or one such extinguisher and an automatic fire suppression system;
 - (5) Posted with warning signs that indicate the contents and are visible from each approach;

- (6) Occupied only by persons necessary for handling the explosive material;
- (7) Attended or the cargo compartment locked, except when parked at the blast site and loading is in progress; and
- (8) Secured while parked by having
 - (i). The brakes set;
 - (ii).(ii) The wheels chocked if movement could occur; and
 - (iii). (iii) The engine shut off unless powering a device being used in the loading operation.
- (b) Vehicles containing explosives shall have
 - (1) No sparking material exposed in the cargo space; and
 - (2) Only properly secured nonsparking equipment in the cargo space with the explosives.
- (c) Vehicles used for dispensing bulk explosive material shall
 - (1) Have no zinc or copper exposed in the cargo space; and
 - (2) Provide any enclosed screw-type conveyors with protection against internal pressure and frictional heat.

56.6203 Locomotives.

Explosive material shall not be transported on a locomotive. When explosive material is hauled by trolley locomotive, covered, electrically insulated cars shall be used.

56.6204 Hoists.

- (a) Before explosive material is transported in hoist conveyances, the hoist operator shall be notified.
- (b) Explosive material transported in hoist conveyances shall be placed within a container which prevents shifting of the cargo that could cause detonation of the container by impact or by sparks. The manufacturer's container may be used if secured to a nonconductive pallet. When explosives are transported, they shall be secured so as not to contact any sparking material.
- (c) No explosive material shall be transported during a mantrip.

56.6205 Conveying explosives by hand.

Closed, nonconductive containers shall be used to carry explosives and detonators to and from blast sites. Separate containers shall be used for explosives and detonators.

56.6220 Maintenance and operation of transport vehicles.

Vehicles containing explosives or detonators shall be maintained in good condition and shall be operated at a safe speed and in accordance with all safe operating practices.

USE

56.6300 Control of blasting operations.

- (a) Only persons trained and experienced in the handling and use of explosive material shall direct blasting operations and related activities.
- (b) Trainees and inexperienced persons shall work only in the immediate presence of persons trained and experienced in the handling and use of explosive material.

56.6301 Blast hole obstruction check.

Before loading, blast holes shall be checked and, wherever possible, cleared of obstructions.

56.6302 Separation of explosive material.

Explosives and blasting agents shall be kept separated from detonators until loading begins.

56.6303 Initiation preparation.

- (a) Primers shall be made up only at the time of use and as close to the blast site as conditions allow.
- (b) Primers shall be prepared with the detonator contained securely and completely within the explosive or contained securely and appropriately for its design in the tunnel or cap well.
- (c) When using detonating cord to initiate another explosive, a connection shall be prepared with the detonating cord threaded through, attached securely to, or otherwise in contact with the explosive.

56.6304 Primer protection.

- (a) Tamping shall not be done directly on a primer.
- (b) Rigid cartridges of explosives or blasting agents that are 4 inches (100 millimeters) in diameter or larger shall not be dropped on the primer except where the blast hole contains sufficient depth of water to protect the primer from impact. Slit packages of prill, water gel, or emulsions are not considered rigid cartridges and may be drop loaded.

56.6305 Unused explosive material.

Unused explosive material shall be moved to a protected location as soon as practical after loading operations are completed.

56.6306 Loading, blasting, and security.

- (a) When explosive materials or initiating systems are brought to the blast site, the blast site shall be attended; barricaded and posted with warning signs, such as ``Danger," ``Explosives," or ``Keep Out;" or flagged against unauthorized entry.
- (b) Vehicles and equipment shall not be driven over explosive material or initiating systems in a manner which could contact the material or systems, or create other hazards.
- (c) Once loading begins, the only activities permitted within the blast site shall be those activities directly related to the blasting operation and the activities of surveying, stemming, sampling of geology, and reopening of holes, provided that reasonable care is exercised. Haulage activity is permitted near the base of a highwall being loaded or awaiting firing,
- (d) Loading and blasting shall be conducted in a manner designed to facilitate a continuous process, with the blast fired as soon as possible following the completion of loading. If blasting a loaded round may be delayed for more than 72 hours, the operator shall notify the appropriate MSHA district office.
- (e) In electric blasting prior to connecting to the power source, and in nonelectric blasting prior to attaching an initiating device, all persons shall leave the blast area except

persons in a blasting shelter or other location that protects them from concussion (shock wave), flying material, and gases.

- (f) Before firing a blast -
 - (1) Ample warning shall be given to allow all persons to be evacuated;
 - (2) Clear exit routes shall be provided for persons firing the round; and
 - (3) All access routes to the blast area shall be guarded or barricaded to prevent the passage of persons or vehicles.
- (g) Work shall not resume in the blast area until a post-blast examination addressing potential blast-related hazards has been conducted by a person with the ability and experience to perform the examination.

56.6307 Drill stem loading.

Explosive material shall not be loaded into blast holes with drill stem equipment or other devices that could be extracted while containing explosive material. The use of loading hose, collar sleeves, or collar pipes is permitted.

56.6308 Initiation systems.

Initiation systems shall be used in accordance with the manufacturer's instructions.

56.6309 Fuel oil requirements for ANFO.

- (a) Liquid hydrocarbon fuels with flash points lower than that of No. 2 diesel oil (125°F) shall not be used to prepare ammonium nitrate-fuel oil, except that diesel fuels with flash points no lower than 100°F may be used at ambient air temperatures below 45°F.
- (b) Waste oil, including crankcase oil, shall not be used to prepare ammonium nitrate-fuel oil.

56.6310 Misfire waiting period.

When a misfire is suspected, persons shall not enter the blast area –

- (a) For 30 minutes if safety fuse and blasting caps are used; or
- (b) For 15 minutes if any other type detonators are used.

56.6311 Handling of misfires.

- (a) Faces and muck piles shall be examined for misfires after each blasting operation.
- (b) Only work necessary to remove a misfire and protect the safety of miners engaged in the removal shall be permitted in the affected area until the misfire is disposed of in a safe manner.
- (c) When a misfire cannot be disposed of safely, each approach to the area affected by the misfire shall be posted with a warning sign at a conspicuous location to prohibit entry, and the condition shall be reported immediately to mine management.
- (d) Misfires occurring during the shift shall be reported to mine management not later than the end of the shift.

56.6312 Secondary blasting.

Secondary blasts fired at the same time in the same work area shall be initiated from one source.

56.6400 Compatibility of electric detonators.

All electric detonators to be fired in a round shall be from the same manufacturer and shall have similar electrical firing characteristics.

56.6401 Shunting.

Except during testing –

- (a) Electric detonators shall be kept shunted until connected to the blasting line or wired into a blasting round;
- (b) Wired rounds shall be kept shunted until connected to the blasting line; and
- (c) Blasting lines shall be kept shunted until immediately before blasting.

Electrical distribution circuits within 50 feet of electric detonators at the blast site shall be deenergized. Such circuits need not be deenergized between 25 to 50 feet of the electric detonators if stray current tests, conducted as frequently as necessary, indicate a maximum stray current of less than 0.05 amperes through a 1-ohm resistor as measured at the blast site.

56.6403 Branch circuits.

- (a) If electric blasting includes the use of branch circuits, each branch shall be equipped with a safety switch or equivalent method to isolate the circuits to be used.
- (b) At least one safety switch or equivalent method of protection shall be located outside the blast area and shall be in the open position until persons are withdrawn.

Separation of blasting circuits from power source.

- (a) Switches used to connect the power source to a blasting circuit shall be locked in the open position except when closed to fire the blast.
- (b) Lead wires shall not be connected to the blasting switch until the shot is ready to be fired.

56.6405 Firing devices.

- (a) Power sources shall be capable of delivering sufficient current to energize all electric detonators to be fired with the type of circuits used. Storage or dry cell batteries are not permitted as power sources.
- (b) Blasting machines shall be tested, repaired, and maintained in accordance with manufacturer's instructions.
- (c) Only the blaster shall have the key or other control to an electrical firing device.

56.6406 Duration of current flow.

If any part of a blast is connected in parallel and is to be initiated from power lines or lighting circuits, the time of current flow shall be limited to a maximum of 25 milliseconds. This can be accomplished by incorporating an arcing control device in the blasting circuit or by interrupting the circuit with an explosive device attached to one or both lead lines and initiated by a 25-millisecond delay electric detonator.

56.6407 Circuit testing.

A blasting galvanometer or other instrument designed for testing blasting circuits shall be used to test the following:

- (a) Continuity of each electric detonator in the blast hole prior to stemming and connection to the blasting line.
- (b) Resistance of individual series or the resistance of multiple balanced series to be connected in parallel prior to their connection to the blasting line.
- (c) Continuity of blasting lines prior to the connection of electric detonator series.
- (d) Total blasting circuit resistance prior to connection to the power source.

NONELECTRIC BLASTING

56.6500 Damaged initiating material.

A visual check of the completed circuit shall be made to ensure that the components are properly aligned and connected. Safety fuse, igniter cord, detonating cord, shock or gas tubing, and similar material which is kinked, bent sharply, or damaged shall not be used.

56.6501 Nonelectric initiation systems.

- (a) When the nonelectric initiation system uses shock tube
 - (1) Connections with other initiation devices shall be secured in a manner which provides for uninterrupted propagation;
 - (2) Factory-made units shall be used as assembled and shall not be cut except that a single splice is permitted on the lead-in trunk line during dry conditions; and
 - (3) Connections between blast holes shall not be made until immediately prior to clearing the blast site when surface delay detonators are used.
- (b) When the nonelectric initiation system uses detonating cord
 - (1) The line of detonating cord extending out of a blast hole shall be cut from the supply spool immediately after the attached explosive is correctly positioned in the hole:
 - (2) In multiple row blasts, the trunk line layout shall be designed so that the detonation can reach each blast hole from at least two directions;
 - (3) Connections shall be tight and kept at right angles to the trunk line;
 - (4) Detonators shall be attached securely to the side of the detonating cord and pointed in the direction in which detonation is to proceed;
 - (5) Connections between blast holes shall not be made until immediately prior to clearing the blast site when surface delay detonators are used; and
 - (6) Lead-in lines shall be manually unreeled if connected to the trunk lines at the blast site.
- (c) When nonelectric initiation systems use gas tube, continuity of the circuit shall be tested prior to blasting.

56.6502 Safety fuse.

- (a) The burning rate of each spool of safety fuse to be used shall be measured, posted in locations which will be conspicuous to safety fuse users, and brought to the attention of all persons involved with the blasting operation.
- (b) When firing with safety fuse ignited individually using handheld lighters, the safety fuse shall be of lengths which provide at least the minimum burning time for a particular size round, as specified in the following table.

TABLE E-1 – SAFETY FUSE – MINIMUM BURNING TIME

Number of holes in a	Minimum burning time
round	
1	2 minutes. ¹
2-5	2 minutes 40 seconds.
6-10	3 minutes 20 seconds
11 to 15	5 minutes

¹ For example, at least a 36-inch length of 40-second-per-foot safety fuse or at least a 48-inch length of 30-second-per-foot safety fuse would have to be used to allow sufficient time to evacuate the area.

- (c) Where fly rock might damage exposed safety fuse, the blast shall be timed so that all safety fuses are burning within the blast holes before any blast hole detonates.
- (d) Fuse shall be cut and capped in dry locations.
- (e) Blasting caps shall be crimped to fuse only with implements designed for that purpose.
- (f) Safety fuse shall be ignited only after the primer and the explosive material are securely in place.
- (g) Safety fuse shall be ignited only with devices designed for that purpose. Carbide lights, liquefied petroleum gas torches, and cigarette lighters shall not be used to light safety fuse.
- (h) At least two persons shall be present when lighting safety fuse, and no one shall light more than 15 individual fuses. If more than 15 holes per person are to be fired, electric initiation systems, igniter cord and connectors, or other nonelectric initiation systems shall be used.

EXTRANEOUS ELECTRICITY

56.6600 Loading practices.

If extraneous electricity is suspected in an area where electric detonators are used, loading shall be suspended until tests determine that stray current does not exceed 0.05 amperes through a 1-ohm resister when measured at the location of the electric detonators. If greater levels of extraneous electricity are found, the source shall be determined and no loading shall take place until the condition is corrected.

56.6601 Grounding.

Electric blasting circuits, including power line sources when used, shall not be grounded.

56.6602 Static electricity dissipation during loading.

When explosive material is loaded pneumatically into a blast hole in a manner that generates a static electricity hazard –

- (a) An evaluation of the potential static electricity hazard shall be made and any hazard shall be eliminated before loading begins;
- (b) The loading hose shall be of a semi conductive type, have a total of not more than 2 megohms of resistance over its entire length and not less than 1000 ohms of resistance per foot;
- (c) Wire-countered hoses shall not be used;

- (d) Conductive parts of the loading equipment shall be bonded and grounded and grounds shall not be made to other potential sources of extraneous electricity; and
- (e) Plastic tubes shall not be used as hole liners if the hole contains an electric detonator.

56.6603 Air gap.

At least a 15-foot air gap shall be provided between the blasting circuit and the electric power source.

56.6604 Precautions during storms.

During the approach and progress of an electrical storm, blasting operations shall be suspended and persons withdrawn from the blast area or to a safe location.

56.6605 Isolation of blasting circuits.

Lead wires and blasting lines shall be isolated and insulated from power conductors, pipelines, and railroad tracks, and shall be protected from sources of stray or static electricity. Blasting circuits shall be protected from any contact between firing lines and overhead power lines which could result from the force of a blast.

EQUIPMENT/TOOLS

56.6700 Nonsparking tools.

Only nonsparking tools shall be used to open containers of explosive material or to punch holes in explosive cartridges.

Tamping and loading pole requirements.

Tamping and loading poles shall be of wood or other nonconductive, nonsparking material. Couplings for poles shall be nonsparking.

MAINTENANCE

56.6800 Storage facilities.

When repair work which could produce a spark or flame is to be performed on a storage facility –

- (a) The explosive material shall be moved to another facility, or moved at least 50 feet from the repair activity and monitored; and
- (b) The facility shall be cleaned to prevent accidental detonation.

56.6801 Vehicle repair.

Vehicles containing explosive material and oxidizers shall not be taken into a repair garage or shop.

56.6802 Bulk delivery vehicles.

No welding or cutting shall be performed on a bulk delivery vehicle until the vehicle has been washed down and all explosive material has been removed. Before welding or cutting on a hollow shaft, the shaft shall be thoroughly cleaned inside and out and vented with a minimum 1/2-inch diameter opening to allow for sufficient ventilation.

56.6803 Blasting lines.

Permanent blasting lines shall be properly supported. All blasting lines shall be insulated and kept in good repair.

GENERAL REQUIREMENTS

56.6900 Damaged or deteriorated explosive material.

Damaged or deteriorated explosive material shall be disposed of in a safe manner in accordance with the instructions of the manufacturer.

56.6901 Black powder.

- (a) Black powder shall be used for blasting only when a desired result cannot be obtained with another type of explosive, such as in quarrying certain types of dimension stone.
- (b) Containers of black powder shall be
 - (1) Nonsparking;
 - (2) Kept in a totally enclosed cargo space while being transported by a vehicle;
 - (3) Securely closed at all times when
 - (i). Within 50 feet of any magazine or open flame,
 - (ii). Within any building in which a fuel-fired or exposed-element electric heater is operating, or
 - (iii). In an area where electrical or incandescent-particle sparks could result in powder ignition; and
 - (4) Open only when the powder is being transferred to a blast hole or another container and only in locations not listed in paragraph (b)(3) of this section.
- (c) Black powder shall be transferred from containers only by pouring.
- (d) Spills shall be cleaned up promptly with nonsparking equipment. Contaminated powder shall be put into a container of water and shall be disposed of promptly after the granules have disintegrated, or the spill area shall be flushed promptly with water until the granules have disintegrated completely.
- (e) Misfires shall be disposed of by washing the stemming and powder charge from the blast hole, and removing and disposing of the initiator in accordance with the requirement for damaged explosives.
- (f) Holes shall not be reloaded for at least 12 hours when the blast holes have failed to break as planned.

Excessive temperatures.

- (a) Where heat could cause premature detonation, explosive material shall not be loaded into hot areas, such as kilns or sprung holes.
- (b) When blasting sulfide ores where hot holes occur that may react with explosive material in blast holes, operators shall
 - (1) Measure an appropriate number of blast hole temperatures in order to assess the specific mine conditions prior to the introduction of explosive material;
 - (2) Limit the time between the completion of loading and the initiation of the blast to no more than 12 hours; and
 - (3) Take other special precautions to address the specific conditions at the mine to prevent premature detonation.

56.6903 Burning explosive material.

If explosive material is suspected of burning at the blast site, persons shall be evacuated from the endangered area and shall not return for at least one hour after the burning or suspected burning has stopped.

56.6904 Smoking and open flames.

Smoking and use of open flames shall not be permitted within 50 feet of explosive material except when separated by permanent noncombustible barriers. This standard does not apply to devices designed to ignite safety fuse or to heating devices which do not create a fire or explosion hazard.

56.6905 Protection of explosive material.

- (a) Explosive material shall be protected from temperatures in excess of 150 degrees Fahrenheit.
- (b) Explosive material shall be protected from impact, except for tamping and dropping during loading.

SUBPART F - DRILLING AND ROTARY JET PIERCING

DRILLING

56.7002 Equipment defects.

Equipment defects affecting safety shall be corrected before the equipment is used.

56.7003 Drill area inspection.

The drilling area shall be inspected for hazards before starting the drilling operations.

56.7004 Drill mast.

Persons shall not be on a mast while the drill-bit is in operation unless they are provided with a safe platform from which to work and they are required to use safety belts to avoid falling.

56.7005 Augers and drill stems.

Drill crews and others shall stay clear of augers or drill stems that are in motion. Persons shall not pass under or step over a moving stem or auger.

56.7008 Moving the drill.

When a drill is being moved from one drilling area to another, drill steel, tools, and other equipment shall be secured and the mast placed in a safe position.

56.7009 Drill helpers.

If a drill helper assists the drill operator during movement of a drill to a new location, the helper shall be in sight of, or in communication with, the operator at all times

56.7010 Power failures.

In the event of power failure, drill controls shall be placed in the neutral position until power is restored.

56.7011 Straightening crossed cables.

The drill stem shall be resting on the bottom of the hole or on the platform with the stem secured to the mast before attempts are made to straighten a crossed cable on a reel.

56.7012 Tending drills in operation.

While in operation, drills shall be attended at all times.

56.7013 Covering or guarding drill holes.

Drill holes large enough to constitute a hazard shall be covered or guarded.

56.7018 Hand clearance.

Persons shall not hold the drill steel while collaring holes, or rest their hands on the chuck or centralizer while drilling.

56.7050 Tool and drill steel racks.

Receptacles or racks shall be provided for drill steel and tools stored or carried on drills.

Loose objects on the mast or drill platform.

To prevent injury to personnel, tools and other objects shall not be left loose on the mast or drill platform.

56.7052 Drilling positions.

Persons shall not drill from –

- (a) Positions which hinder their access to the control levers;
- (b) Insecure footing or insecure staging; or
- (c) Atop equipment not suitable for drilling.

56.7053 Moving hand-held drills.

Before hand-held drills are moved from one working area to another, air shall be turned off and bled from the hose.

56.7055 Intersecting holes.

Holes shall not be drilled where there is a danger of intersecting a misfired hole or a hole containing explosives blasting agents, or detonators.

56.7056 Collaring in bootlegs.

Holes shall not be collared in bootlegs.

ROTARY JET PIERCING

56.7801 Jet drills.

Jet piercing drills shall be provided with

- (a) A system to pressurize the equipment operator's cab, when a cab is provided; and
- (b) A protective cover over the oxygen flow indicator.

56.7802 Oxygen hose lines.

Safety chains or other suitable locking devices shall be provided across connections to and between high pressure oxygen hose lines of 1-inch inside diameter or larger.

56.7803 Lighting the burner.

A suitable means of protection shall be provided for the employee when lighting the burner.

56.7804 Refueling.

When rotary jet piercing equipment requires refueling at locations other than fueling stations, a system for fueling without spillage shall be provided.

56.7805 Smoking and open flames.

Persons shall not smoke and open flames shall not be used in the vicinity of the oxygen storage and supply lines. Signs warning against smoking and open flames shall be posted in these areas.

56.7806 Oxygen intake coupling.

The oxygen intake coupling on jet-piercing drills shall be constructed so that only the oxygen hose can be coupled to it.

56.7807 Flushing the combustion chamber.

The combustion chamber of a jet drill stem which has been sitting unoperated in a drill hole shall be flushed with a suitable solvent after the stem is pulled up.

Subpart H – Loading, Hauling, and Dumping

56.9000 Definitions.

The following definitions apply in this subpart:

Berm. A pile or mound of material along an elevated roadway capable of moderating or limiting the force of a vehicle in order to impede the vehicle's passage over the bank of the roadway.

Mobile equipment. Wheeled, skid-mounted, track-mounted, or rail-mounted equipment capable of moving or being moved.

TRAFFIC SAFETY

56.9100 Traffic control.

To provide for the safe movement of self-propelled mobile equipment

- (a) Rules governing speed, right-of-way, direction of movement, and the use of headlights to assure appropriate visibility, shall be established and followed at each mine; and
- (b) Signs or signals that warn of hazardous conditions shall be placed at appropriate locations at each mine.

56.9101 Operating speeds and control of equipment.

Operators of self-propelled mobile equipment shall maintain control of the equipment while it is in motion. Operating speeds shall be consistent with conditions of roadways, tracks, grades, clearance, visibility, and traffic, and the type of equipment used.

56.9102 Movement of independently operating rail equipment.

Movement of two or more pieces of rail equipment operating independently on the same track shall be controlled for safe operation.

56.9103 Clearance on adjacent tracks.

Railcars shall not be left on side tracks unless clearance is provided for traffic on adjacent tracks.

56.9104 Railroad crossings.

Designated railroad crossings shall be posted with warning signs or signals, or shall be guarded when trains are passing. These crossings shall also be planked or filled between the rails.

TRANSPORTATION OF PERSONS AND MATERIALS

56.9200 Transporting persons.

Persons shall not be transported—

- (a) In or on dippers, forks, clamshells, or buckets except shaft buckets during shaft-sinking operations or during inspection, maintenance and repair of shafts.
- (b) In beds of mobile equipment or railcars, unless -
 - (1) Provisions are made for secure travel, and
 - (2) Means are taken to prevent accidental unloading if the equipment is provided with unloading devices;
- (c) On top of loads in mobile equipment;
- (d) Outside cabs, equipment operators' stations, and beds of mobile equipment, except when necessary for maintenance, testing, or training purposes, and provisions are made for secure travel. This provision does not apply to rail equipment.
- (e) Between cars of trains, on the leading end of trains, on the leading end of a single railcar, or in other locations on trains that expose persons to hazards from train movement.
 - (1) This paragraph does not apply to car droppers if they are secured with safety belts and lines which prevent them from falling off the work platform.
 - (2) Brakemen and trainmen are prohibited from riding between cars of moving trains, but may ride on the leading end of trains or other locations when necessary to perform their duties;
- (f) To and from work areas in overcrowded mobile equipment;
- (g) In mobile equipment with materials or equipment unless the items are secured or are small and can be carried safely by hand without creating a hazard to persons; or
- (h) On conveyors unless the conveyors are designed to provide for their safe transportation.

56.9201 Loading, hauling, and unloading of equipment or supplies.

Equipment and supplies shall be loaded, transported, and unloaded in a manner which does not create a hazard to persons from falling or shifting equipment or supplies.

56.9202 Loading and hauling large rocks.

Large rocks shall be broken before loading if they could endanger persons or affect the stability of mobile equipment. Mobile equipment used for haulage of mined material shall be loaded to minimize spillage where a hazard to persons could be created.

SAFETY DEVICES, PROVISIONS, AND PROCEDURES FOR ROADWAYS, RAILROADS, AND LOADING AND DUMPING SITES

56.9300 Berms or guardrails.

- (a) Berms or guardrails shall be provided and maintained on the banks of roadways where a drop-off exists of sufficient grade or depth to cause a vehicle to overturn or endanger persons in equipment.
- (b) Berms or guardrails shall be at least mid-axle height of the largest self-propelled mobile equipment which usually travels the roadway.
- (c) Berms may have openings to the extent necessary for roadway drainage.
- (d) Where elevated roadways are infrequently traveled and used only by service or maintenance vehicles, berms or guardrails are not required when all of the following are met:
 - (1) Locked gates are installed at the entrance points to the roadway.
 - (2) Signs are posted warning that the roadway is not bermed.
 - (3) Delineators are installed along the perimeter of the elevated roadway so that, for both directions of travel, the reflective surfaces of at least three delineators along each elevated shoulder are always visible to the driver and spaced at intervals sufficient to indicate the edges and attitude of the roadway.
 - (4) A maximum speed limit is posted and observed for the elevated unbermed portions of the roadway. Factors to consider when establishing the maximum speed limit shall include the width, slope and alignment of the road, the type of equipment using the road, the road material, and any hazardous conditions which may exist.
 - (5) Road surface traction is not impaired by weather conditions, such as sleet and snow, unless corrective measures are taken to improve traction.
- (e) This standard is not applicable to rail beds.

56.9301 Dump site restraints.

Berms, bumper blocks, safety hooks, or similar impeding devices shall be provided at dumping locations where there is a hazard of over travel or overturning.

56.9302 Protection against moving or runaway railroad equipment.

Stop blocks, derail devices, or other devices that protect against moving or runaway rail equipment shall be installed wherever necessary to protect persons.

56.9303 Construction of ramps and dumping facilities.

Ramps and dumping facilities shall be designed and constructed of materials capable of supporting the loads to which they will be subjected. The ramps and dumping facilities shall provide width, clearance, and headroom to safely accommodate the mobile equipment using the facilities.

56.9304 Unstable ground.

(a) Dumping locations shall be visually inspected prior to work commencing and as ground conditions warrant.

(b) Where there is evidence that the ground at a dumping location may fail to support the mobile equipment, loads shall be dumped a safe distance back from the edge of the unstable area of the bank.

56.9305 Truck spotters.

- (a) If truck spotters are used, they shall be in the clear while trucks are backing into dumping position or dumping.
- (b) Spotters shall use signal lights to direct trucks where visibility is limited.
- (c) When a truck operator cannot clearly recognize the spotter's signals, the truck shall be stopped.

56.9306 Warning devices for restricted clearances.

Where restricted clearance creates a hazard to persons on mobile equipment, warning devices shall be installed in advance of the restricted area and the restricted area shall be conspicuously marked.

56.9307 Design, installation, and maintenance of railroads.

Roadbeds and all elements of the railroad tracks shall be designed, installed, and maintained to provide safe operation consistent with the speed and type of haulage used.

56.9308 Switch throws.

Switch throws shall be installed to provide clearance to protect switchmen from contact with moving trains.

56.9309 Chute design.

Chute-loading installations shall be designed to provide a safe location for persons pulling chutes.

56.9310 Chute hazards.

- (a) Prior to chute-pulling, persons who could be affected by the draw or otherwise exposed to danger shall be warned and given time to clear the hazardous area.
- (b) Persons attempting to free chute hang-ups shall be experienced and familiar with the task, know the hazards involved, and use the proper tools to free material.
- (c) When broken rock or material is dumped into an empty chute, the chute shall be equipped with a guard or all persons shall be isolated from the hazard of flying rock or material.

56.9311 Anchoring stationary sizing devices.

Grizzlies and other stationary sizing devices shall be securely anchored.

56.9312 Working around draw holes.

Unless platforms or safety lines are used, persons shall not position themselves over draw holes if there is danger that broken rock or material may be withdrawn or bridged.

56.9313 Roadway maintenance.

Water, debris, or spilled material on roadways which creates hazards to the operation of mobile equipment shall be removed.

56.9314 Trimming stockpile and muck pile faces.

Stockpile and muck pile faces shall be trimmed to prevent hazards to persons.

56.9315 Dust control.

Dust shall be controlled at muck piles, material transfer points, crushers, and on haulage roads where hazards to persons would be created as a result of impaired visibility.

56.9316 Notifying the equipment operator.

When an operator of self-propelled mobile equipment is present, persons shall notify the equipment operator before getting on or off that equipment.

56.9317 Suspended loads.

Persons shall not work or pass under the buckets or booms of loaders in operation.

56.9318 Getting on or off moving equipment.

Persons shall not get on or off moving mobile equipment. This provision does not apply to trainmen, brakemen, and car droppers who are required to get on or off slowly moving trains in the performance of their work duties.

56.9319 Going over, under, or between railcars.

Persons shall not go over, under, or between railcars unless:

- (a) The train is stopped; and
- (b) The train operator, when present, is notified and the notice acknowledged.

56.9330 Clearance for surface equipment.

Continuous clearance of at least 30 inches from the farthest projection of moving railroad equipment shall be provided on at least one side of the tracks at all locations where possible or the area shall be marked conspicuously.

SUBPART I – AERIAL TRAMWAYS

56.10001 Filling buckets.

Buckets shall not be overloaded, and feed shall be regulated to prevent spillage.

56.10002 Inspection and maintenance.

Inspection and maintenance of carriers (including loading and unloading mechanisms), ropes and supports, and brakes shall be performed by competent persons according to the recommendations of the manufacturer.

56.10003 Correction of defects.

Any hazardous defects shall be corrected before the equipment is used.

56.10004 Brakes.

Positive-action-type brakes and devices which apply the brakes automatically in the event of a power failure shall be provided on aerial tramways.

56.10005 Track cable connections.

Track cable connections shall not obstruct the passage of carriage wheels.

56.10006 Tower guards.

Towers shall be suitably protected from swaying buckets.

56.10007 Falling object protection.

Guard nets or other suitable protection shall be provided where tramways pass over roadways, walkways, or buildings.

56.10008 Riding tramways.

Persons other than maintenance persons shall not ride aerial tramways unless the following features are provided:

- (a) Two independent brakes, each capable of holding the maximum load;
- (b) Direct communication between terminals;
- (c) Power drives with emergency power available in case of primary power failure; and
- (d) Buckets equipped with positive locks to prevent accidental tripping or dumping.

56.1009 Riding loaded buckets.

Persons shall not ride loaded buckets.

56.10010 Starting precautions.

Where possible, aerial tramways shall not be started until the operator has ascertained that everyone is in the clear.

SUBPART J – TRAVELWAYS

56.11001 Safe access.

Safe means of access shall be provided and maintained to all working places.

56.11002 Handrails and toe boards.

Crossovers, elevated walkways, elevated ramps, and stairways shall be of substantial construction provided with handrails, and maintained in good condition. Where necessary, toe boards shall be provided.

56.11003 Construction and maintenance of ladders.

Ladders shall be of substantial construction and maintained in good condition.

56.11004 Portable rigid ladders.

Portable rigid ladders shall be provided with suitable bases and placed securely when used.

56.11005 Fixed ladder anchorage and toe clearance.

Fixed ladders shall be anchored securely and installed to provide at least 3 inches of toe clearance.

56.11006 Fixed ladder landings.

Fixed ladders shall project at least 3 feet above landings, or substantial handholds shall be provided above the landings.

56.11007 Wooden components of ladders.

Wooden components of ladders shall not be painted except with a transparent finish.

56.11008 Restricted clearance.

Where restricted clearance creates a hazard to persons, the restricted clearance shall be conspicuously marked.

56.11009 Walkways along conveyors.

Walkways with outboard railings shall be provided wherever persons are required to walk alongside elevated conveyor belts. Inclined railed walkways shall be nonskid or provided with cleats.

56.11010 Stairstep clearance.

Vertical clearance above stair steps shall be a minimum of seven feet, or suitable warning signs or similar devices shall be provided to indicate an impaired clearance.

56.11011 Use of ladders.

Persons using ladders shall face the ladders and have both hands free for climbing and descending.

56.11012 Protection for openings around travel ways.

Openings above, below, or near travel ways through which persons or materials may fall shall be protected by railings, barriers, or covers. Where it is impractical to install such protective devices, adequate warning signals shall be installed.

56.11013 Conveyor crossovers.

Crossovers shall be provided where it is necessary to cross conveyors.

56.11014 Crossing moving conveyors.

Moving conveyors shall be crossed only at designated crossover points.

56.11016 Snow and ice on walkways and travel ways.

Regularly used walkways and travel ways shall be sanded, salted, or cleared of snow and ice as soon as practicable.

56.11017 Inclined fixed ladders.

Fixed ladders shall not incline backwards.

56.11025 Railed landings, back guards, and other protection for fixed ladders.

Fixed ladders, except on mobile equipment, shall be offset and have substantial railed landings at least every 30 feet unless back guards or equivalent protection, such as safety belts and safety lines, are provided.

56.11026 Protection for inclined fixed ladders.

Fixed ladders 70 degrees to 90 degrees from the horizontal and 30 feet or more in length shall have back guards, cages or equivalent protection, starting at a point not more than seven feet from the bottom of the ladders.

56.11027 Scaffolds and working platforms.

Scaffolds and working platforms shall be of substantial construction and provided with handrails and maintained in good condition. Floor boards shall be laid properly and the scaffolds and working platforms shall not be overloaded. Working platforms shall be provided with toe boards when necessary.

Subpart K — Electricity

56.12001 Circuit overload protection.

Circuits shall be protected against excessive overload by fuses or circuit breakers of the correct type and capacity.

56.12002 Controls and switches.

Electric equipment and circuits shall be provided with switches or other controls. Such switches or controls shall be of approved design and construction and shall be properly installed.

56.12003 Trailing cable overload protection.

Individual overload protection or short circuit protection shall be provided for the trailing cables of mobile equipment.

56.12004 Electrical conductors.

Electrical conductors shall be of a sufficient size and current-carrying capacity to ensure that a rise in temperature resulting from normal operations will not damage the insulating materials. Electrical conductors exposed to mechanical damage shall be protected.

56.12005 Protection of power conductors from mobile equipment.

Mobile equipment shall not run over power conductors, nor shall loads be dragged over power conductors, unless the conductors are properly bridged or protected.

56.12006 Distribution boxes.

Distribution boxes shall be provided with a disconnecting device for each branch circuit. Such disconnecting devices shall be equipped or designed in such a manner that it can be determined by visual observation when such a device is open and that the circuit is deenergized, the distribution box shall be labeled to show which circuit each device controls.

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This standard requires that distribution boxes be provided with a disconnecting device for each branch circuit. Such a disconnecting device shall be equipped or designed in such a manner that it can be determined by visual observation when such a device is open and that the circuit is deenergized. The distribution box shall be labeled to show which circuit each device controls.

A distribution box is defined under "Definitions" in 56/57.2. Many distribution boxes or power centers have a window at each individual circuit where it can be visually determined whether the circuit is deenergized or not. Where plugs are used at the

distribution box to provide current for individual circuits, it can be visually determined when these plugs are not connected. When plugs are used, they shall conform to the requirements of standard 56/57.12084.

56.12007 Junction box connection procedures.

Trailing cable and power-cable connections to junction boxes shall not be made or broken under load.

56.12008 Insulation and fittings for power wires and cables.

Power wires and cables shall be insulated adequately where they pass into or out of electrical compartments. Cables shall enter metal frames of motors, splice boxes, and electrical compartments only through proper fittings. When insulated wires, other than cables, pass through metal frames, the holes shall be substantially bushed with insulated bushings.

56.12010 Isolation or insulation of communication conductors.

Telephone and low-potential signal wire shall be protected, by isolation or suitable insulation, or both, from contacting energized power conductors or any other power source.

56.12011 High-potential electrical conductors.

High-potential electrical conductors shall be covered, insulated, or placed to prevent contact with low potential conductors.

56.12012 Bare signal wires.

The potential on bare signal wires accessible to contact by persons shall not exceed 48 volts.

56.12013 Splices and repairs of power cables.

Permanent splices and repairs made in power cables, including the ground conductor where provided, shall be:

- (a) Mechanically strong with electrical conductivity as near as possible to that of the original;
- (b) Insulated to a degree at least equal to that of the original, and sealed to exclude moisture; and
- (c) Provided with damage protection as near as possible to that of the original, including good bonding to the outer jacket.

56.12014 Handling energized power cables.

Power cables energized to potentials in excess of 150 volts, phase-to-ground, shall not be moved with equipment unless sleds or slings, insulated from such equipment, are used. When such energized cables are moved manually, insulated hooks, tongs, ropes, or slings shall be used unless suitable protection for persons is provided by other means. This does not prohibit pulling or dragging of cable by the equipment it powers when the cable is physically attached to the equipment by suitable mechanical devices, and the cable is insulated from the equipment in conformance with other standards in this part.

56.12016 Work on electrically-powered equipment.

Electrically powered equipment shall be deenergized before mechanical work is done on such equipment. Power switches shall be locked out or other measures taken which shall prevent the equipment from being energized without the knowledge of the individuals working on it. Suitable warning notices shall be posted at the power switch and signed by the individuals who are to do the work. Such locks or preventive devices shall be removed only by the persons who installed them or by authorized personnel.

56.12017 Work on power circuits.

Power circuits shall be deenergized before work is done on such circuits unless hot-line tools are used. Suitable warning signs shall be posted by the individuals who are to do the work. Switches shall be locked out or other measures taken which shall prevent the power circuits from being energized without the knowledge of the individuals working on them. Such locks, signs, or preventative devices shall be removed only by the person who installed them or by authorized personnel.

56.12018 Identification of power switches.

Principal power switches shall be labeled to show which units they control, unless identification can be made readily by location.

56.12019 Access to stationary electrical equipment or switchgear.

Where access is necessary, suitable clearance shall be provided at stationary electrical equipment or switchgear.

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This standard requires that where access is necessary, suitable clearance shall be provided at stationary electrical equipment or switch gear. The intention of this standard is to provide sufficient access and working space around such electrical equipment to insure worker safety and to avoid contact by persons with electrical components.

The standard is intended to apply to the many and varied situations that do or will exist on mine property. Among the general factors to be considered in determining "suitable clearance" are voltages and conductors (including size), insulation, guards, existing passage or working space, direction of access to electrical components, potential exposure to live or exposed electrical parts, and the grounding of live parts.

The current editions of the National Electrical Code and the National Electrical Safety Code may be used as guidance in determining "suitable clearance." The provisions of the National Electrical Code for safe work clearances around electrical equipment can be found in Article 110 ("Requirements for Electrical Installations") and Article 710 ("Over 600 Volts, Nominal, General"). Part 1 of the National Electrical Safety Code contains two sections that may be of assistance: Section 11 ("Protective Arrangements in Electrical Supply Stations") and Section 12 ("Protective Arrangements of Equipment"). The National Electrical Code may be obtained from the National Fire Protection Association, 470 Atlantic Avenue, Boston, Massachusetts 02210. The National Electrical Safety Code (also referred to as ANSI-C2) may be obtained from the Institute of Electrical and Electronics Engineers, Inc., National Bureau of Standards, 345 East 47th Street, New York, New York 10017.

Areas around stationary electrical equipment or switch gear should be restricted to authorized persons. Normal travel by or through such equipment should not be allowed unless no other travel way is available. However, if persons do travel by stationary electrical equipment, standard 56/57.11001 requires that a safe means of access be provided.

56.12020 Protection of persons at switchgear.

Dry wooden platforms, insulating mats, or other electrically nonconductive material shall be kept in place at all switchboards and power-control switches where shock hazards exist. However, metal plates on which a person normally would stand and which are kept at the same potential as the grounded, metal, non-current-carrying parts of the power switches to be operated may be used.

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This standard requires that dry wooden platforms, insulating mats, or other electrically nonconductive material shall be kept in place at all switchboards and power-control switches where shock hazards exist. However, metal plates on which a person normally would stand and which are kept at the same potential as the grounded, metal, non-current-carrying parts of the power switches to be operated may be used.

Switchgear, regardless of voltage, which has exposed energized parts should have insulating platforms or mats. See paragraph 3 below.

- 1. Low voltage (650 volts or less) switchgear which is completely enclosed in metal enclosures does not normally present a shock hazard if the metal enclosures are well grounded. Metal enclosures are well grounded if two or more good paths to ground are ground wire, rigid steel conduit, grounded building steel, or cable armor. Any combination of these examples which will provide two or more good paths to ground for fault current would eliminate the need for insulating mats at power switches rated 650 volts or less.
- 2. High voltage (more than 650 volts) switchgear should be completely enclosed in grounded metal enclosures and provided with grounded operating handles and grounded metal plates, because of the increased hazard presented by the higher voltages. Insulating mats or platforms should be used where shock hazards exist, and where physical conditions (wet, damp, and outdoor locations, etc.) warrant their use. However, at normally dry and well kept indoor installations (substation or switchgear) with grounded metal plates, insulating mats or platforms would not provide additional protection.
- 3. The older type switchgear, regardless of voltage rating, which has exposed energized parts should have an insulating platform or mat with an insulation rating not less than the phase-to-phase voltage of the circuit.

56.12021 Danger signs.

Suitable danger signs shall be posted at all major electrical installations.

56.12022 Authorized persons at major electrical installations.

Areas containing major electrical installations shall be entered only by authorized persons.

56.12023 Guarding electrical connections and resistor grids.

Electrical connections and resistor grids that are difficult or impractical to insulate shall be guarded, unless protection is provided by location.

56.12025 Grounding circuit enclosures.

All metal enclosing or encasing electrical circuits shall be grounded or provided with equivalent protection. This requirement does not apply to battery-operated equipment.

56.12026 Grounding transformer and switchgear enclosures.

Metal fencing and metal buildings enclosing transformers and switchgear shall be grounded.

56.12027 Grounding mobile equipment.

Frame grounding or equivalent protection shall be provided for mobile equipment powered through trailing cables.

Testing grounding systems.

Continuity and resistance of grounding systems shall be tested immediately after installation, repair, and modification; and annually thereafter. A record of the resistance measured during the most recent tests shall be made available on a request by the Secretary or his duly authorized representative.

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This intent of this standard is to ensure that continuity and resistance tests of grounding systems are conducted on a specific schedule. These tests will alert the mine operator if a problem exists in the grounding system which may not allow the circuit protective devices to quickly operate when faults occur. With the exception of fixed installations, numerous fatalities and injuries have occurred due to high resistance or lack of continuity in equipment ground systems. These accident could have been prevented by proper testing and maintenance of grounding systems.

Grounding systems typically include the following:

- 1. *equipment grounding conductors* the conductors used to connect the metal frames or enclosures of electrical equipment to the grounding electrode conductor;
- 2. *grounding electrode conductor* the conductors connecting the grounding electrode to the equipment grounding conductor; and
- 3. *grounding electrodes* usually driven rods connected to each other by suitable means, buried metal, or other effective methods located at the source, to provide a low resistance earth connection.

Operators shall conduct the following tests:

- 1. **Equipment grounding conductors** continuity and resistance must be tested immediately after installation, repair, or modification, and annually if conductors are subjected to vibration, flexing or corrosive environments;
- 2. *Grounding electrode conductor* continuity and resistance must be tested immediately after installation, repair, or modification, and annually if conductors are subjected to vibration, flexing or corrosive environments; and
- 3. *Grounding electrodes* resistance must be tested immediately after installation, repair, or modification, and annually thereafter.

Conductors in fixed installations, such as rigid conduit, armored cable, raceways, cable trays, etc., that are not subjected to vibrations, flexing or corrosive environments may be examined annually by visual observation to check for damage in lieu of the annual

resistance test. When operators elect to conduct this visual examination as a method of compliance with 30 CFR 56/57.12028, MSHA will require that a record be maintained of the most recent annual visual examination.

The grounding conductors in trailing cables, power cables, and cords that supply power to tools and portable or mobile equipment must be tested as prescribed in the regulation. This requirement does not apply to double insulated tools or circuits protected by ground-fault-circuit interrupters that trip a 5 milli-amperes or less.

Testing of equipment grounding conductors and grounding electrode conductors is not required if a fail-safe ground wire monitor is used to continuously monitor the grounding circuit and which will cause the circuit protective devices to operate when the grounding conductor continuity is broken.

A record of the most recent resistance tests conducted must be kept and made available to the Secretary or his authorized representative upon request. When a record of testing is required by the standard, MSHA intends that the test results be recorded in resistance value in ohms.

56.12030 Correction of dangerous conditions.

When a potentially dangerous condition is found it shall be corrected before equipment or wiring is energized.

56.12032 Inspection and cover plates.

Inspection and cover plates on electrical equipment and junction boxes shall be kept in place at all times except during testing or repairs.

56.12033 Hand-held electric tools.

Hand-held electric tools shall not be operated at high potential voltages.

56.12034 Guarding around lights.

Portable extension lights, and other lights that by their location present a shock or burn hazard, shall be guarded.

56.12035 Weatherproof lamp sockets.

Lamp sockets shall be of a weatherproof type where they are exposed to weather or wet conditions that may interfere with illumination or create a shock hazard.

56.12036 Fuse removal or replacement.

Fuses shall not be removed or replaced by hand in an energized circuit, and they shall not otherwise be removed or replaced in an energized circuit unless equipment and techniques especially designed to prevent electrical shock are provided and used for such purpose.

56.12037 Fuses in high-potential circuits.

Fuse tongs or hot line tools shall be used when fuses are removed or replaced in high-potential circuits.

56.12038 Attachment of trailing cables.

Trailing cables shall be attached to machines in a suitable manner to protect the cable from damage and to prevent strain on the electrical connections.

56.12039 Protection of surplus trailing cables.

Surplus trailing cables to shovels, cranes and similar equipment shall be –

- (a) Stored in cable boats;
- (b) Stored on reels mounted on the equipment; or
- (c) Otherwise protected from mechanical damage.

56.12040 Installation of operating controls.

Operating controls shall be installed so that they can be operated without danger of contact with energized conductors.

56.12041 Design of switches and starting boxes.

Switches and starting boxes shall be of safe design and capacity.

56.12042 Track bonding.

Both rails shall be bonded or welded at every joint and rails shall be cross bonded at least every 200 feet if the track serves as the return trolley circuit. When rails are moved, replaced, or broken bonds are discovered, they shall be rebonded within three working shifts.

56.12045 Overhead power lines.

Overhead high-potential power lines shall be installed as specified by the National Electrical Code.

56.12047 Guy wires.

Guy wires of poles supporting high-voltage transmission lines shall meet the requirements for grounding or insulator protection of the National Electrical Safety Code, part 2, entitled "Safety Rules for the Installation and Maintenance of Electric Supply and Communication Lines" (also referred to as National Bureau of Standards Handbook 81, November 1, 1961) and Supplement 2 thereof issued March 1968, which are hereby incorporated by reference and made a part hereof. These publications and documents may be obtained from the Superintendent of Documents, U.S. Government Printing Office, Washington, D.C. 20402, or may be examined in any Metal and Nonmetal Mine Safety and Health District Office of the Mine Safety and Health Administration.

56.12048 Communication conductors on power poles.

Telegraph, telephone, or signal wires shall not be installed on the same cross arm with power conductors. When carried on poles supporting power lines, they shall be installed as specified by the National Electrical Code.

56.12050 Installation of trolley wires.

Trolley wires shall be installed at least seven feet above rails where height permits, and aligned and supported to suitably control sway and sag.

56.12053 Circuits powered from trolley wires.

Ground wires for lighting circuits powered from trolley wires shall be connected securely to the ground-return circuit.

56.12065 Short circuit and lightning protection.

Power lines, including trolley wires, and telephone circuits shall be protected against short circuits and lightning.

56.12066 Guarding trolley wires and bare power lines.

Where metallic tools or equipment can come in contact with trolley wires or bare power lines, the lines shall be guarded or deenergized.

56.12067 Installation of transformers.

Transformers shall be totally enclosed, or shall be placed at least 8 feet above the ground, or installed in a transformer house, or surrounded by a substantial fence at least 6 feet high and at least 3 feet from any energized parts, casings, or wiring.

56.12068 Locking transformer enclosures.

Transformer enclosures shall be kept locked against unauthorized entry.

56.12069 Lightning protection for telephone wires and ungrounded conductors.

Each ungrounded power conductor or telephone wire that leads underground and is directly exposed to lightning shall be equipped with suitable lightning arrestors of approved type within 100 feet of the point where the circuit enters the mine. Lightning arrestors shall be connected to a low resistance grounding medium on the surface and shall be separated from neutral grounds by a distance of not less than 25 feet.

56.12071 Movement or operation of equipment near high-voltage power lines.

When equipment must be moved or operated near energized high-voltage power lines (other than trolley lines) and the clearance is less than 10 feet, the lines shall be deenergized or other precautionary measures shall be taken.

SUBPART L - COMPRESSED AIR AND BOILERS

56.13001 General requirements for boilers and pressure vessels.

All boilers and pressure vessels shall be constructed, installed, and maintained in accordance with the standards and specifications of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code.

56.13010 Reciprocating-type air compressors.

- (a) Reciprocating-type air compressors rated over 10 horsepower shall be equipped with automatic temperature-actuated shutoff mechanisms which shall be set or adjusted to the compressor when the normal operating temperature is exceeded by more than 25 percent.
- (b) However, this standard does not apply to reciprocating-type air compressors rated over 10 horsepower if equipped with fusible plugs that were installed in the compressor discharge lines before November 15, 1979, and designed to melt at temperatures at least 50 degrees below the flash point of the compressors' lubricating oil.

56.13011 Air receiver tanks.

Air receiver tanks shall be equipped with one or more automatic pressure-relief valves. The total relieving capacity of the relief valves shall prevent pressure from exceeding the maximum allowable working pressure in a receiver tank by not more than 10 percent. Air

receiver tanks also shall be equipped with indicating pressure gauges which accurately measure the pressure within the air receiver tanks.

56.13012 Compressor air intakes.

Compressor air intakes shall be installed to ensure that only clean, uncontaminated air enters the compressors.

56.13015 Inspection of compressed-air receivers and other unfired pressure vessels.

- (a) Compressed-air receivers and other unfired pressure vessels shall be inspected by inspectors holding a valid National Board Commission and in accordance with the applicable chapters of the National Board Inspection Code, a Manual for Boiler and Pressure Vessel Inspectors, 1979. This code is incorporated by reference and made a part of this standard. It may be examined at any Metal and Nonmetal Mine Safety and Health District Office of the Mine Safety and Health Administration, and may be obtained from the publisher, the National Board of Boiler and Pressure Vessel Inspector, 1055 Crupper Avenue, Columbus, Ohio 43229.
- (b) Records of inspections shall be kept in accordance with requirements of the National Board Inspection Code, and the records shall be made available to the Secretary or his authorized representative.

56.13017 Compressor discharge pipes.

Compressor discharge pipes where carbon build-up may occur shall be cleaned periodically as recommended by the manufacturer, but no less frequently than once every two years.

56.13019 Pressure system repairs.

Repairs involving the pressure system of compressors, receivers, or compressed-air-powered equipment shall not be attempted until the pressure has been bled off.

56.13020 Use of compressed air.

At no time shall compressed air be directed toward a person. When compressed air is used, all necessary precautions shall be taken to protect persons from injury.

56.13021 High-pressure hose connections.

Except where automatic shutoff valves are used, safety chains or other suitable locking devices shall be used at connections to machines of high-pressure hose lines of 3/4-inch inside diameter or larger, and between high-pressure hose lines of 3/4-inch inside diameter or larger, where a connection failure would create a hazard.

56.13030 Boilers.

(a) Fired pressure vessels (boilers) shall be equipped with water level gauges, pressure gauges, automatic pressure-relief valves, blow down piping, and other safety devices approved by the American Society of Mechanical Engineers to protect against hazards from overpressure, flameouts, fuel interruptions and low water level, all as required by the appropriate sections, chapters and appendices listed in paragraphs (b)(1) and (2) of this section.

- (b) These gauges, devices and piping shall be designed, installed, operated, maintained, repaired, altered, inspected, and tested by inspectors holding a valid National Board Commission and in accordance with the following listed sections, chapters and appendices:
 - (1) The ASME Boiler and Pressure Vessel Code, 1977, Published by the American Society of Mechanical Engineers.

Section and Title

- (I). Power Boilers.
- (II). Material Specifications Part A Ferrous.
- (III). Material Specifications Part B Non-ferrous.
- (IV). Material Specifications Part C Welding Rods, Electrodes, and Filler Metals.
- (V). Heating Boilers
- (VI). Nondestructive Examination
- (VII). Recommended Rules for Care and Operation of Heating Boilers
- (VIII). Recommended Rules for Care of Power Boilers
- (2) The National Board Inspection Code, a Manual for Boiler and Pressure Vessel Inspectors, 1979, published by the National Board of Boiler and Pressure Vessel Inspectors.

Chapter and Title

- (I). Glossary of Terms
- (II). Inspection of Boilers and Pressure Vessels
- (III). Repairs and Alterations to Boiler and Pressure Vessels by Welding
- (IV). Shop Inspection of Boilers and Pressure Vessels
- (V). In service Inspection of Pressure Vessels by Authorized Owner-User Inspection Agencies

Appendix and Title

- A Safety and Safety Relief Valves
- B Non-ASME Code Boilers and Pressure Vessels
- C Storage of Mild Steel Covered Arc Welding Electrodes
- D-R National Board "R" (Repair) Symbol Stamp
- D-VR National Board "VR" (Repair of Safety and Safety Relief Valve) Symbol Stamp
- D-VR1 Certificate of Authorization for Repair Symbol Stamp for Safety and Safety Relief Valves
- D-VR2 Outline of Basic Elements of Written Quality Control System for Repairers of ASME Safety and

Safety Relief Valves

- D-VR3 Nameplate Stamping for "VR"
- E Owner-user Inspection Agencies
- F Inspection Forms
- (c) Records of inspections and repairs shall be kept in accordance with the requirements of the ASME Boiler and Pressure Vessel Code and the National Board Inspection Code. The records shall be made available to the Secretary or his authorized representative.
- (d) Sections of the ASME Boiler and Pressure Vessel Code, 1977, listed in paragraph (b)(1) of this section, and chapters and appendices of the National Board Inspection Code, 1979, listed in paragraph (b)(2) of this section, are incorporated by reference and made a part of this standard. These publications may be obtained from the

publishers, the American Society of Mechanical Engineers, 345 East Forty-seventh Street, New York, N.Y. 10017, and the National Board of Boiler and Pressure Vessel Inspectors, 1055 Crupper Avenue, Columbus, Ohio 43229. The publications may be examined at any Metal and Nonmetal Mine Safety and Health District Office of the Mine Safety and Health Administration.

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13030(c) Records of Inspections and Repairs of Boilers

Section (c) of standard 56/57.13030 requires that records of inspection and repairs be retained by the mine operator in accordance with the requirements of the ASME Boiler and Pressure Vessel Code and the National Board Inspection Code (progressive records - no limit on retention time) and shall be made available to the Secretary or his authorized representative.

The recordkeeping requirement may be satisfied by an operator's written statement that the inspection and/or repairs have been made in accordance with the incorporated code. MSHA will accept such a certifying statement annually, without regard to format, if it is made available at the time of inspection.

SUBPART M – MACHINERY AND EQUIPMENT

56.14000 Definitions.

The following definitions apply in this subpart.

Mobile equipment. Wheeled, skid-mounted, track-mounted, or rail-mounted equipment capable of moving or being moved.

Travelway. A passage, walk, or way regularly used or designated for persons to go from one place to another.

SAFETY DEVICES AND MAINTENANCE REQUIREMENTS

56.14100 Safety defects; examination, correction and records.

- (a) Self-propelled mobile equipment to be used during a shift shall be inspected by the equipment operator before being placed in operation on that shift.
- (b) Defects on any equipment, machinery, and tools that affect safety shall be corrected in a timely manner to prevent the creation of a hazard to persons.
- (c) When defects make continued operation hazardous to persons, the defective items including self-propelled mobile equipment shall be taken out of service and placed in a designated area posted for that purpose, or a tag or other effective method of marking the defective items shall be used to prohibit further use until the defects are corrected.
- (d) Defects on self-propelled mobile equipment affecting safety, which are not corrected immediately, shall be reported to and recorded by the mine operator. The records shall be kept at the mine or nearest mine office from the date the defects are recorded, until the defects are corrected. Such records shall be made available for inspection by an authorized representative of the Secretary.

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This standard applies to all off-road and on-road self-propelled equipment used on mine property, including vehicles such as vans, suburbans, and pick-up trucks that are used at mine sites and remain on mine property. In most instances, it does not apply to vehicles used to transport persons between locations off mine property to mine property; however, if such vehicles transport personnel on mine property (e.g., from the gate to various sites at the mine), then such equipment must be inspected.

This standard will not be cited when an audible warning device has been installed on heavy duty mobile equipment at surface mines and surface operations of underground mines, but is inoperative because of electrical or mechanical defect.

Standard .14132 shall be used when the equipment has not been equipped with audible warning devices, or when they have been so equipped, and the device is not operational for whatever reason.

In some cases, mine operators have installed audible reverse alarms on underground equipment because prevailing conditions have dictated the need for a warning device to ensure miner safety. In this instance, Standard .14100 can be considered if the alarm is inoperable or inaudible and the defect can be shown to affect the safety of workers in the area. Surrounding noise levels, confined work areas, and distracting work assignments shall be considered at the time.

56.14101 Brakes.

- (a) *Minimum requirements*. (1) Self-propelled mobile equipment shall be equipped with a service brake system capable of stopping and holding the equipment with its typical load on the maximum grade it travels. This standard does not apply to equipment which is not originally equipped with brakes unless the manner in which the equipment is being operated requires the use of brakes for safe operation. This standard does not apply to rail equipment.
 - (2) If equipped on self-propelled mobile equipment, parking brakes shall be capable of holding the equipment with its typical load on the maximum grade it travels.
 - (3) All braking systems installed on the equipment shall be maintained in functional condition.
- (b) *Testing*. (1) Service brake tests shall be conducted when an MSHA inspector has reasonable cause to believe that the service brake system does not function as required, unless the mine operator removes the equipment from service for the appropriate repair;
 - (2) The performance of the service brakes shall be evaluated according to Table M-1.

Gross vehicle				Eq	uipme	ent Spe	ed, M	PH			
weight (lbs.)	10	11	12	13	14	15	16	17	18	19	20
	Servic	e Brak	e Max	imum	Stopp	ing Dis	tance	- Feet			
0-36000	34	38	43	48	53	59	64	70	79	83	
36000-70000	41	46	52	58	62	70	76	83	90	97	89
70000-140000	48	54	61	67	74	81	88	95	103	111	10
140000-250000	56	62	69	77	84	92	100	108	116	125	4
250000-400000	59	66	74	81	89	97	105	114	123	132	11
Over 400000	63	71	78	86	94	103	111	120	129	139	9
											13

Table M-1

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			3
			14
			1
			14
			8

Stopping distances are computed using a constant deceleration of 9.66 FPS(super)2 and system response times of .5.1, 1.5, 2, 2.25 and 2.5 seconds for each increasing weight category respectively. Stopping distance values include a one-second operator response time.

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.14101(a) Brakes/Minimum Requirements

Subsection (a) is divided into three parts. Part (1) of this subsection sets a minimum performance standard for service brake systems on self-propelled mobile equipment. Part (2) sets a minimum performance standard for parking brakes on self-propelled mobile equipment. Part (3) sets a maintenance standard for all braking systems on self-propelled mobile equipment.

Standard 56/57.14101(a)(1) should be cited if a service brake system is not capable of stopping and holding the equipment with its typical load on the maximum grade it travels. Standard 56/57.14101(a)(2) should be cited if the parking brakes are not capable of holding the equipment with its typical load on the maximum grade it travels.

Standard 56/57.14101(a)(3) should be cited if a component or portion of any braking system on the equipment is not maintained in functional condition even though the braking system is in compliance with (1) and/or (2) above. It is important to note that if a component or portion of either system renders the equipment incapable of stopping or holding itself with its typical load on the maximum grade it travels, the appropriate standard, 56/57.14101(a)(1) or (2), should be cited.

Separate citations or orders should be issued if violations of 56/57.14101(a)(1) and 56/57.14101(a)(2) are found on the same piece of equipment.

56.14102 Brakes for rail equipment.

Braking systems on railroad cars and locomotives shall be maintained in functional condition.

56.14103 Operators stations.

- (a) If windows are provided on operators' stations of self-propelled mobile equipment, the windows shall be made of safety glass or material with equivalent safety characteristics. The windows shall be maintained to provide visibility for safe operation.
- (b) If damaged windows obscure visibility necessary for safe operation, or create a hazard to the equipment operator, the windows shall be replaced or removed. Damaged windows shall be replaced if absence of a window would expose the equipment operator to hazardous environmental conditions which would affect the ability of the equipment operator to safely operate the equipment.
- (c) The operator's stations of self-propelled mobile equipment shall
 - (1) Be free of materials that could create a hazard to persons by impairing the safe operation of the equipment; and

(2) Not be modified, in a manner that obscures visibility necessary for safe operation.

56.14104 Tire repairs.

- (a) Before a tire is removed from a vehicle for tire repair, the valve core shall be partially removed to allow for gradual deflation and then removed. During deflation, to the extent possible, persons shall stand outside of the potential trajectory of the lock ring of a multi-piece wheel rim.
- (b) To prevent injury from wheel rims during tire inflation, one of the following shall be used:
 - (1) A wheel cage or other restraining device that will constrain all wheel rim components during an explosive separation of a multi-piece wheel rim, or during the sudden release of contained air in a single piece rim wheel; or
 - (2) A stand-off inflation device which permits persons to stand outside of the potential trajectory of wheel components.

56.14105 Procedures during repairs or maintenance.

Repairs or maintenance of machinery or equipment shall be performed only after the power is off, and the machinery or equipment blocked against hazardous motion. Machinery or equipment motion or activation is permitted to the extent that adjustments or testing cannot be performed without motion or activation,

provided that persons are effectively protected from hazardous motion.

56.14106 Falling object protection.

- (a) Fork-lift trucks, front-end loaders, and bulldozers shall be provided with falling object protective structures if used in an area where falling objects could create a hazard to the equipment operator.
- (b) The protective structure shall be capable of withstanding the falling object loads to which it would be subjected.

APPENDIX I FOR SUBPART M NATIONAL CONSENSUS STANDARDS

Mine operators seeking further information regarding the construction and installation of falling object protective structures (FOPS) may consult the following national consensus standards, as applicable.

MSHA STANDARD 56.14106, FALLING OBJECT PROTECTION.

Equipment	National consensus standard
Front-end loaders and bulldozers	Society of Automotive Engineers (SAE) minimum performance criteria for falling object protective structures (FOPS) SAE J231 January, 1981.
Fork-lift trucks	American National Standards Institute (ANSI) safety standard for low lift and high lift trucks, B 56.1, section 7.27 1983; or,

American National Standards Institute (ANSI) standard, rough
terrain fork lift trucks, B56.6 1987.

56.14107 Moving machine parts.

- (a) Moving machine parts shall be guarded to protect persons from contacting gears, sprockets, chains, drive, head, tail, and take-up pulleys, flywheels, couplings, shafts, fan blades, and similar moving parts that can cause injury.
- (b) Guards shall not be required where the exposed moving parts are at least seven feet away from walking or working surfaces.

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All moving parts identified under this standard are to be guarded with adequately constructed, installed and maintained guards to provide the required protection. The use of chains to rail off walkways and travelways near moving machine parts, with or without the posting of warning signs in lieu of guards, is not in compliance with this standard.

Conveyor belt rollers are not to be construed as "similar exposed moving machine parts" under the standard and cannot be cited for the absence of guards and violation of this standard where skirt boards exist along the belt. However, inspectors should recognize the accident potential, bring the hazard to the attention of the mine operators, and recommend appropriate safeguards to prevent injuries.

This standard is to be cited when a guard at conveyor locations does not extend a distance sufficient to prevent any parts of a person from accidentally getting behind the guard and becoming caught, or in those instances when there is no guard at the conveyor-drive, conveyor-head, conveyor-tail, or conveyor take-up pulleys.

56.14108 Overhead drive belts.

Overhead drive belts shall be guarded to contain the whipping action of a broken belt if that action could be hazardous to persons.

56.14109 Unguarded conveyors with adjacent travel ways.

Unguarded conveyors next to the travel ways shall be equipped with –

- (a) Emergency stop devices which are located so that a person falling on or against the conveyor can readily deactivate the conveyor drive motor; or
- (b) Railings which -
 - (1) Are positioned to prevent persons from falling on or against the conveyor;
 - (2) Will be able to withstand the vibration, shock, and wear to which they will be subjected during normal operation; and
 - (3) Are constructed and maintained so that they will not create a hazard.

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A travel way, as referred to in this standard, is a regular travel way immediately adjacent to the conveyor. If a conveyor has a travel way on both sides, whether it is elevated or at ground level, both sides must meet the requirements outlined in the standard.

When emergency stop devices or cords are not present, a guard must be provided along the full length of the conveyor between the belt and the travel way. The conveyor installation or framework also cannot be considered an allowable guard even though it may conform to the standard railing height of 42 inches.

Guards or railings shall be constructed or placed to make all moving parts of the conveyor inaccessible to persons using the adjacent travel way. A substantial handrail on the belt side of the travel way can be acceptable provided that it meets the above criteria.

The primary consideration in installing an emergency stop device or cord is to protect the person on the adjacent travel way; however, it is doubly beneficial if it can be installed so that an individual on the belt can also reach it.

56.14110 Flying or falling materials.

In areas where flying or falling materials generated from the operation of screens, crushers, or conveyors present a hazard, guards, shields, or other devices that provide protection against such flying or falling materials shall be provided to protect persons.

56.14111 Slusher, backlash guards and securing.

- (a) When persons are exposed to slushing operations, the slushers shall be equipped with rollers and drum covers and anchored securely before slushing operations are started.
- (b) Slushers rated over 10 horsepower shall be equipped with backlash guards, unless the equipment operator is otherwise protected.
- (c) This standard does not apply to air tuggers of 10 horsepower or less that have only one cable and one drum.

56.14112 Construction and maintenance of guards.

- (a) Guards shall be constructed and maintained to
 - (1) Withstand the vibration, shock, and wear to which they will be subjected during normal operation; and
 - (2) Not create a hazard by their use.
- (b) Guards shall be securely in place while machinery is being operated, except when testing or making adjustments which cannot be performed without removal of the guard.

56.14113 Inclined conveyors: backstops or brakes.

Backstops or brakes shall be installed on drive units of inclined conveyors to prevent the conveyors from running in reverse, creating a hazard to persons.

56.14114 Air valves for pneumatic equipment.

A manual master quick-close type air valve shall be installed on all pneumatic-powered equipment if there is a hazard of uncontrolled movement when the air supply is activated. The valve shall be closed except when the equipment is being operated.

56.14115 Stationary grinding machines.

Stationary grinding machines, other than special bit grinders, shall be equipped with

- (a) Peripheral hoods capable of withstanding the force of a bursting wheel and enclosing not less than 270° of the periphery of the wheel;
- (b) Adjustable tool rests set so that the distance between the grinding surface of the wheel and the tool rest in not greater than 1/8 inch; and

(c) A safety washer on each side of the wheel.

56.14116 Hand-held power tools.

- (a) Power drills, disc sanders, grinders and circular and chain saws, when used in the hand-held mode shall be operated with controls which require constant hand or finger pressure.
- (b) Circular saws and chain saws shall not be equipped with devices which lock-on the operating controls.

56.14130 Roll-over protective structures (ROPS) and seat belts.

- (a) Equipment included. Roll-over protective structures (ROPS) and seat belts shall be installed on
 - (1) Crawler tractors and crawler loaders;
 - (2) Graders:
 - (3) Wheel loaders and wheel tractors;
 - (4) The tractor portion of semi-mounted scrapers, dumpers, water wagons, bottom-dump wagons, rear-dump wagons, and towed fifth wheel attachments;
 - (5) Skid-steer loaders; and
 - (6) Agricultural tractors.
- (b) ROPS construction. ROPS shall meet the requirements of the following Society of Automotive Engineers (SAE) publications, as applicable, which are incorporated by reference:
 - (1) SAE J1040, "Performance Criteria for Roll-Over Protective Structures (ROPS) for Construction, Earthmoving, Forestry, and Mining Machines,", 1986; or
- SAE J1194, "Roll-Over Protective Structures (ROPS) for Wheeled Agricultural Tractors", 1983.
- (c) ROPS labeling. ROPS shall have a label permanently affixed to the structure identifying
 - (1) The manufacturer's name and address:
 - (2) The ROPS model number; and
 - (3) The make and model number of the equipment for which the ROPS is designed.
- (d) ROPS installation. ROPS shall be installed on the equipment in accordance with the recommendations of the ROPS manufacturer.
- (e) ROPS maintenance. (1) ROPS shall be maintained in a condition that meets the performance requirements applicable to the equipment. It the ROPS is subjected to roll-over a abnormal structural loading, the equipment manufacturer or a registered professional engineer with knowledge and experience in ROPS design shall recertify that the ROPS meets the applicable performance requirements before it is returned to service
 - (2) Alterations or repairs on ROPS shall be performed only with approval from the ROPS manufacturer or under the instructions of a registered professional engineer with knowledge and experience in ROPS design. The manufacturer or engineer shall certify that the ROPS meets the applicable performance requirements.
- (f) Exemptions. (1) This standard does not apply to
 - (i) Self-propelled mobile equipment manufactured prior to July 1, 1969;
 - (ii) Over-the-road type tractors that pull trailers or vans on highways;
 - (iii)Equipment that is only operated by remote control; and

- (2) Self-propelled mobile equipment manufactured prior to October 24, 1988, that is equipped with ROPS and seat belts that meet the installation and performance requirements of 30 CFR 56.9088 (1986 edition) shall be considered in compliance with paragraphs (b) and (h) of this section.
- (g) Wearing seat belts. Seat belts shall be worn by the equipment operator except that when operating graders from a standing position, the grader operator shall wear safety lines and a harness in place of a seat belt.
- (h) Seat belts construction. Seat belts shall meet the requirements of SAE J386, "Operator Restraint Systems for Off-Road Work Machines", 1985; or SAE J1194, "Roll-Over Protective Structures (ROPS) For Wheeled Agricultural Tractors", 1983, as applicable, which are incorporated by reference.
- (i) Seat belt maintenance. Seat belts shall be maintained in functional condition, and replaced when necessary to assure proper performance.
- (j) Publications. Publications incorporated by reference in this section have been approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a). Copies are available from the Administrator for Metal and Nonmetal Mine Safety and Health, MSHA, 1100 Wilson Boulevard Room 2436, Arlington, Virginia 22209-3939, and may be examined at any Metal and Nonmetal District Office. Copies may also be obtained from the Society of Automotive Engineers, 400 Commonwealth Drive, Warrendale, PA 15096.

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.14130 and .14131 Providing, Maintaining, and Wearing Seat Belts

In an effort to reduce the severity of powered haulage accidents, district managers shall carefully consider the gravity and negligence of citations and orders issued for the failure to provide, maintain, or wear seat belts.

Gravity: The failure to provide, maintain, or wear seat belts is a serious safety hazard and under most circumstances should be a significant and substantial violation. Without mitigating circumstances, the gravity evaluation of reasonably likely or highly likely, and fatal would usually be justified.

Negligence: The failure to provide seat belts as required by the regulations may be considered highly negligent and therefore be the basis for a 104(d) citation/order in the absence of mitigating circumstances.

Failure to maintain seat belts in functional condition may be considered less negligent than the failure to provide seat belts.

Some factors that could increase the degree of negligence are if the defect has been reported on a preshift examination, the defect is obvious, or the defect has existed for a long period of time. The examination of seat belts for defects is required by 30 CFR 56/57.14100.

Negligence for failure to wear seat belts should be determined by the extent of the mine operator's efforts to enforce the seat belt requirement. Examples of such efforts may include:

- 1. evidence that the equipment operators are instructed on the mandatory use of seat belts;
- 2. regular observation by supervisors to determine whether seat belts are being worn;
- 3. corrective action taken by supervisors when seat belts are not being worn; and

4. the development and implementation of a job safety analysis program to reinforce task training for equipment operators.

If the mine operator does not make any effort to ensure that seat belts are worn, the negligence would be high and a 104(d) citation/order would be appropriate. If, however, the mine operator's conduct indicated an effort to have seat belts worn, the negligence would usually be less than high.

Special Assessment: All citations/orders issued for failure to provide, maintain, or wear seat belts should be reviewed for special assessment. The types of violations that meet the requirements for special assessments are:

- 1. violations cited as contributing to a serious injury or fatality;
- 2. violations cited as an unwarrantable failure;
- 3. violations cited as an imminent danger; or
- 4. violations evaluated as having extraordinarily high gravity (highly likely and fatal).

56.14131 Seat belts for haulage trucks.

- (a) Seat belts shall be provided and worn in haulage trucks.
- (b) Seat belts shall be maintained in functional condition, and replaced when necessary to assure proper performance.
- (c) Seat belts required under this section shall meet the requirements of SAE J386,
- "Operator Restraint Systems for Off-Road Work Machines", 1985, which is incorporated by reference in accordance with 5 U.S.C. 552(a).
- (d) Publications incorporated by reference in this section have been approved by the Director of the Federal Register in accordance with 5 U.S.C. 552(a). Copies are available from the Administrator for Metal and Nonmetal Mine Safety and Health, (MSHA), 1100 Wilson Boulevard Room 2436, Arlington, Virginia
- 22209-3939, and may be examined at any Metal and Nonmetal District Office. Copies may also be obtained from the Society of Automotive Engineers, 400 Commonwealth Drive, Warrendale, PA 15096.

56.14132 Horns and backup alarms.

- (a) Manually-operated horns or other audible warning devices provided on self-propelled mobile equipment as a safety feature shall be maintained in functional condition.
- (b) (1) When the operator has an obstructed view to the rear, self-propelled mobile equipment shall have
- (b) (1)(i) An automatic reverse-activated signal alarm;
- (b) (1)(ii) A wheel-mounted bell alarm which sounds at least once for each three feet of reverse movement;
- (b) (1)(iii) A discriminating backup alarm that covers the area of obstructed view; or
- (b) (1)(iv) An observer to signal when it is safe to back up.
- (b) (2) Alarms shall be audible above the surrounding noise level.
- (b) (3) An automatic reverse-activated strobe light may be used at night in lieu of an audible reverse alarm.
- (c) This standard does not apply to rail equipment.

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Standard 56/57.14132(a) sets a maintenance standard for manually operated horns or other audible warning devices that are provided as safety features on self-propelled mobile

equipment. The self- propelled mobile equipment referenced in this subsection includes any wheeled, skid-mounted, or track-mounted equipment capable of moving itself. This standard should be cited if any audible warning device that was provided on the equipment as a safety feature is not functional. This includes manually-operated horns, automatic reverse-activated signal alarms, wheel-mounted bell alarms and discriminating backup alarms.

Standard 56/57.14132(b) pertains only to self-propelled mobile equipment where the operator has an obstructed view to the rear. A backup alarm system is only required when there is an obstructed view to the rear and an observer has not been provided. Standard 56/57.14132(b)(1) must be cited if an observer is not present and a backup alarm system is not provided on the equipment. Standard 56/57.14132(b)(2) must be cited if an observer is not present and a backup alarm system is provided and is operating as designed (functional) but is not audible above the surrounding noise level.

SAFETY PRACTICES AND OPERATIONAL PROCEDURES

56.14200 Warnings prior to starting or moving equipment.

Before starting crushers or moving self-propelled mobile equipment, equipment operators shall sound a warning that is audible above the surrounding noise level or use other effective means to warn all persons who could be exposed to a hazard from the equipment.

56.14201 Conveyor start-up warnings.

- (a) When the entire length of a conveyor is visible from the starting switch, the conveyor operator shall visually check to make certain that all persons are in the clear before starting the conveyor.
- (b) When the entire length of the conveyor is not visible from the starting switch, a system which provides visible or audible warning shall be installed and operated to warn persons that the conveyor will be started. Within 30 seconds after the warning is given, the conveyor shall be started or a second warning shall be given.

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This standard requires that no conveyor is started unless the person starting it is certain that all persons are clear. A positive audible or visible warning system is required to provide necessary flexibility to accommodate different mining and milling conditions throughout the nation. This standard has been uniformly interpreted by MSHA, and its predecessor organizations, to include both automatic and manual conveyor alarm systems as long as these systems are effected at each conveyor or series of conveyors within a system. However, MSHA and many mine operators believe that an automatic warning and start-up system is more effective than a manual system and, therefore, should be the system of preference. An automatic conveyor alarm system, or a system designed to first activate a start-up horn before the start-up system of the conveyor, is more effective in eliminating human error at the time of a conveyor start-up than a manual system.

A manual conveyor alarm system is one which actuates an audible alarm by an independent switch and uses a separate switch to actuate the conveyor. It may be considered "positive" and in compliance with the standard provided the system is capable of effectively warning persons prior to the time the conveyor will be started. Operators

should be instructed to assure that persons are clear before starting the conveyor or conveyor system.

Although the standard specifies either an audible or visible warning system, visual warnings in bright sunlight or other well-lighted places are ineffective. For this reason, it is recommended that an audible warning system (horn) be used throughout a conveyor system located in bright sunlight or other well-lighted places. The duration of the audible warning shall be long enough to allow anyone who is endangered by an activated conveyor system to move to safety.

Particular attention must be given to the scope, or the overall effectiveness of the audible warning system, to be certain that the warning is effective at each and every conveyor in the system. This does not mean that a separate horn or similar device must be installed for each conveyor, but it does mean that the warning must be positive and effective for each conveyor or series of conveyors capable of being shut down or started independently within the system.

This standard specifically exempts those conveyor systems visible from the start-up switch from the requirements of a positive start-up warning system. However, MSHA recommends that all conveyor systems have a positive audible or visible start-up warning even though they are visible from the start-up switch.

56.14202 Manual cleaning of conveyor pulleys.

Pulleys of conveyors shall not be cleaned manually while the conveyor is in motion.

56.14203 Application of belt dressing.

Belt dressings shall not be applied manually while belts are in motion unless a pressurized-type applicator is used that allows the dressing to be applied from outside the guards.

56.14204 Machinery lubrication.

Machinery or equipment shall not be lubricated manually while it is in motion where application of the lubricant may expose persons to injury.

56.14205 Machinery, equipment, and tools.

Machinery, equipment, and tools shall not be used beyond the design capacity intended by the manufacturer where such use may create a hazard to persons.

56.14206 Securing movable parts.

- (a) When moving mobile equipment between workplaces, booms, forks, buckets, beds, and similar movable parts of the equipment shall be positioned in the travel mode and, if required for safe travel, mechanically secured.
- (b) When mobile equipment is unattended or not in use, dippers, buckets and scraper blades shall be lowered to the ground. Other movable parts, such as booms, shall be mechanically secured or positioned to prevent movement which would create a hazard to persons.

56.14207 Parking procedures for unattended equipment.

Mobile equipment shall not be left unattended unless the controls are placed in the park position and the parking brake, if provided, is set. When parked on a grade, the wheels or tracks of mobile equipment shall be either chocked or turned into a bank.

56.14208 Warning devices.

- (a) Visible warning devices shall be used when parked mobile equipment creates a hazard to persons in other mobile equipment.
- (b) Mobile equipment, other than forklifts, carrying loads that project beyond the sides or more than four feet beyond the rear of the equipment shall have a warning flag at the end of the projection. Under conditions of limited visibility these loads shall have a warning light at the end of the projection. Such flag or lights shall be attached to the end of the projection or be carried by persons walking beside or behind the projection.

56.14209 Safety procedures for towing.

- (a) A properly sized tow bar or other effective means of control shall be used to tow mobile equipment.
- (b) Unless steering and braking are under the control of the equipment operator on the towed equipment, a safety chain or wire rope capable of withstanding the loads to which it could be subjected shall be used in conjunction with any primary rigging.
- (c) This provision does not apply to rail equipment.

56.14210 Movement of dippers, buckets, loading booms, or suspended loads.

- (a) Dippers, buckets, loading booms, or suspended loads shall not be swung over the operators' stations of self-propelled mobile equipment until the equipment operator is out of the operator's station and in a safe location.
- (b) This section does not apply when the equipment is specifically designed to protect the equipment operator from falling objects.

56.14211 Blocking equipment in a raised position.

- (a) Persons shall not work on top of, under, or work from mobile equipment in a raised position until the equipment has been blocked or mechanically secured to prevent it from rolling or falling accidentally.
- (b) Persons shall not work on top of, under, or work from a raised component of mobile equipment until the component has been blocked or mechanically secured to prevent accidental lowering. The equipment must also be blocked or secured to prevent rolling.
- (c) A raised component must be secured to prevent accidental lowering when persons are working on or around mobile equipment and are exposed to the hazard of accidental lowering of the component.
- (d) Under this section, a raised component of mobile equipment is considered to be blocked or mechanically secured if provided with a functional load-locking device or a device which prevents free and uncontrolled descent.
- (e) Blocking or mechanical securing of the raised component is required during repair or maintenance of elevated mobile work platforms.

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Standards 56/57.14211 prohibit persons from working on, under, or from raised portions of mobile equipment or a component of mobile equipment until the equipment has been blocked or mechanically secured. The standards specifically require blocking of raised components to prevent a "free and uncontrolled descent" in the event of a sudden failure

of the system holding up the raised component. Hydraulic telescoping boom cranes with flow restrictions or check valves in the hydraulic system will prevent a free and uncontrolled descent of the boom and attached work platform.

Compliance with 56/57.14211 can also be achieved by mine operators if the following four safety features are implemented when hoisting personnel with cranes:

- 1. use of an anti-two-block device with automatic shutdown capabilities that will prevent breaking of the load or whip line in the event of a two-block condition (a horn or light warning in lieu of automatic shutdown is not sufficient);
- 2. all running ropes, other than rotation resistant ropes, must have a safety factor of at least 7;
- 3. rotation-resistant ropes must have a safety factor of at least 10; and
- 4. the cranes used to hoist personnel must be equipped for and operated with controlled load lowering and must not be capable of being operated in "free fall."

MSHA strongly recommends that miners avoid working near or on cranes unless there is no other means of performing the task, or the other means creates a greater hazard.

56.14212 Chains, ropes, and drive belts.

Chains, ropes, and drive belts shall be guided mechanically onto moving pulleys, sprockets, or drums except where equipment is designed specifically for hand feeding.

56.14213 Ventilation and shielding for welding.

- (a) Welding operations shall be shielded when performed at locations where arc flash could be hazardous to persons.
- (b) All welding operations shall be well-ventilated.

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Ventilation for Welding

This is a work practice standard intended to reduce the concentration of airborne contaminants from welding below levels which may cause health impairment. In ventilation for welding fume control, local exhaust ventilation is better than dilution ventilation, and general dilution ventilation is better than natural ventilation.

This standard should be cited whenever welding is performed in a confined area without any detectable ventilation. For the health field notes, collect information on the number of persons exposed, type of welding being used, type of rod used, surface welding performed on, description of work area, length of time welding was done, type and use of personal protective equipment, and any other pertinent information.

56.14214 Train warnings.

A warning that is audible above the surrounding noise level shall be sounded –

- (a) Immediately prior to moving trains;
- (b) When trains approach persons, crossings, other trains on adjacent tracks; and
- (c) Any place where the train operator's vision is obscured.

56.14215 Coupling or uncoupling cars.

Prior to coupling or uncoupling cars manually, trains shall be brought to a complete stop, and then moved at minimum tram speed until the coupling or uncoupling activity is

completed. Coupling or uncoupling shall not be attempted from the inside of curves unless the railroad and cars are designed to eliminate hazards to persons.

56.14216 Backpoling.

Backpoling of trolleys is prohibited except where there is inadequate clearance to reverse the trolley pole. Where backpoling is required, it shall be done only at the minimum tram speed of the trolley.

56.14217 Securing parked railcars.

Parked railcars shall be blocked securely unless held effectively by brakes.

56.14218 Movement of equipment on adjacent tracks.

When a locomotive on one track is used to move rail equipment on adjacent tracks, a chain, cable, or drawbar shall be used which is capable of meeting the loads to which it could be subjected.

56.14219 Brakeman signals.

When a train is under the direction of a brakeman and the train operator cannot clearly recognize the brakeman's signals, the train operator shall bring the train to a stop.

SUBPART N – PERSONAL PROTECTION

56.15001 First-aid materials.

Adequate first-aid materials, including stretchers and blankets, shall be provided at places convenient to all working areas. Water or neutralizing agents shall be available where corrosive chemicals or other harmful substances are stored, handled, or used.

56.15002 Hard hats.

All persons shall wear suitable hard hats when in or around a mine or plant where falling objects may create a hazard.

56.15003 Protective footwear.

All persons shall wear suitable protective footwear when in or around an area of a mine or plant where a hazard exists which could cause an injury to the feet.

56.15004 Eye protection.

All persons shall wear safety glasses, goggles, or face shields or other suitable protective devices when in or around an area of a mine or plant where a hazard exists which could cause injury to unprotected eyes.

56.15005 Safety belts and lines.

Safety belts and lines shall be worn when persons work where there is danger of falling; a second person shall tend the lifeline when bins, tanks, or other dangerous areas are entered.

56.15006 Protective equipment and clothing for hazards and irritants.

Special protective equipment and special protective clothing shall be provided, maintained in a sanitary and reliable condition and used whenever hazards of process or environment,

chemical hazards, radiological hazards, or mechanical irritants are encountered in a manner capable of causing injury or impairment.

56.15007 Protective equipment or clothing for welding, cutting, or working with molten metal.

Protective clothing or equipment and face shields, or goggles shall be worn when welding, cutting, or working with molten metal.

Eye protection when operating grinding wheels.

Face shields or goggles in good condition shall be worn when operating a grinding wheel.

56.15020 Life jackets and belts.

Life jackets or belts shall be worn where there is danger from falling into water.

SUBPART O – MATERIALS STORAGE AND HANDLING

56.16001 Stacking and storage of materials.

Supplies shall not be stacked or stored in a manner which creates tripping or fall-of-material hazards.

56.16002 Bins, hoppers, silos, tanks, and surge piles.

- (a) Bins, hoppers, silos, tanks, and surge piles, where loose unconsolidated materials are stored, handled or transferred shall be
 - (1) Equipped with mechanical devices or other effective means of handling materials so that during normal operations persons are not required to enter or work where they are exposed to entrapment by the caving or sliding of materials; and
 - (2) Equipped with supply and discharge operating controls. The controls shall be located so that spills or overruns will not endanger persons.
- (b) Where persons are required to move around or over any facility listed in this standard, suitable walkways or passageways shall be provided.
- (c) Where persons are required to enter any facility listed in this standard for maintenance or inspection purposes, ladders, platforms, or staging shall be provided. No person shall enter the facility until the supply and discharge of materials have ceased and the supply and discharge equipment is locked out. Persons entering the facility shall wear a safety belt or harness equipped with a lifeline suitably fastened. A second person, similarly equipped, shall be stationed near where the lifeline is fastened and shall constantly adjust it or keep it tight as needed, with minimum slack.

56.16003 Storage of hazardous materials.

Materials that can create hazards if accidentally liberated from their containers shall be stored in a manner that minimizes the dangers.

56.16004 Containers for hazardous materials.

Containers holding hazardous materials must be of a type approved for such use by recognized agencies.

56.16005 Securing gas cylinders.

Compressed and liquid gas cylinders shall be secured in a safe manner.

56.16006 Protection of gas cylinder valves.

Valves on compressed gas cylinders shall be protected by covers when being transported or stored, and by a safe location when the cylinders are in use.

56.16007 Taglines, hitches, and slings.

- (a) Taglines shall be attached to loads that may require steadying or guidance while suspended.
- (b) Hitches and slings used to hoist materials shall be suitable for the particular material handled

56.16009 Suspended loads.

Persons shall stay clear of suspended loads.

56.16010 Dropping materials from overhead.

To protect personnel, material shall not be dropped from an overhead elevation until the drop area is first cleared of personnel and the area is then either guarded or a suitable warning is given.

56.16011 Riding hoisted loads or on the hoist hook.

Persons shall not ride on loads being moved by cranes or derricks, nor shall they ride the hoisting hooks unless such method eliminates a greater hazard.

56.16012 Storage of incompatible substances.

Chemical substances, including concentrated acids and alkalies, shall be stored to prevent inadvertent contact with each other or with other substances, where such contact could cause a violent reaction or the liberation of harmful fumes or gases.

56.16013 Working with molten metal.

Suitable warning shall be given before molten metal is poured and before a container of molten metal is moved.

56.16014 Operator-carrying overhead cranes.

Operator-carrying overhead cranes shall be provided with –

- (a) Bumpers at each end of each rail;
- (b) Automatic switches to halt up travel of the blocks before they strike the hoist;
- (c) Effective audible warning signals within easy reach of the operator; and
- (d) A means to lock out the disconnect switch.

56.16015 Work or travel on overhead crane bridges.

No person shall work from or travel on the bridge of an overhead crane unless the bridge is provided with substantial foot walks with toe boards and railings the length of the bridge.

56.16016 Lift trucks

Fork and other similar types of lift trucks shall be operated with the –

(a) Upright tilted back to steady and secure the load;

- (b) Load in the upgrade position when ascending or descending grades in excess of 10 percent;
- (c) Load not raised or lowered enroute except for minor adjustments; and
- (d) Load-engaging device downgrade when traveling unloaded on all grades

SUBPART P-ILLUMINATION

56.17001 Illumination of surface working areas.

Illumination sufficient to provide safe working conditions shall be provided in and on all surface structures, paths, walkways, stairways, switch panels, loading and dumping sites, and work areas.

SUBPART Q - SAFETY PROGRAMS

56.18002 Examination of working places.

- (a) A competent person designated by the operator shall examine each working place at least once each shift for conditions which may adversely affect safety or health. The operator shall promptly initiate appropriate action to correct such conditions.
- (b) A record that such examinations were conducted shall be kept by the operator for a period of one year, and shall be made available for review by the Secretary or his authorized representative.
- (c) In addition, conditions that may present an imminent danger which are noted by the person conducting the examination shall be brought to the immediate attention of the operator who shall withdraw all persons from the area affected (except persons referred to in section 104(c) of the Federal Mine Safety and Health Act of 1977) until the danger is abated.

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56/57.18002 Examination of Working Place

- a. A competent person designated by the operator shall examine each working place at least once each shift for conditions which may adversely affect safety or health. The operator shall promptly initiate appropriate action to correct such conditions.
- b. A record that such examinations were conducted shall be kept by the operator for a period of one year, and shall be made available for review by the Secretary or his authorized representative.
- c. In addition, conditions that may present an imminent danger which are noted by the person conducting the examination shall be brought to the immediate attention of the operator who shall withdraw all persons from the area affected (except persons referred to in section 104(c) of the Federal Mine Safety and Health Act of 1977) until the danger is abated.

MSHA intends that the terms "competent person" and "working place," used in §§ 56/57.18002(a), be interpreted as defined in §§ 56/57.2, Definitions.

A "competent person," according to §§ 56/57.2, is "a person having abilities and experience that fully qualify him to perform the duty to which he is assigned." This definition includes any person who, in the judgment of the operator, is fully qualified to

perform the assigned task. MSHA does not require that a competent person be a mine foreman, mine superintendent, or other person associated with mine management.

The phrase "working place" is defined in 30 CFR §§ 56/57.2 as: "any place in or about a mine where work is being performed." As used in the standard, the phrase applies to those locations at a mine site where persons work during a shift in the mining or milling processes.

Standards 56/57.18002(b) require operators to keep records of working place examinations. These records must include: (1) the date the examination was made; (2) the examiner's name; and (3) the working places examined. MSHA intends to allow operators considerable flexibility in complying with this provision in order to minimize the paperwork burden. Records of examinations may be entered on computer data bases or documents already in use, such as production sheets, logs, charts, time cards, or other format that is more convenient for mine operators.

In order to comply with the record retention portion of §§ 56/57.18002(b), operators must retain workplace examination records for the preceding 12 months. As an alternative to the 12-month retention period, an operator may discard these records after MSHA has completed its next regular inspection of the mine, if the operator also certifies that the examinations have been made for the preceding 12 months.

Evidence that a previous shift examination was not conducted or that prompt corrective action was not taken will result in a citation for violation of §§ 56/57.18002(a) or (c). This evidence may include information which demonstrates that safety or health hazards existed prior to the working shift in which they were found. Although the presence of hazards covered by other standards may indicate a failure to comply with this standard, MSHA does not intend to cite §§ 56/57.18002 automatically when the Agency finds an imminent danger or a violation of another standard.

56.18006 New employees.

New employees shall be indoctrinated in safety rules and safe work procedures.

56.18009 Designation of person in charge.

When persons are working at the mine, a competent person designated by the mine operator shall be in attendance to take charge in case of an emergency.

56.18010 First Aid

An individual capable of providing first aid shall be available on all shifts. The individual shall be currently trained and have the skills to perform patient assessment and artificial respiration; control bleeding; and treat shock, wounds, burns, and musculoskeletal injuries. First aid training shall be made available to all interested miners.

56.18012 Emergency telephone numbers.

Emergency telephone numbers shall be posted at appropriate telephones.

56.18013 Emergency communications system.

A suitable communication system shall be provided at the mine to obtain assistance in the event of an emergency.

56.18014 Emergency medical assistance and transportation.

Arrangements shall be made in advance for obtaining emergency medical assistance and transportation for injured persons.

56.18020 Working alone.

No employee shall be assigned, or allowed, or be required to perform work alone in any area where hazardous conditions exist that would endanger his safety unless he can communicate with others, can be heard, or can be seen.

SUBPART R - PERSONNEL HOISTING

56.19000 Application.

- (a) The hoisting standards in this subpart apply to those hoists and appurtenances used for hoisting persons. However, where persons may be endangered by hoists and appurtenances used solely for handling ore, rock, and materials, the appropriate standards should be applied.
- (b) Standards 56.19021 through 56.19028 apply to wire ropes in service used to hoist persons with an incline hoist on the surface.
- (c) Emergency hoisting facilities should conform to the extent possible to safety requirements for other hoists, and should be adequate to remove the persons from the mine with a minimum of delay.

HOISTS

56.19001 Rated capacities.

Hoists shall have rated capacities consistent with the loads handled and the recommended safety factors of the ropes used.

56.19002 Anchoring.

Hoists shall be anchored securely.

56.19003 Driving mechanism connections.

Belt, rope, or chains shall not be used to connect driving mechanisms to man hoists.

56.19004 Brakes.

Any hoist used to hoist persons shall be equipped with a brake or brakes which shall be capable of holding its fully loaded cage, skip, or bucket at any point in the shaft.

56.19005 Locking mechanism for clutch.

The operating mechanism of the clutch of every man-hoist drum shall be provided with a locking mechanism, or interlocked electrically or mechanically with the brake to prevent accidental withdrawal of the clutch.

56.19006 Automatic hoist braking devices.

Automatic hoists shall be provided with devices that automatically apply the brakes in the event of power failure.

56.19007 Overtravel and overspeed devices.

All man hoists shall be provided with devices to prevent overtravel. When utilized in shafts exceeding 100 feet in depth, such hoists shall also be provided with overspeed devices.

56.19008 Friction hoist synchronizing mechanisms.

Where creep or slip may alter the effective position of safety devices, friction hoists shall be equipped with synchronizing mechanisms that recalibrate the overtravel devices and position indicators.

56.19009 Position indicator.

An accurate and reliable indicator of the position of the cage, skip, bucket, or cars in the shaft shall be provided.

56.19010 Location of hoist controls.

Hoist controls shall be placed or housed so that the noise from machinery or other sources will not prevent hoistmen from hearing signals.

56.19011 Drum flanges.

Flanges on drums shall extend radially a minimum of 4 inches or three rope diameters beyond the last wrap, whichever is the lesser.

56.19012 Grooved drums.

Where grooved drums are used, the grooves shall be of suitable size and pitch for the ropes used.

56.19013 Diesel- and other fuel-injection-powered hoists.

Where any diesel or similar fuel-injection engine is used to power a hoist, the engine shall be equipped with a damper or other cutoff in its air intake system. The control handle shall be clearly labeled to indicate that its intended function is for emergency stopping only.

56.19014 Friction hoist overtravel protection.

In a friction hoist installation, tapered guides or other approved devices shall be installed above and below the limits of regular travel of the conveyance and arranged to prevent overtravel in the event of failure of other devices.

56.19017 Emergency braking for electric hoists.

Each electric hoist shall be equipped with a manually-operable switch that will initiate emergency braking action to bring the conveyance and the counterbalance safely to rest. This switch shall be located within reach of the hoistman in case the manual controls of the hoist fail.

56.19018 Overtravel by-pass switches.

When an overtravel by-pass switch is installed, the switch shall function so as to allow the conveyance to be moved through the overtravel position when the switch is held in the

closed position by the hoistman. The overtravel by-pass switch shall return automatically to the open position when released by the hoistman.

WIRE ROPES

56.19021 Minimum rope strength.

At installation, the nominal strength (manufacturer's published catalog strength) of wire ropes used for hoisting shall meet the minimum rope strength values obtained by the following formulas in which "L" equals the maximum suspended rope length in feet:

- (a) Winding drum ropes (all constructions, including rotation resistant). For rope lengths less than 3,000 feet: Minimum Value = Static Load x (7.0-0.001L) For rope lengths 3,000 feet or greater: Minimum Value = Static Load x 4.0
- (b) Friction drum ropes.

For rope lengths less than 4,000 feet: Minimum Value = Static Load x (7.0-0.0005L) For rope lengths 4,000 feet or greater: Minimum Value = Static Load x 5.0

(c) Tail ropes (balance ropes).

Minimum Value = Weight of Rope x 7.0

56.19022 Initial measurement.

After initial rope stretch but before visible wear occurs, the rope diameter of newly installed wire ropes shall be measured at least once in every third interval of active length and the measurements averaged to establish a baseline for subsequent measurements. A record of the measurements and the date shall be made by the person taking the measurements. This record shall be retained until the rope is retired from service.

56.19023 Examinations.

- (a) At least once every fourteen calendar days, each wire rope in service shall be visually examined along its entire active length for visible structural damage, corrosion, and improper lubrication or dressing. In addition, visual examination for wear and broken wires shall be made at stress points, including the area near attachments, where the rope rests on sheaves, where the rope leaves the drum, at drum crossovers, and at change-of-layer regions. When any visible condition that results in a reduction of rope strength is present, the affected portion of the rope shall be examined on a daily basis.
- (b) Before any person is hoisted with a newly installed wire rope or any wire rope that has not been examined in the previous fourteen calendar days, the wire rope shall be examined in accordance with paragraph (a) of this section.
- (c) At least once every six months, nondestructive tests shall be conducted of the active length of the rope, or rope diameter measurements shall be made
 - (1) Wherever wear is evident;
 - (2) Where the hoist rope rests on sheaves at regular stopping points;
 - (3) Where the hoist rope leaves the drum at regular stopping points; and
 - (4) At drum crossover and change-of-layer regions.
- (d) At the completion of each examination required by paragraph (a) of this section, the person making the examination shall certify, by signature and date, that the examination has been made. If any condition listed in paragraph (a) of this section is present, the person conducting the examination shall make a record of the condition and the date. Certifications and records of examinations shall be retained for one year.

(e) The person making the measurements or nondestructive tests as required by paragraph (c) of this section shall record the measurements or test results and the date. This record shall be retained until the rope is retired from service.

56.19024 Retirement criteria.

Unless damage or deterioration is removed by cutoff, wire ropes shall be removed from service when any of the following conditions occurs:

- (a) The number of broken wires within a rope lay length, excluding filler wires, exceeds either
 - (1) Five percent of the total number of wires; or
 - (2) Fifteen percent of the total number of wires within any strand.
- (b) On a regular lay rope, more than one broken wire in the valley between strands in one rope lay length.
- (c) A loss of more than one-third of the original diameter of the outer wires.
- (d) Rope deterioration from corrosion.
- (e) Distortion of the rope structure.
- (f) Heat damage from any source.
- (g) Diameter reduction due to wear that exceeds six percent of the baseline diameter measurement.
- (h) Loss of more than ten percent of rope strength as determined by nondestructive testing.

56.19025 Load end attachments

- (a) Wire rope shall be attached to the load by a method that develops at least 80 percent of the nominal strength of the rope.
- (b) Except for terminations where use of other materials is a design feature, zinc (spelter) shall be used for socketing wire ropes. Design feature means either the manufacturer's original design or a design approved by a registered professional engineer.
- (c) Load end attachment methods using splices are prohibited.

56.19026 Drum end attachment.

- (a) For drum end attachment, wire rope shall be attached
 - (1) Securely by clips after making one full turn around the drum spoke;
 - (2) Securely by clips after making one full turn around the shaft, if the drum is fixed to the shaft; or
 - (3) By properly assembled anchor bolts, clamps, or wedges, provided that the attachment is a design feature of the hoist drum. Design feature means either the manufacturer's original design or a design approved by a registered professional engineer.
- (b) A minimum of three full turns of wire rope shall be on the drum when the rope is extended to its maximum working length.

56.19027 End attachment retermination.

Damaged or deteriorated wire rope shall be removed by cutoff and the rope reterminated where there is

- (a) More than one broken wire at an attachment;
- (b) Improper installation of an attachment;
- (c) Slippage at an attachment; or

(d) Evidence of deterioration from corrosion at an attachment.

56.19028 End attachment replacement.

Wire rope attachments shall be replaced when cracked, deformed, or excessively worn.

56.19030 Safety device attachments.

Safety device attachments to hoist ropes shall be selected, installed, and maintained according to manufacturers' specifications to minimize internal corrosion and weakening of the hoist rope.

HEADFRAMES AND SHEAVES

56.19035 Headframe design.

All headframes shall be constructed with suitable design considerations to allow for all dead loads, live

loads, and wind loads.

56.19036 Headframe height.

Headframes shall be high enough to provide clearance for overtravel and safe stopping of the conveyance.

56.19037 Fleet angles.

Fleet angles on hoists installed after November 15, 1979, shall not be greater than one and one-half degrees for smooth drums or two degrees for grooved drums.

56.19038 Platforms around elevated head sheaves.

Platforms with toeboards and handrails shall be provided around elevated head sheaves.

CONVEYANCES

56.19045 Metal bonnets.

Man cages and skips used for hoisting or lowering employees or other persons in any vertical shaft or any incline-shaft with an angle of inclination of forty-five degrees from the horizontal, shall be covered with a metal bonnet.

56.19049 Hoisting persons in buckets.

Buckets shall not be used to hoist persons except during shaft sinking operations, inspection, maintenance, and repairs.

56.19050 Bucket requirements.

Buckets used to hoist persons during vertical shaft sinking operations shall –

- (a) Be securely attached to a crosshead when traveling in either direction between the lower and upper crosshead parking locations;
- (b) Have overhead protection when the shaft depth exceeds 50 feet;
- (c) Have sufficient depth or a suitably designed platform to transport persons safely in a standing position; and
- (d) Have devices to prevent accidental dumping where the bucket is supported by a bail attached to its lower half.

56.19050 Bucket requirements.

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- (a) Be securely attached to a crosshead when traveling in either direction between the lower and upper crosshead parking locations;
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- (c) Have sufficient depth or a suitably designed platform to transport persons safely in a standing position; and
- (d) Have devices to prevent accidental dumping where the bucket is supported by a bail attached to its lower half.

HOISTING PROCEDURES

56.19055 Availability of hoist operator for manual hoists.

When a manually operated hoist is used, a qualified hoistman shall remain within hearing of the telephone or signal device at all times while any person is underground.

56.19056 Availability of hoist operator for automatic hoists.

When automatic hoisting is used, a competent operator of the hoist shall be readily available at or near the hoisting device while any person is underground.

56.19057 Hoist operator's physical fitness.

No person shall operate a hoist unless within the preceding 12 months he has had a medical examination by a qualified, licensed physician who shall certify his fitness to perform this duty. Such certification shall be available at the mine.

56.19058 Experienced hoist operators.

Only experienced hoistmen shall operate the hoist except in cases of emergency and in the training of new hoistmen.

56.19061 Maximum hoisting speeds.

The safe speed for hoisting persons shall be determined for each shaft, and this speed shall not be exceeded. Persons should not be hoisted at a speed faster than 2,500 feet per minute, except in an emergency.

56.19062 Maximum acceleration and deceleration.

Maximum normal operating acceleration and deceleration shall not exceed 6 feet per second per second. During emergency braking, the deceleration shall not exceed 16 feet per second per second.

56.19063 Persons allowed in hoist room.

Only authorized persons shall be in hoist rooms.

56.19065 Lowering conveyances by the brakes.

Conveyances shall not be lowered by the brakes alone except during emergencies.

56.19066 Maximum riders in a conveyance.

In shafts inclined over 45 degrees, the operator shall determine and post in the conveyance or at each shaft station the maximum number of persons permitted to ride in a hoisting

conveyance at any one time. Each person shall be provided a minimum of 1.5 square feet of floor space.

56.19067 Trips during shift changes.

During shift changes, an authorized person shall be in charge of each trip in which persons are hoisted.

56.19068 Orderly conduct in conveyances.

Persons shall enter, ride, and leave conveyances in an orderly manner.

56.19069 Entering and leaving conveyances.

Persons shall not enter or leave conveyances which are in motion or after a signal to move the conveyance has been given to the hoistman.

56.19070 Closing cage doors or gates.

Cage doors or gates shall be closed while persons are being hoisted; they shall not be opened until the cage has come to a stop.

56.19071 Riding in skips or buckets.

Persons shall not ride in skips or buckets with muck, supplies, materials, or tools other than small hand tools.

56.19072 Skips and cages in same compartment.

When combinations of cages and skips are used in the same compartment, the cages shall be enclosed to protect personnel from flying material and the hoist speed reduced to manspeed as defined in standard 56.19061, but not to exceed 1,000 feet per minute. Muck shall not be hoisted with personnel during shift changes.

56.19073 Hoisting during shift changes.

Rock or supplies shall not be hoisted in the same shaft as persons during shift changes, unless the compartments and dumping bins are partitioned to prevent spillage into the cage compartment.

56.19074 Riding the bail, rim, bonnet, or crosshead.

Persons shall not ride the bail, rim, bonnet, or crosshead of any shaft conveyance except when necessary for inspection and maintenance, and then only when suitable protection for persons is provided.

56.19075 Use of open hooks.

Open hooks shall not be used to hoist buckets or other conveyances.

56.19076 Maximum speeds for hoisting persons in buckets.

When persons are hoisted in buckets, speeds shall not exceed 500 feet per minute and shall not exceed 200 feet per minute when within 100 feet of the intended station.

56.19077 Lowering buckets.

Buckets shall be stopped about 15 feet from the shaft bottom to await a signal from one of the crew on the bottom for further lowering.

56.19078 Hoisting buckets from the shaft bottom.

All buckets shall be stopped after being raised about 3 feet above the shaft bottom. A bucket shall be stabilized before a hoisting signal is given to continue hoisting the bucket to the crosshead. After a hoisting signal is given, hoisting to the crosshead shall be at a minimum speed. The signaling device shall be attended constantly until a bucket reaches the guides. When persons are hoisted, the signaling devices shall be attended until the crosshead has been engaged.

56.19079 Blocking mine cars.

Where mine cars are hoisted by cage or skip, means for blocking cars shall be provided at all landings and also on the cage.

56.19080 Hoisting tools, timbers, and other materials.

When tools, timbers, or other materials are being lowered or raised in a shaft by means of a bucket, skip, or cage, they shall be secured or so placed that they will not strike the sides of the shaft.

56.19081 Conveyances not in use.

When conveyances controlled by a hoist operator are not in use, they shall be released and the conveyances shall be raised or lowered a suitable distance to prevent persons from boarding or loading the conveyances.

56.19083 Overtravel backout device.

A manually operated device shall be installed on each electric hoist that will allow the conveyance or counterbalance to be removed from an over-travel position. Such device shall not release the brake, or brakes, holding the overtravelled conveyance or counterbalance until sufficient drive motor torque has been developed to assure movement of the conveyance or counterbalance in the correct direction only.

SIGNALING

56.19090 Dual signaling systems.

There shall be at least two effective approved methods of signaling between each of the shaft stations and the hoist room, one of which shall be a telephone or speaking tube.

56.19091 Signaling instructions to hoist operator.

Hoist operators shall accept hoisting instructions only by the regular signaling system unless it is out of order. In such an event, and during other emergencies, the hoist operator shall accept instructions to direct movement of the conveyances only from authorized persons.

56.19092 Signaling from conveyances.

A method shall be provided to signal the hoist operator from cages or other conveyances at any point in the shaft.

56.19093 Standard signal code.

A standard code of hoisting signals shall be adopted and used at each mine. The movement of a shaft conveyance on a "one bell" signal is prohibited.

56.19094 Posting signal code.

A legible signal code shall be posted prominently in the hoist house within easy view of the hoistman, and at each place where signals are given or received.

56.19095 Location of signal devices.

Hoisting signal devices shall be positioned within easy reach of persons on the shaft bottom or constantly attended by a person stationed on the lower deck of the sinking platform.

56.19096 Familiarity with signal code.

Any person responsible for receiving or giving signals for cages, skips, and mantrips when persons or materials are being transported shall be familiar with the posted signaling code.

SHAFTS

56.19100 Shaft landing gates.

Shaft landings shall be equipped with substantial safety gates so constructed that materials will not go through or under them; gates shall be closed except when loading or unloading shaft conveyances.

56.19101 Stop blocks and derail switches.

Positive stop blocks or a derail switch shall be installed on all tracks leading to a shaft collar or landing.

56.19102 Shaft guides.

A means shall be provided to guide the movement of a shaft conveyance.

56.19103 Dumping facilities and loading pockets.

Dumping facilities and loading pockets shall be constructed so as to minimize spillage into the shaft.

56.19104 Clearance at shaft stations.

Suitable clearance at shaft stations shall be provided to allow safe movement of persons, equipment, and materials.

56.19105 Landings with more than one shaft entrance.

A safe means of passage around open shaft compartments shall be provided on landings with more than one entrance to the shaft.

56.19106 Shaft sets.

Shaft sets shall be kept in good repair and clean of hazardous material.

56.19107 Precautions for work in compartment affected by hoisting operation.

Hoistmen shall be informed when persons are working in a compartment affected by that hoisting operation and a "Men Working in Shaft" sign shall be posted at the hoist.

56.19108 Posting warning signs during shaft work.

When persons are working in a shaft "Men Working in Shaft" signs shall be posted at all devices controlling hoisting operations that may endanger such persons.

56.19109 Shaft inspection and repair.

Shaft inspection and repair work in vertical shafts shall be performed from substantial platforms equipped with bonnets or equivalent overhead protection.

56.19110 Overhead protection for shaft deepening work.

A substantial bulkhead or equivalent protection shall be provided above persons at work deepening a shaft.

56.19111 Shaft-sinking ladders.

Substantial fixed ladders shall be provided from the collar to as near the shaft bottom as practical during shaft-sinking operations, or an escape hoist powered by an emergency power source shall be provided. When persons are on the shaft bottom, a chain ladder, wire rope ladder, or other extension ladders shall be used from the fixed ladder or lower limit of the escape hoist to the shaft bottom.

INSPECTION AND MAINTENANCE

56.19120 Procedures for inspection, testing, and maintenance.

A systematic procedure of inspection, testing, and maintenance of shafts and hoisting equipment shall be developed and followed. If it is found or suspected that any part is not functioning properly, the hoist shall not be used until the malfunction has been located and repaired or adjustments have been made.

56.19121 Recordkeeping.

At the time of completion, the person performing inspections, tests, and maintenance of hoisting equipment required in standard 56.19120 shall certify, by signature and date, that they have been done. A record of any part that is not functioning properly shall be made and dated. Certifications and records shall be retained for one year.

56.19122 Replacement parts.

Parts used to repair hoists shall have properties that will ensure the proper and safe function of the hoist.

Examinations and tests at beginning of shift.

Hoistmen shall examine their hoists and shall test overtravel, deadman controls, position indicators, and braking mechanisms at the beginning of each shift.

56.19130 Conveyance shaft test.

Before hoisting persons and to assure that the hoisting compartments are clear of obstructions, empty hoist conveyances shall be operated at least one round trip after:

- (a) Any hoist or shaft repairs or related equipment repairs that might restrict or obstruct conveyance clearance;
- (b) Any oversize or overweight material or equipment trips that might restrict or obstruct conveyance clearance;
- (c) Blasting in or near the shaft that might restrict or obstruct conveyance clearance; or
- (d) Remaining idle for one shift or longer.

56.19131 Hoist conveyance connections.

Hoist conveyance connections shall be inspected at least once during any 24-hour period that the conveyance is used for hoisting persons.

56.19132 Safety catches.

- (a) A performance drop test of hoist conveyance safety catches shall be made at the time of installation, or prior to installation, in a mockup of the actual installation. The test shall be certified to in writing by the manufacturer or by a registered professional engineer performing the test.
- (b) After installation and before use, and at the beginning of any seven day period during which the conveyance is to be used, the conveyance shall be suitably rested and the hoist rope slackened to test for the unrestricted functioning of the safety catches and their activating mechanisms.
- (c) The safety catches shall be inspected by a competent person at the beginning of any 24-hour period that the conveyance is to be used.

56.19133 Shaft.

Shafts that have not been inspected within the past 7 days shall not be used until an inspection has been conducted by a competent person.

56.19134 Sheaves.

Sheaves in operating shafts shall be inspected weekly and kept properly lubricated.

56.19135 Rollers in inclined shafts.

Rollers used in operating inclined shafts shall be lubricated, properly aligned, and kept in good repair.

SUBPART S – MISCELLANEOUS

56.20001 Intoxicating beverages and narcotics.

Intoxicating beverages and narcotics shall not be permitted or used in or around mines. Persons under the influence of alcohol or narcotics shall not be permitted on the job.

56.20002 Potable water.

- (a) An adequate supply of potable drinking water shall be provided at all active working areas.
- (b) The common drinking cup and containers from which drinking water must be dipped or poured are prohibited.
- (c) Where single service cups are supplied, a sanitary container for unused cups and a receptacle for used cups shall be provided.

- (d) When water is cooled by ice, the ice shall either be of potable water or shall not come in contact with the water.
- (e) Potable water outlets shall be posted.
- (f) Potable water systems shall be constructed to prevent backflow or backsiphonage of non-potable water.

56.20003 Housekeeping.

At all mining operations –

- (a) Workplaces, passageways, storerooms, and service rooms shall be kept clean and orderly;
- (b) The floor of every workplace shall be maintained in a clean and, so far as possible, dry condition. Where wet processes are used, drainage shall be maintained, and false floors, platforms, mats, or other dry standing places shall be provided where practicable; and
- (c) Every floor, working place, and passageway shall be kept free from protruding nails, splinters, holes, or loose boards, as practicable.

56.20005 Carbon tetrachloride.

Carbon tetrachloride shall not be used.

56.20008 Toilet facilities.

- (a) Toilet facilities shall be provided at locations that are compatible with the mine operations and that are readily accessible to mine personnel.
- (b) The facilities shall be dept clean and sanitary. Separate toilet facilities shall be provided for each sex except where toilet rooms will be occupied by no more than one person at a time and can be locked from the inside.

56.20009 Tests for explosive dusts.

Dusts suspected of being explosive shall be tested for explosibility. If tests prove positive, appropriate control measures shall be taken.

56.20010 Retaining dams.

If failure of a water or silt retaining dam will create a hazard, it shall be of substantial construction and inspected at regular intervals.

56.20011 Barricades and warning signs.

Areas where health or safety hazards exist that are not immediately obvious to employees shall be barricaded, or warning signs shall be posted at all approaches. Warning signs shall be readily visible, legible, and display the nature of the hazard and any protective action required.

56.20013 Waste receptacles.

Receptacles with covers shall be provided at suitable locations and used for the disposal of waste food and associated materials. They shall be emptied frequently and shall be maintained in a clean and sanitary condition.

56.20014 Prohibited areas for food and beverages.

No person shall be allowed to consume or store food or beverages in a toilet room or in any area exposed to a toxic material.

56.1000 Notification of Commencement of Mining Operations

Please check all app	propriate boxe	es and supply	required	information:	
On or about			_, 20	, we shall:	
	on will be conti	inuous [on will be intermittent	
Operation will se Process operation Operation will pe	ns will close bu	ıt maintenance			
Portable Plants: (Moving from)					
	(City)		(State	*)	
(Moving to)	(City)	(County)	(State	s)	
town by highway o	or county/loca	al road):		ns, with mileage, from the n	
County where ope	eration is loc	ated:			
Company Name:					
Mine Name:					
Office Address: _					
Mine MSHA ID N	lo.:	Cont	act Phone	e No.:	_
Person in Charge	:				

PLEASE MAIL, EMAIL OR FAX THE ABOVE INFORMATION TO THE LOCAL MSHA FIELD OFFICE:

See the following web site for Field Office contact information:

http://www.msha.gov/contacts/metalnos.htm

(Field Office info is found at the bottom of the web page – select the appropriate MSHA District Office)

56.1000 Notification of commencement of operations and closing of mines.

The owner, operator, or person in charge of any metal and nonmetal mine shall notify the nearest Mine Safety and Health Administration and Metal and Nonmetal Mine Safety and Health District Office before starting operations, of the approximate or actual date mine operation will commence. The notification shall include the mine name, location, the company name, mailing address, person in charge, and whether operations will be continuous or intermittent.

When any mine is closed, the person in charge shall notify the nearest district office as provided above and indicate whether the closure is temporary or permanent.

56.4201 Monthly Fire Extinguisher Check

Location	Ja	an	Fe	eb	Mar		A	pr	M	lay	Jı	ın	J	ul	A	ug	Sep		0	ct	N	ov	D	ec
	Day	Initia	Day	Initial	Day	Initia	Day	Initial	Day	Initia	Day	Initia	Day	[nitia]	Day	Initia	Day	Initial	Day	Initia	Day	[nitia]	Day	Initial
1. Fuel Tanks																								
2. Oil Storage																								
3. Wharehouse																								
4. Belt line																								
5. Office																								

56.4330 Evacuation Plan 56.18010 First Aid Training

REPORTING A MINE EMERGENCY IN THE EVENT OF A MINE EMERGENCY OR

AN ACCIDENT REQUIRING IMMEDIATE NOTIFICATION ONE CALL DOES IT ALL

AT 1-800-746-1553 OTHER PHONE NUMBERS

Mine Name		
Federal Mine ID		Phone Number
MSHA Field Office		
District Office		
Directions to the mine		
State Department of Mines	Phone Number	
F W 1: 10 :	011	
Emergency Medical Service	911	
Fire Department	911	
State Highway Patrol	911	
County Sheriff	911	
Ambulance	911	
Hospital		
Life Flight	911	
Poison Control Center	800-222-1222	
Latitude		
Longitude		

Evacuation Meeting Area:

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Location of First Aid Equipment:

•	· Firet	aid k	it hl	anket	stretcher.
•	. I HISL	aiu n	11. 171	anket.	SUCICIEI.

56.12028 Grounding System Resistance Test

LOCATION								DAT	ſΈ						_		
SEASON	TY	PE SOIL			SOIL COND	ITIO	N	DRY MOIST	7		,	ТЕМЕ	þ				
TYPE SYSTEM		MULTIPLE RODS FT LONGEST DIMEN		T] FT		BURIE LONG						F	 T		
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AUXILIARY ELECTRO																	_
DISTANCE FT	RESISTANCE																
FT	OHMS																
FT	OHMS																
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FT	OHMS		RESI													\exists	
FT FT																\Box	
	OUND	UNDER															
FT	TEST	Γ	X						DISTA	ANCE	= (FI	EET)					

56.14100 Mobile Equipment

												Cat 9	80 Fr	ont E	nd Lo	ader															
Date May 2010	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
Oil																															
Water																															
Hydraulics																															
Mirrors																															
Windows																															
Tires																															
Service Brake																															
Emergency Brake																															
Brake Fluid																															
Worn Hoses																															
Belts																															
Fire Extinguisher																															
Bucket Pins																															
Loose Bolts																															
ROPS/FOPS																															
Access																															
Seat Belt																															
Horn																															
Backup Alarm																															
																															ļ
Operator Name																															
List Repairs Needed	l																														

PART 56 – SAFETY AND HEALTH STANDARDS SURFACE METAL AND NONMETAL MINES

56.18002 Workplace Exam 10 11 12 13 14 May 2010 15 16 17 18 19 20 21 23 24 25 26 27 28 29 30 31 Hopper Dump/Dump Walkways and Handrails Steps and Ladders Guards/ Conveyor rollers Structural Damage Electrical and Lock out program Ox/Acet/Welding Flammable Material Storage Warn signs/Alarms/Barricades Roads/Traffic Signs/Berms Ponds/Dump Sites/Highwalls Stockpiles/Clean up Dust/Gas/Mist/Fumes Survey PPE and Fall Protection First Aid Supplies Communications/Emergency #'s Housekeeping Fire Extinguishers Examiner Name Notes:

30 CFR § 56.1000 Notification of commencement of operations and closing of mines.

The owner, operator, or person in charge of any metal and nonmetal mine shall notify the nearest Mine Safety and Health Administration and Metal and Nonmetal Mine Safety and Health District Office before starting operations, of the approximate or actual date mine operation will commence. The notification shall include the mine name, location, the company name, mailing address, person in charge, and whether operations will be continuous or intermittent.

When any mine is closed, the person in charge shall notify the nearest district office as provided above and indicate whether the closure is temporary or permanent.

56.1000 Notification of commencement of operations and closing of mines.

Please check all appropriate boxes and supply required information:

On or about		, 20, we sh	all:	
Commence (start operation) Operation will be comperations are estimated	ontinuous	Operation wil	ll be intermittent days months.	
☐ Operation will seasonally clo ☐ Process operations will close ☐ Operation will permanently	but maintenand			
Portable Plants: Move to a (Moving from)				
	(City)	(County)	(State)	
(Moving to)	(City)	(County)	(State)	
town by highway or county/l	ocal road):			
County where operation is	located:			
Company Name:				-
Mine Name:				_
Office Address:				_
Mine MSHA ID No.:	Co	ontact Phone No.: _	-	
Person in Charge:				

PLEASE MAIL, EMAIL OR FAX THE ABOVE INFORMATION TO THE LOCAL MSHA FIELD OFFICE:

See the following web site for Field Office contact information:

http://www.msha.gov/contacts/metalnos.htm

(Field Office info is found at the bottom of the web page – select the appropriate MSHA District Office)

56.1000 Notification of commencement of operations and closing of mines.

The owner, operator, or person in charge of any metal and nonmetal mine shall notify the nearest Mine Safety and Health Administration and Metal and Nonmetal Mine Safety and Health District Office before starting operations, of the approximate or actual date mine operation will commence. The notification shall include the mine name, location, the company name, mailing address, person in charge, and whether operations will be continuous or intermittent. When any mine is closed, the person in charge shall notify the nearest district office as provided above and indicate whether the closure is temporary or permanent.

FIRE FIGHTING EQUIPMENT INSPECTION

30 CFR § 56.4201 Inspection.

- (a) Firefighting equipment shall be inspected according to the following schedules:
 - (1) Fire extinguishers shall be inspected visually at least once a month to determine that they are fully charged and operable.
 - (2) At least once every twelve months, maintenance checks shall be made of mechanical parts, the amount and condition of extinguishing agent and expellant, and the condition of the hose, nozzle, and vessel to determine that the fire extinguishers will operate effectively.
 - (3) Fire extinguishers shall be hydrostatically tested according to Table C-1 or a schedule based on the manufacturer's specifications to determine the integrity of extinguishing agent vessels.
 - (4) Water pipes, valves, outlets, hydrants, and hoses that are part of the mine's firefighting system shall be visually inspected at least once every three months for damage or deterioration and use-tested at least once every twelve months to determine that they remain functional.
 - (5) Fire suppression systems shall be inspected at least once every twelve months. An inspection schedule based on the manufacturer's specifications or the equivalent shall be established for individual components of a system and followed to determine that the system remains functional. Surface fire suppression systems are exempt from these inspection requirements if the systems are used solely for the protection of property and no persons would be affected by a fire.
- (b) At the completion of each inspection or test required by this standard, the person making the inspection or test shall certify that the inspection or test has been made and the date on which it was made. Certifications of hydrostatic testing shall be retained until the fire extinguisher is retested or permanently removed from service. Other certifications shall be retained for one year.

Table C-1 Hydrostatic Test Intervals for Fire Extinguishers

	Test
Extinguisher type	interval
	(years)
Soda Acid	5
Cartridge-Operated Water and/or Antifreeze	5
Stored-Pressure Water and/or Antifreeze	5
Wetting Agent	5
Foam	5
AFFF (Aqueous Film Forming Foam)	5
Loaded Stream	5
Dry-Chemical with Stainless Steel Shells	5
Carbon Dioxide	5
Dry-Chemical, Stored Pressure, with Mild Steel Shells,	
Brazed Brass Shells, or Aluminum Shells	12
Dry-Chemical, Cartridge or Cylinder	
Operated, with Mild Steel Shells	12
Bromotrifluoromethane Halon 1301	12
Bromochlorodifluoromethane Halon 1211	12
Dry-Powder, Cartridge or Cylinder-Operated, with Mild	
Steel Shells ¹	12

¹Except for stainless steel and steel used for compressed gas cylinders, all other steel shells are defined as "mild steel" shells.

30 CFR § 56.4203 Extinguisher recharging or replacement.

Fire extinguishers shall be recharged or replaced with a fully charged extinguisher promptly after any discharge.

56.4201 Monthly Fire Extinguisher Check

Location		an		eb		[ar	A	pr	M	[ay		un		ul	A	ug		ер		ct		ov		ec
	Day	Initia	Day	Initia	Day	[nitia]	Day	Initia	Day	[nitial	Day	Initia	Day	Initia										

EVACUATION PLAN

30 CFR § 56.4330 Firefighting, evacuation, and rescue procedures.

- (a) Mine operators shall establish emergency firefighting, evacuation, and rescue procedures. These procedures shall be coordinated in advance with available firefighting organizations.
- (b) Fire alarm procedures or systems shall be established to promptly warn every person who could be endangered by a fire.
- (c) Fire alarm systems shall be maintained in operable condition.

56.4330 Evacuation and Firefighting Plan

REPORTING A MINE EMERGENCY IN THE EVENT OF A MINE EMERGENCY AN ACCIDENT REQUIRING IMMEDIATE NOTIFICATION ONE CALL DOES IT ALL

AI
1-800-746-1553

Mine Name			
Federal Mine ID			Phone Number
MSHA Field Office			
District Office			
Directions to the mine			
State Department of Mines		Phone Number	
Emergency Medical Service	e	911	
Fire Department		911	
State Highway Patrol		911	
County Sheriff		911	
Ambulance / Life Flight		911	
Hospital			
Poison Control Center		800-222-1222	
Latitude			
Longitude			
Evacuation Meeting Area:			
Location of First Aid Equip	oment (Kit, Blanke	et,	
Stretcher):			
Location of HazCom Progr	am and MSDS / S	SDS	
	FIRE FI	GHTING PLAN	
1. Call for help: 911.			
2. Use Extinguisher or	nly if it can be don	ne safely.	
3. Evacuate area if nec	cessary.		
	LOCATION OF 1	FIRE EXTINGUISHE	RS

EXPOSURE MONITORING

30 CFR § 56.5002 Exposure monitoring.

Dust, gas, mist, and fume surveys shall be conducted as frequently as necessary to determine the adequacy of control measures.

Program Policy Manual

The standard requires mine operators to conduct dust, gas, mist and fume surveys as frequently as necessary to determine the adequacy of control measures. The purpose is to help assure that the miners are not exposed to harmful concentrations of airborne contaminants. This could include carbon monoxide in underground mines, nitrogen oxides after blasting, welding fumes, silica- containing dust, mercury and any other airborne contaminant, especially where there is a history of overexposures. It does not include noise.

There are many methods used to measure airborne contaminants. The sampling and analytical methods used by the mine operator should be consistent with established scientific principles, such as NIOSH recommended methods and comparable to the 1973 ACGIH TLVs.

30 CFR 56 / 5002 Exposure Monitoring for Metal/Non-Metal Small Mines

/Iine/Cont	ractor ID #Mine Name	Date	
boratory	should review their MSDS sheets for hat analysis of their ore body to determine heal. The state or customers may already have save one.	lth hazards associated with th	eir raw
Dust	Hazards Determined	Yes No	o N/A
	Fibers		
	Silica		
	Arsenic		
	Lead		
	Nuisance Particulate		
	Other		
	Hazard Sources should be identified and surveyed to make sure the hazards are controlled or eliminated. Crushing Screening Conveying		
	Hauling		
	Dumping		
	Transfer Points		
	Drilling		
	Č		
	Blasting		
	Roadways		
	Stockpiles Workstations		
	Mobile Equipment		
Fumes	Hazard Determined Do a complete evaluation of all welding operations	Yes No	o N/A
	to include MSDS sheets. Hazard Sources should be identified and surveyed to make sure the hazards are controlled or eliminated.		
	Hard Surfacing		
	Mild Steel		
	Aluminum		

Other

Hazard Sources		
Confined Space		
Closed Shop Location		
Loader Buckets		
Truck Beds		

Gases	Hazard Determined Do a complete	Yes	No	N/A
	evaluation of all Mobile Equipment			
	exhaust system and any internal			
	combustion engines running in			
	confined areas.			
	Loaders			
	Haul Trucks			
	Shop Trucks			
	Pickup Trucks			
	Gas Powered Air Compressors			
	Chemical Storage Areas			
	Other			
	Hazard Sources			
	Surge Tunnels			
	Shops			
	Storage Trailers			
	Sump Pump Internal Combustion			

Mists	Hazard Determined Do a complete	Yes	No	N/A
	evaluation for hazards Mists.			
	Oil Leaks Under Pressure			
	Other			
	Hazard Sources Mobile Equipment			
	Mobile Equipment			
	Fuel Injectors			
	Other			

	Yes	No	N/A
Employee Input and Interviews			
Industry and Company Health Trends			
Physical/Visual Observation			
Workplace Examination			

56.5002 Exposure Monitoring

Document this survey on your 56.18002 Workplace Exam

Dust, gas, mist, and fume surveys shall be conducted as frequently as necessary to determine the adequacy of control measures.

What controls do you have in place to protect miners from being exposed to:

- 1. Dust Complete laboratory analysis of ore body to determine health hazards associated with raw materials.
 - A. Hazards Determined (Le. Fibers, Silica, Arsenic, Lead, Nuisance Particulate, Other)
 - B. Hazard Source (Le. Crushing Screening, Conveying, Hauling, Dumping Transfer Points, Drilling, Blasting, Roadways Stockpiles, Workstations, Mobile Equipment)

Water roads. Lower speed limits. Part 47

- 2. Gases Complete evaluation of all Mobile Equipment exhaust system and any internal combustion engines running in confined areas.
 - A. Hazard Determination (I.e. Loaders Haul Trucks, Shop Trucks, Pickup Trucks Gas powered Air compressors, Chemical storage areas, Other)
 - B. Hazard Sources (i.e. Surge Tunnels, Shops, Storage Trailers, Sump Pump internal combustion).

Part 47

- 3. Mists Complete evaluation for hazardous mists.
 - A. Hazard Determination (i.e. 011 leaks under pressure, Other)
 - B. Mobile Equipment (i.e. Fuel Injectors, other)

Shut down and repair equipment. Part 47

- 4. Fumes Complete evaluation of all welding operations to include MSDS sheets.
 - A. Hazard determination (Le. Hard Surfacing, Mild Steel, Aluminum, Other)
 - B. Hazard Source (i.e. Confined Spaces Closed shop Location, Loader Buckets Truck Beds, Other)

Ventilation, fans as needed. Part 47

SUMMARY OF KEY MSHA REQUIREMENTS FOR A RESPIRATORY PROTECTION PROGRAM

30 CFR § 56.5005 Control of exposure to airborne contaminants.

Control of employee exposure to harmful airborne contaminants shall be, insofar as feasible, by prevention of contamination, removal by exhaust ventilation, or by dilution with uncontaminated air. However, where accepted, engineering control measures have not been developed or when necessary by the nature of work involved (for example, while establishing controls or occasional entry into hazardous atmospheres to perform maintenance or investigation), employees may work for reasonable periods of time in concentrations of airborne contaminants exceeding permissible levels if they are protected by appropriate respiratory protective equipment. Whenever respiratory protective equipment is used a program for selection, maintenance, training, fitting, supervision, cleaning, and use shall meet the following minimum requirements:

- (a) Respirators approved by NIOSH under 42 CFR part 84 which are applicable and suitable for the purpose intended shall be furnished and miners shall use the protective equipment in accordance with training and instruction.
- (b) A respirator program consistent with the requirements of ANSI Z88.2-1969, published by the American National Standards Institute and entitled "American National Standards Practices for Respiratory Protection ANSI Z88.2-1969," approved August 11, 1969, which is hereby incorporated by reference and made a part hereof. This publication may be obtained from the American National Standards Institute, Inc., 1430 Broadway, New York, New York 10018, or may be examined in any Metal and Nonmetal Mine Safety and Health District Office of the Mine Safety and Health Administration.
- (c) When respiratory protection is used in atmospheres immediately harmful to life, the presence of at least one other person with backup equipment and rescue capability shall be required in the event of failure of the respiratory equipment.

ANSI Z88.2 – 1969, requires, in part, that:

- (1) Written standard operating procedures be developed governing respirator selection, use and care (3.5.1, 7.1¹),
- (2) The user receive instruction and training in the nature of the hazard, the proper use of the respirator, and its limitations (3.5.3, 7.4),
- (3) The user be provided an opportunity to wear the respirator in a test atmosphere (7.4) (i.e. qualitative or quantitative fit test)
- (4) Respirators not be worn when conditions prevent a good face seal, such as a growth of beard or sideburns that project under the face piece (7.5);
- (5) Face piece fit be checked by the wearer <u>each time</u> the respirator is worn, by following the manufacturer's face piece fitting instructions, such as conducting a positive and negative pressure test (7.5);

- (6) The program adequately address respirator maintenance and care, including inspection for defects, cleaning and disinfecting, repair, and storage (8); and,
- (7) Frequent random inspections be conducted by a qualified individual to assure that respirators are properly selected, used, cleaned, and maintained (10.3).

Additionally, pursuant to 30 CFR 56/57.20011, areas where respirator use is required, must be posted with signs warning of the nature of the hazard and protective action required.

It is important that the entire ANSI Z88.2 – 1969 be reviewed when establishing or evaluating a respiratory protection program. A copy of ANSI Z88.2 – 1969, is available from your local MSHA, Metal and Nonmetal Mine Safety and Health office. MSHA personnel are also available to assist mine operators in establishing an adequate respiratory protection program. Please note, however, that MSHA does not accept respiratory protection in lieu of feasible engineering controls.

Additional information on respiratory protection, including a list of NIOSH certified respirators, is available from the National Institute for Occupational Safety and Health @ **1.800.35NIOSH.**

PROCEDURES FOR CHECKING AND TESTING RESPIRATOR FIT

<u>Negative Pressure Fit Check</u> – used with tight fitting face pieces to check the seal before entering a potentially contaminated atmosphere. The inlet(s) on the filters are sealed while the wearer gently inhales. The inward collapse of the mask, and absence of a noticeable inward rush of air, provides reasonable assurance that the mask is not leaking and is properly seated on the face.

Positive Pressure Fit Check – used with tight fitting face pieces to check the seal before entering a potentially contaminated atmosphere. The exhalation port is sealed while the wearer gently exhales. The buildup of pressure inside the mask, and absence of a noticeable outward rush of air, provides reasonable assurance that the mask is not leaking and is properly seated on the face.

<u>Qualitative Fit Test</u> – a pass/fail fit test that relies on the subject's sensory response to detect the leakage of a challenge agent past the respirator seal. The test is performed by exposing the wearer to a challenge agent easily detected by irritation (smoke), taste (Saccharine or Bittrex) or odor (isoamyl acetate). The subject must be able to sense the agent when not protected. If irritant smoke or isoamyl acetate are used, the respirator must be equipped with an appropriate air – purifying filter.

<u>Quantitative Fit Test</u> – a fit test that uses an instrument to measure the effectiveness of a respirator seal in excluding the ambient atmosphere. The test is performed by dividing the measured concentration of a challenge agent outside of the respirator by the measured concentration of the challenge agent inside the respirator face piece. The normal air purifying element should be replaced with an essentially perfect purifying element such as an HEPA filter.

¹ The numbers in parenthesis refer to the cited section of the ANSI standard.

CONTINUITY AND RESISTANCE

30 CFR § 56.12028 Testing grounding systems.

Continuity and resistance of grounding systems shall be tested immediately after installation, repair, and modification; and annually thereafter. A record of the resistance measured during the most recent tests shall be made available on a request by the Secretary or his duly authorized representative.

Program Policy Manual

This intent of this standard is to ensure that continuity and resistance tests of grounding systems are conducted on a specific schedule. These tests will alert the mine operator if a problem exists in the grounding system which may not allow the circuit protective devices to quickly operate when faults occur. With the exception of fixed installations, numerous fatalities and injuries have occurred due to high resistance or lack of continuity in equipment ground systems. These accident could have been prevented by proper testing and maintenance of grounding systems. Grounding systems typically include the following:

- 1. *equipment grounding conductors* the conductors used to connect the metal frames or enclosures of electrical equipment to the grounding electrode conductor;
- 2. **grounding electrode conductor** the conductors connecting the grounding electrode to the equipment grounding conductor; and
- 3. *grounding electrodes* usually driven rods connected to each other by suitable means, buried metal, or other effective methods located at the source, to provide a low resistance earth connection.

Operators shall conduct the following tests:

- 1. **Equipment grounding conductors** continuity and resistance must be tested immediately after installation, repair, or modification, and annually if conductors are subjected to vibration, flexing or corrosive environments;
- 2. *Grounding electrode conductor* continuity and resistance must be tested immediately after installation, repair, or modification, and annually if conductors are subjected to vibration, flexing or corrosive environments; and
- 3. *Grounding electrodes* resistance must be tested immediately after installation, repair, or modification, and annually thereafter.

Conductors in fixed installations, such as rigid conduit, armored cable, raceways, cable trays, etc., that are not subjected to vibrations, flexing or corrosive environments may be examined annually by visual observation to check for damage in lieu of the annual resistance test. When operators elect to conduct this visual examination as a method of compliance with 30 CFR

56/57.12028, MSHA will require that a record be maintained of the most recent annual visual examination.

The grounding conductors in trailing cables, power cables, and cords that supply power to tools and portable or mobile equipment must be tested as prescribed in the regulation. This requirement does not apply to double insulated tools or circuits protected by ground-fault-circuit interrupters that trip a 5 milli-amperes or less.

Testing of equipment grounding conductors and grounding electrode conductors is not required if a fail-safe ground wire monitor is used to continuously monitor the grounding circuit and which will cause the circuit protective devices to operate when the grounding conductor continuity is broken.

A record of the most recent resistance tests conducted must be kept and made available to the Secretary or his authorized representative upon request. When a record of testing is required by the standard, MSHA intends that the test results be recorded in resistance value in ohms.

56.12028 Grounding System Resistance Test

LOCATION									DA	ATE			 			
SEASON	TYPE SO	IL		SOII	DITI	ON	DRY MO				TEN	ΜР				
TYPE SYSTEM	SINGLE ROD DEPTH FT				 FT				STRIF Γ DIM				F	 T		
DISTANCE TO AUX	XILARY CURRENT ELEC	TRODEFT														
AUXILIARY ELECTR															$\overline{}$	
DISTANCE																
FT	OHMS															
FT	OHMS															
FT	OHMS															
FT	OHMS		(OHMS)													
FT	OHMS		ICE ((
FT	OHMS		RESISTANCE												\dashv	
FT	OHMS		RESI												\exists	
FT	OHMS			-					\bot						\exists	
FT	OHMS	GROUND														
FT	OHMS	UNDER TEST	74						TANK	<u> </u>			\exists		\exists	
FT	OHMS	1201	X					DIS	TANG	J⊏ (F		1)				

(EXAMPLE)

56.12028 Grounding System Resistance Test

LOCATION	JOE'S N	~inc	*	3					D	ATE				
SEASON Fa	()	TYPE SOIL	Sand	ì		SOIL CONDI	TION	DRY (MOI	sT)	TEI	MP 7	3		·
TYPE SYSTEM	SINGLE ROI DEPTH		MULTIPLE ROLLONGEST DI		NC]	Ŧ			PS OR WI MENSION		FT		
DISTANCE TO	AUXILARY CURR	ENT ELECTRO	DDE	FT			*							
AUXILIARY ELEC	POTENTI CTRODE		*	-	~~~								H	
DISTANCE 40 FT	CTRODE RESISTA 10,0 OHMS	NCE	54	and the second										
_50_FT	15.0 OHMS			ch-o-a										
<u>60</u> FT	25.0 OHMS			6										
FT	OHMS			MINO	(SMED) —									
FT	OHMS													
FT	OHMS			V E C	OIS I AINCE		· .							
FT	OHMS		*		뷛									
FT	OHMS			, 2	5									
FT	OHMS		GROUND		5				邽					
FT	OHMS		UNDER TEST		X 5	10 15	20 25	30 35 i	fo 45 5	0 55 60	DIS"	TANCI	<u> </u>	<u> </u>
F1	50 ÷ 3	and him	tverage		(3	3pt.)	F	alle	of p	roteni	tial	54.	ste	m

30 CFR § <u>57.13015</u> Inspection of compressed-air receivers and other unfired pressure vessels.

- (a) Compressed-air receivers and other unfired pressure vessels shall be inspected by inspectors holding a valid National Board Commission and in accordance with the applicable chapters of the National Board Inspection Code, a Manual for Boiler and Pressure Vessel Inspectors, 1979. This code is incorporated by reference and made a part of this standard. It may be examined at any Metal and Nonmetal Mine Safety and Health District Office of the Mine Safety and Health Administration, and may be obtained from the publisher, the National Board of Boiler and Pressure Vessel Inspector, 1055 Crupper Avenue, Columbus, Ohio 43229.
- (b) Records of inspections shall be kept in accordance with requirements of the National Board Inspection Code, and the records shall be made available to the Secretary or his authorized representative.

^{*}Recommendation-Make copies of certifications and insert in binder.

^{*}Note-Certification requirements vary from state to state.

30 CFR § 56.13017 Compressor discharge pipes.

Compressor discharge pipes where carbon build-up may occur shall be cleaned periodically as recommended by the manufacturer, but no less frequently than once every two years.

Type of Compressor	Location of	Date Inspected	Inspected By
	Compressor		

All air compressors have to have a full inspection every 2 years. You need to take off the pipe from the compressor to the tank, inspect and clean it. This pipe can be **HOT**, let it cool. Make sure the compressor is locked out and tagged out.

MOBILE EQUIPMENT EXAMS

30 CFR § 56.14100 Safety defects; examination, correction and records.

- (a) Self-propelled mobile equipment to be used during a shift shall be inspected by the equipment operator before being placed in operation on that shift.
- (b) Defects on any equipment, machinery, and tools that affect safety shall be corrected in a timely manner to prevent the creation of a hazard to persons.
- (c) When defects make continued operation hazardous to persons, the defective items including self-propelled mobile equipment shall be taken out of service and placed in a designated area posted for that purpose, or a tag or other effective method of marking the defective items shall be used to prohibit further use until the defects are corrected.
- (d) Defects on self-propelled mobile equipment affecting safety, which are not corrected immediately, shall be reported to and recorded by the mine operator. The records shall be kept at the mine or nearest mine office from the date the defects are recorded, until the defects are corrected. Such records shall be made available for inspection by an authorized representative of the Secretary.

Program Policy Manual

This standard applies to all off-road and on-road self-propelled equipment used on mine property, including vehicles such as vans, suburbans, and pick-up trucks that are used at mine sites and remain on mine property. In most instances, it does not apply to vehicles used to transport persons between locations off mine property to mine property; however, if such vehicles transport personnel on mine property (e.g., from the gate to various sites at the mine), then such equipment must be inspected.

This standard will not be cited when an audible warning device has been installed on heavy duty mobile equipment at surface mines and surface operations of underground mines, but is inoperative because of electrical or mechanical defect.

Standard .14132 shall be used when the equipment has not been equipped with audible warning devices, or when they have been so equipped, and the device is not operational for whatever reason.

In some cases, mine operators have installed audible reverse alarms on underground equipment because prevailing conditions have dictated the need for a warning device to ensure miner safety. In this instance, Standard .14100 can be considered if the alarm is inoperable or inaudible and the defect can be shown to affect the safety of workers in the area. Surrounding noise levels, confined work areas, and distracting work assignments shall be considered at the time.

DAILY SAFETY CHECKLIST FOR LOADERS

LOADER NUMBE DATE	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	MOI	19	20	21	22	23	24	25	26	27	28	29	30	3
Dil	1			1	<u> </u>		'		3	10	<u> </u>	12	13	14	13	10	17	10	13	20	21		23	24	23	20	21	20	23	30	t
<i>W</i> ater																															t
Hydraulics																															t
Brake Fluid		1																													t
Mirrors																															t
Windows		†				1																									t
Tires		†				1																									t
Brakes																															t
Emergency Brake																															1
Worn Hoses																															1
Belts																															t
Fire Extinguisher																															T
Bucket Pins		t																													T
Loose Bolts																															t
ROPS / FOPS																															T
Access																															T
Seat Belt																															T
Horn																															T
Back up Alarm																															T
.,																															T
																															T
Ç)																														t
bera																															
Operator Name:	<u> </u>																														
Var																															
<u>.</u>																															
																															L
REPAIRS NEEDED																															
																															_

MOBILE EQUIPMENT PRE-OPERATION INSPECTION

"X" ALL ITEMS IN ACEPTABLE CONDITION. IF REPAIRS ARE NEEDED LIST BELOW. CONDITIONS AFFECTING SAFE OPERATION MUST REPAIRED BEFORE CONTINUING OPERATION OF THE EQUIPMENT.

EQUIPMENT	EQUIPMENT
NUMBER	NUMBER
OPERATOR	OPERATOR
Date	Date
B-Up Alarm	B-Up Alarm
Brakes	Brakes
Park Brake	Park Brake
Fire Ext.	Fire Ext.
Horn	Horn
Seat Belt	Seat Belt
Windows	Windows
Mirrors	Mirrors
Wipers	Wipers
Defroster	Defroster
Engine	Engine
Fuel Tank	Fuel Tank
Heater	Heater
Hydraulics	Hydraulics
Lights	Lights
Steering	Steering
Tires	Tires
LIST ANY REPAIRS NEEDED:	LIST ANY REPAIRS NEEDED:
EQUIPMENT	EQUIPMENT
NUMBER	NUMBER
HOMDEN	
OPERATOR	OPERATOR
OPERATOR	OPERATOR
Date B-Up Alarm	Date B-Up Alarm
Date B-Up Alarm Brakes	OPERATOR Date B-Up Alarm Brakes
OPERATOR Date B-Up Alarm Brakes Park Brake	OPERATOR Date B-Up Alarm Brakes Park Brake
OPERATOR Date B-Up Alarm Brakes Park Brake Fire Ext.	OPERATOR Date B-Up Alarm Brakes Park Brake Fire Ext.
OPERATOR Date B-Up Alarm Brakes Park Brake Fire Ext. Horn	OPERATOR Date B-Up Alarm Brakes Park Brake Fire Ext. Horn
OPERATOR Date B-Up Alarm Brakes Park Brake Fire Ext. Horn Seat Belt	OPERATOR Date B-Up Alarm Brakes Park Brake Fire Ext. Horn Seat Belt
OPERATOR Date B-Up Alarm Brakes Park Brake Fire Ext. Horn Seat Belt Windows	OPERATOR Date B-Up Alarm Brakes Park Brake Fire Ext. Horn Seat Belt Windows
OPERATOR Date B-Up Alarm Brakes Park Brake Fire Ext. Horn Seat Belt Windows Mirrors	OPERATOR Date B-Up Alarm Brakes Park Brake Fire Ext. Horn Seat Belt Windows Mirrors
OPERATOR Date B-Up Alarm Brakes Park Brake Fire Ext. Horn Seat Belt Windows	OPERATOR Date B-Up Alarm Brakes Park Brake Fire Ext. Horn Seat Belt Windows
OPERATOR Date B-Up Alarm Brakes Park Brake Fire Ext. Horn Seat Belt Windows Mirrors Wipers	OPERATOR Date B-Up Alarm Brakes Park Brake Fire Ext. Horn Seat Belt Windows Mirrors Wipers
OPERATOR Date	OPERATOR Date B-Up Alarm Brakes Park Brake Fire Ext. Horn Seat Belt Windows Mirrors Wipers Defroster
OPERATOR Date	OPERATOR Date B-Up Alarm Brakes Park Brake Fire Ext. Horn Seat Belt Windows Mirrors Wipers Defroster Engine
OPERATOR Date	OPERATOR Date B-Up Alarm Brakes Park Brake Fire Ext. Horn Seat Belt Windows Mirrors Wipers Defroster Engine Fuel Tank
OPERATOR Date B-Up Alarm Brakes Park Brake Fire Ext. Horn Seat Belt Windows Mirrors Wipers Defroster Engine Fuel Tank Heater	Date B-Up Alarm Brakes Park Brake Fire Ext. Horn Seat Belt Windows Mirrors Wipers Defroster Engine Fuel Tank Heater
OPERATOR Date	OPERATOR Date B-Up Alarm Brakes Park Brake Fire Ext. Horn Seat Belt Windows Mirrors Wipers Defroster Engine Fuel Tank Heater Hydraulics
OPERATOR Date	OPERATOR Date B-Up Alarm Brakes Park Brake Fire Ext. Horn Seat Belt Windows Mirrors Wipers Defroster Engine Fuel Tank Heater Hydraulics Lights Steering Tires
OPERATOR Date B-Up Alarm Brakes Park Brake Fire Ext. Horn Seat Belt Windows Mirrors Wipers Defroster Engine Fuel Tank Heater Hydraulics Lights Steering	OPERATOR Date B-Up Alarm Brakes Park Brake Fire Ext. Horn Seat Belt Windows Mirrors Wipers Defroster Engine Fuel Tank Heater Hydraulics Lights Steering

DAILY CHECKSHEET		Motor Grader
		14G
HOUR METER START:		
HOUR METER END:		DATE:
		_
	CHECK	INFORMATION
		15W40
		Report defects
		Replace as required
CHECK LEVEL & FOR LEAKS		50 / 50 Mixture
CHECK LINES & TANK LEVEL		Inspect for leaks
CHECK LEVEL / LEAKS		Mobil Hydraulic Oil
CHECK CONDITION		Replace as required
CHECK FOR LOOSE NUTS		Check Tire Condition & Report
CHECK FOR TAKING GREASE		Visual Inspect Points & Cannister Level
CHECK CONDITION		Check Pins for Grease
CHECK FOR LEAKS / DAMAGE		Report Defects
CHECK CONDITION		Report Defects
CHECK OPERATION		Report Defects
CHECK OPERATION		Report defects
CHECK ALL		Repair as required
CHECK B/U Alarm & Horn		Test Operation
CHECK OPERATION		Report Defects
CHECK OPERATION		Report defects
CHECK PARKING & SERVICE		Service Brake-2nd Fwd. P.Brake 3rd Fwd.
WINDOWS, DOORS, BODY ETC.		Report any Damage or defects
E!!		IF NOT HAVE CORRECTED IMMEDIATELY
	HOUR METER START: HOUR METER END: TASK CHECK LEVEL & FOR LEAKS CHECK INDICATOR CHECK INDICATOR CHECK LEVEL & FOR LEAKS CHECK LEVEL & FOR LEAKS CHECK LINES & TANK LEVEL CHECK LEVEL / LEAKS CHECK CONDITION CHECK FOR LOOSE NUTS CHECK FOR TAKING GREASE CHECK CONDITION CHECK FOR LEAKS / DAMAGE CHECK CONDITION CHECK OPERATION	HOUR METER START: HOUR METER END: TASK CHECK CHECK LEVEL & FOR LEAKS CHECK INDICATOR CHECK INDICATOR CHECK LEVEL & FOR LEAKS CHECK LEVEL & FOR LEAKS CHECK LEVEL & FOR LEAKS CHECK LOOSE & TANK LEVEL CHECK FOR LOOSE NUTS CHECK FOR TAKING GREASE CHECK CONDITION CHECK FOR LEAKS / DAMAGE CHECK CONDITION CHECK OPERATION

DAILY SAFETY CHECKLIST FOR TRUCKS

TRUCK NUMBER	₹	1	1		1	ı	ı		1	1	1	_						MON	NTH						_		1				_
DATE	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	3
Dil																															
Nater																															
Fuel																															
Brake Fluid																															
Belts																															
Mirrors																															
Windows																															
Tires																															
Brakes																															
Emergency Brake																															Ļ
Hoses / Air Leaks																															
Fire Extinguisher																															
Frame																															
Pins																															
Access																															
Lights																															
Seat Belt																															
Horn																															
Back up Alarm																															
Operator Initial																															
Operator Name.	2																														
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			<u> </u>																												Щ
REPAIRS NEEDED																															

	DAILY CHECKSHEET		Caterpillar 771D TRUCK
			Haul Truck
	HOUR METER START:		
UNIT #:	HOUR METER END:		DATE:
OPERATOR:			
		2::504	
ITEM	TASK	CHECK	INFORMATION
ENGINE	CHECK LEVEL & FOR LEAKS		15W40
ALL VEE BELTS CONDITION	CHECK CONDITION		Report defects
AIR FILTER	CHECK INDICATOR		Replace as required
RADIATOR	CHECK LEVEL & FOR LEAKS		50 / 50 Mixture
FUEL TANK	CHECK LINES & TANK LEVEL		Inspect for leaks
HYDRAULIC LEVEL	CHECK LEVEL / LEAKS		Mobil Hydraulic Oil
STEERING TANK LEVEL	CHECK LEVEL		INSPECT FOR LEAKS
AUXILIARY STEERING	TEST OPERATION		REPORT DEFECTS
FIRE EXTINGUISHER SEALS	CHECK CONDITION		Replace as required
TIRES & WHEELS	CHECK FOR LOOSE NUTS		Check Tire Condition & Report
CHECK CYLINDER PINS	CHECK FOR TAKING GREASE		Visual Inspect Points & Cannister Level
ROCK BOX & TAIL GATES	CHECK CONDITION		Check Pins for Grease
CYLINDERS & HOSES	CHECK FOR LEAKS / DAMAGE		Report Defects
SEAT & SEAT BELT	CHECK CONDITION		Report Defects
WARNING LAMPS & HORN	CHECK CMS OPERATION		Report Defects
GAUGES	CHECK OPERATION		Report defects
LIGHTS	CHECK ALL		Repair as required
BACK-UP ALARM	CHECK B/U Alarm & Horn		Test Operation
SHIFT LINKAGES	CHECK OPERATION		Report Defects
CONTROLS & STEERING	CHECK OPERATION		Report defects
BRAKES	CHECK PARKING & SERVICE		Test Operation of Both
TRANSMISSION	CHECK LEVEL/RUNNING		Mobil Transmission oil
CONDITION OF UNIT	WINDOWS, DOORS, BODY ETC.		Report any Damage or defects
IS YOUR UNIT CLEAN AND SAFE !!			IF NOT HAVE CORRECTED IMMEDIATELY
		L	
COMMENTS:			

	DAILY CHECKSHEET		Caterpillar 980G
			Front End Loader
	HOUR METER START:		
UNIT #:	HOUR METER END:		DATE:
OPERATOR:			
ITEM	TASK	CHECK	INFORMATION
ENGINE	CHECK LEVEL & FOR LEAKS		15W40
ALL VEE BELTS CONDITION	CHECK CONDITION		Report defects
AIR FILTER	CHECK INDICATOR		Replace as required
RADIATOR	CHECK LEVEL & FOR LEAKS		50 / 50 Mixture
FUEL TANK	CHECK LINES & TANK LEVEL		Inspect for leaks
HYDRAULIC LEVEL	CHECK LEVEL / LEAKS		Mobil Hydraulic Oil
FIRE EXTINGUISHER SEALS	CHECK CONDITION		Replace as required
TIRES & WHEELS	CHECK FOR LOOSE NUTS		Check Tire Condition & Report
CHECK CYLINDER PINS	CHECK FOR TAKING GREASE		Visual Inspect Points & Cannister Level
BUCKET	CHECK CONDITION		Check Pins for Grease
CYLINDERS & HOSES	CHECK FOR LEAKS / DAMAGE		Report Defects
SEAT & SEAT BELT	CHECK CONDITION		Report Defects
WARNING LAMPS & HORN	CHECK OPERATION		Report Defects
GAUGES	CHECK OPERATION		Report defects
LIGHTS	CHECK ALL		Repair as required
BACK-UP ALARM	CHECK B/U Alarm & Horn		Test Operation
SHIFT LINKAGES	CHECK OPERATION		Report Defects
CONTROLS & STEERING	CHECK OPERATION		Report defects
BRAKES	CHECK PARKING & SERVICE		Service Brake-2nd Fwd. P.Brake 3rd Fwd.
TRANSMISSION	CHECK LEVEL/RUNNING		Mobil Transmission oil HD30
CONDITION OF UNIT	WINDOWS, DOORS, BODY ETC.		Report any Damage or defects
IS YOUR UNIT CLEAN AND SAFE			IF NOT HAVE CORRECTED IMMEDIATELY
•			
COMMENTS:			

MOBILE EQUIPMENT PRE-OPERATION EXAM

Equipment	Date
Tires, linkage, u-joints – worn, cra	cked, bent, cut
Handholds, ladder, steps – clean, b	ent, broken
Door – latches properly	
ROPS – labeled, defective	
Mirrors – broken, dirty	
Seat belts – clean, latches properly	
Lights, wipers, gauges – operation	al
Windshield, cab glass – good visib	oility, cracked
Reverse alarm, horn – operational	
Service/foot brake – stop loaded or	n maximum grade
Parking brake – hold stopped vehic	cle
Operators Name:	
Comments	

30 CFR 56/57 14.100

30 CFR § 56.18002 Examination of working places.

- (a) A competent person designated by the operator shall examine each working place at least once each shift for conditions which may adversely affect safety or health. The operator shall promptly initiate appropriate action to correct such conditions.
- (b) A record that such examinations were conducted shall be kept by the operator for a period of one year, and shall be made available for review by the Secretary or his authorized representative.
- (c) In addition, conditions that may present an imminent danger which are noted by the person conducting the examination shall be brought to the immediate attention of the operator who shall withdraw all persons from the area affected (except persons referred to in section 104(c) of the Federal Mine Safety and Health Act of 1977) until the danger is abated.

Program Policy Manual

30 CFR §§ 56/57.18002, Examination of working places, provide:

- a. A competent person designated by the operator shall examine each working place at least once each shift for conditions which may adversely affect safety or health. The operator shall promptly initiate appropriate action to correct such conditions.
- b. A record that such examinations were conducted shall be kept by the operator for a period of one year, and shall be made available for review by the Secretary or his authorized representative.
- c. In addition, conditions that may present an imminent danger which are noted by the person conducting the examination shall be brought to the immediate attention of the operator who shall withdraw all persons from the area affected (except persons referred to in section 104(c) of the Federal Mine Safety and Health Act of 1977) until the danger is abated.

MSHA intends that the terms "competent person" and "working place," used in §§ 56/57.18002(a), be interpreted as defined in §§ 56/57.2, Definitions.

A "competent person," according to §§ 56/57.2, is "a person having abilities and experience that fully qualify him to perform the duty to which he is assigned." This definition includes any person who, in the judgment of the operator, is fully qualified to perform the assigned task. MSHA does not require that a competent person be a mine foreman, mine superintendent, or other person associated with mine management.

The phrase "working place" is defined in 30 CFR §§ 56/57.2 as: "any place in or about a mine where work is being performed." As used in the standard, the phrase applies to those locations at a mine site where persons work during a shift in the mining or milling processes.

Standards 56/57.18002(b) require operators to keep records of working place examinations. These records must include: (1) the date the examination was made; (2) the examiner's name; and (3) the working places examined. MSHA intends to allow operators considerable flexibility

in complying with this provision in order to minimize the paperwork burden. Records of examinations may be entered on computer data bases or documents already in use, such as production sheets, logs, charts, time cards, or other format that is more convenient for mine operators.

In order to comply with the record retention portion of §§ 56/57.18002(b), operators must retain workplace examination records for the preceding 12 months. As an alternative to the 12-month retention period, an operator may discard these records after MSHA has completed its next regular inspection of the mine, if the operator also certifies that the examinations have been made for the preceding 12 months.

Evidence that a previous shift examination was not conducted or that prompt corrective action was not taken will result in a citation for violation of §§ 56/57.18002(a) or (c). This evidence may include information which demonstrates that safety or health hazards existed prior to the working shift in which they were found. Although the presence of hazards covered by other standards may indicate a failure to comply with this standard, MSHA does not intend to cite §§ 56/57.18002 automatically when the Agency finds an imminent danger or a violation of another standard.

WORK PLACE EXAMINATION RECORD

WEEK ENDING DATE

Hopper / Dump Walkways Walk	WEEK ENDING DATE		T	Ī				
Walkways Steps and Ladders Elevated Walkways and Handrails Guards Conveyor Rollers Structural Damage Electrical Installation / Lock Out Procedures Oxygen / Acetylene / Welding Flammable Material Storage Warning Signs / Alarms / Barricades Haul Roads Traffic Signs Berms Ponds Dump Sites Highwalls Stockpiles Clean-up Dust / Mist / Gas / Furnes Personal Protective Equipment Fall Protection Fire Extinguishers First Aid Supplies Communications Emergency Numbers Housekeeping		S	М	Т	W	Т	F	S
Steps and Ladders Elevated Walkways and Handrails Guards Conveyor Rollers Structural Damage Electrical Installation / Lock Out Procedures Oxygen / Acetylene / Welding Flammable Material Storage Warning Signs / Alarms / Barricades Haul Roads Traffic Signs Berms Ponds Dump Sites Highwalls Stockpiles Clean-up Dust / Mist / Gas / Fumes Personal Protective Equipment Fall Protection Fire Extinguishers First Aid Supplies Communications Emergency Numbers Housekeeping	Hopper / Dump			<u> </u>	<u> </u>		ļ	
Elevated Walkways and Handrails Guards Conveyor Rollers Structural Damage Electrical Installation / Lock Out Procedures Oxygen / Acetylene / Welding Flammable Material Storage Warning Signs / Alarms / Barricades Haul Roads Traffic Signs Berms Ponds Dump Sites Highwalls Stockpiles Clean-up Dust / Mist / Gas / Fumes Personal Protective Equipment Fall Protection Fire Extinguishers First Aid Supplies Communications Emergency Numbers Housekeeping	Walkways							
Guards Conveyor Rollers Structural Damage Electrical Installation / Lock Out Procedures Oxygen / Acetylene / Welding ————————————————————————————————————	Steps and Ladders							
Conveyor Rollers Structural Damage Electrical Installation / Lock Out Procedures ————————————————————————————————————	Elevated Walkways and Handrails							
Structural Damage Electrical Installation / Lock Out Procedures Oxygen / Acetylene / Welding ————————————————————————————————————	Guards							
Electrical Installation / Lock Out Procedures Oxygen / Acetylene / Welding Flammable Material Storage Warning Signs / Alarms / Barricades Haul Roads Traffic Signs Berms Ponds Dump Sites Highwalls Stockpiles Clean-up Dust / Mist / Gas / Fumes Personal Protective Equipment Fall Protection Fire Extinguishers First Aid Supplies Communications Emergency Numbers Housekeeping	Conveyor Rollers							
Oxygen / Acetylene / Welding	Structural Damage							
Flammable Material Storage Warning Signs / Alarms / Barricades Haul Roads Image: Communications Traffic Signs Image: Communications Berms Image: Communications Ponds Image: Communications Dump Sites Image: Communications Highwalls Image: Communications Stockpiles Image: Communications Clean-up Image: Communications Personal Protective Equipment Image: Communications First Aid Supplies Image: Communications Emergency Numbers Image: Communications Housekeeping Image: Communications	Electrical Installation / Lock Out Procedures							
Warning Signs / Alarms / Barricades ————————————————————————————————————	Oxygen / Acetylene / Welding							
Haul Roads Traffic Signs Berms Ponds Dump Sites Highwalls Stockpiles Clean-up Dust / Mist / Gas / Fumes Personal Protective Equipment Fall Protection Fire Extinguishers First Aid Supplies Communications Emergency Numbers Housekeeping	Flammable Material Storage							
Traffic Signs Berms Ponds Dump Sites Highwalls Stockpiles Clean-up Dust / Mist / Gas / Fumes Personal Protective Equipment Personal Protection Fire Extinguishers First Aid Supplies Communications Emergency Numbers Housekeeping Housekeeping	Warning Signs / Alarms / Barricades							
Traffic Signs Berms Ponds Dump Sites Highwalls Stockpiles Clean-up Dust / Mist / Gas / Fumes Personal Protective Equipment Personal Protection Fire Extinguishers First Aid Supplies Communications Emergency Numbers Housekeeping Housekeeping								
Berms Ponds Dump Sites Highwalls Stockpiles Clean-up Dust / Mist / Gas / Fumes Personal Protective Equipment Fall Protection Fire Extinguishers First Aid Supplies Communications Emergency Numbers Housekeeping	Haul Roads							
Ponds	Traffic Signs							
Dump Sites Highwalls Stockpiles Clean-up Dust / Mist / Gas / Fumes Personal Protective Equipment Fall Protection Fire Extinguishers First Aid Supplies Communications Emergency Numbers Housekeeping	Berms							
Highwalls	Ponds							
Stockpiles Clean-up Dust / Mist / Gas / Fumes Personal Protective Equipment Fall Protection Fire Extinguishers First Aid Supplies Communications Emergency Numbers Housekeeping	Dump Sites							
Clean-up Dust / Mist / Gas / Fumes Personal Protective Equipment Fall Protection Fire Extinguishers First Aid Supplies Communications Emergency Numbers Housekeeping	Highwalls							
Dust / Mist / Gas / Fumes Personal Protective Equipment Fall Protection Fire Extinguishers First Aid Supplies Communications Emergency Numbers Housekeeping	Stockpiles							
Personal Protective Equipment Fall Protection Fire Extinguishers First Aid Supplies Communications Emergency Numbers Housekeeping	Clean-up							
Fall Protection Fire Extinguishers First Aid Supplies Communications Emergency Numbers Housekeeping	Dust / Mist / Gas / Fumes							
Fall Protection Fire Extinguishers First Aid Supplies Communications Emergency Numbers Housekeeping								
Fire Extinguishers First Aid Supplies Communications Emergency Numbers Housekeeping	Personal Protective Equipment							
First Aid Supplies Communications Emergency Numbers Housekeeping	Fall Protection							
First Aid Supplies Communications Emergency Numbers Housekeeping	Fire Extinguishers							
Communications Emergency Numbers Housekeeping								
Emergency Numbers Housekeeping Output Description:								
	Emergency Numbers							
	Housekeeping							
Examiner's Name:								
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DAILY WORK PLACE and MOBILE EQ. EXAMINATION RECORD

WEEK START DATE:	Sun	Mon	Tues	Wed	Th	Fri	Sat
Plant: (Check mark if OK. "X" if not OK and log notes or problems)							
Feed Hopper:Ramps/Ramp Berms/Dump site restraint							
Safe access: Walking-Working Surf./Platforms/Ladders/Cleanup							
Guards-Crusher, Screen, Conveyors							
Dust / Mist / Gas / Fumes							
Grounds: (Check mark if OK. "X" if not OK and log notes or problems)							
Pit: Working face/Bank							
Roads							
Warning Signs							
Berms							
Stockpiles							
Pond: Berms/Docks/Life Vest/Access							
Gen. Trailer: Safe access/Housekeeping/Hearing Protection							
Elect: panels/plugs/cables/switches/labels/lockout							
PPE-Hard hats/ear plugs/eye protection/fall protection							
Scalehouse: First aid Eq./HazCom/Em. Phone Nos.							
Dust / Mist / Gas / Fumes							
Examiner's Name:							
Mobile Eq.: Inspect @ start of shift (Check mark if OK. "X" if not OH	K and log	notes or	problem	s)	1	1	
Loader - #1							
Loader - #2							
Other -							
Other -		ļ					
Mob. Eq. insp. items: Tires/lights/mirrors/windows/wipers/brakes/park	ing bral	ke/horn/l	oackup a	alarm/se	eat belt		
fire ext./steering/transmission/bucket-blade controls/ROPS tag/fluid c	hecks/h	oses/rad	dio/cab d	clean			
Notes/Problems - record date and comments; inform supervisor of	f safety	concern	s:				
(Document the monthly inspection of fire extinguishers)						T	
Examiner's Name:							
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er's							
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ne:							
Comments:							

WORK PLACE AND EQUIPMENT EXAMINATION

DATE:							EQUIPMENT INSPECTION							
							LOADER # 1				LOADER # 2			
ITEM	ок	DESCRIBE PROBLEM	ITEM	ок	DESCRIBE PROBLEM	ITEM	ок	NOT	NA	ITEM	ок	NOT	. NA	
PRIMARY			SECONDARY			Lights				Lights				
Hopper			Crushers			Mirrors				Mirrors				
Walkways			Crusher Drives			Backup Alarm				Backup Alarm				
Conveyor Guard			Walkways			Windows				Windows				
Crusher			Conveyor Guards			Tires				Tires				
Drive Belts			Screens			Fire Ext.				Fire Ext.				
Conveyors			Screen Guards			Brakes				Brakes				
Screens			Bins			Clutch				Clutch				
Conveyor Rollers			Electrical Boxes			Horn				Horn				
Screen Drives			Ladders / Steps			Wipers				Wipers				
Screen Guards			.5002			Park Brakes				Park Brakes				
Electrical Boxes						Steering				Steering				
Safety Lines			GROUNDS			Seat Belts				Seat Belts				
Ladders			Haul Roads			Oil Pressure				Oil Pressure	$oldsymbol{ol}}}}}}}}}}}}}}}}}}$			
Steps			Traffic Signs			Ammeter				Ammeter	<u> </u>			
Handrails			Berms			Transmission				Transmission	$oldsymbol{ol}}}}}}}}}}}}}}}}}}$			
Fire Extinguishers			Ponds			Cooling System				Cooling System				
First Aid Supplies			Dump Sites			Hydraulic Fluid				Hydraulic Fluid	<u> </u>			
Emergency Numbers			Highwalls			ROPS / POPS				ROPS / POPS				
Communications			Stockpiles			Housekeeping				Housekeeping				
.5002			Clean-up			Access				Access				
			.5002											

Continue on back, if needed. Documentation must be kept for one year.

Examiner's Name:

WORKPLACE EXAMINATION – MILL/PLANT

Documentation must be kept for one year.

Date
Roadways/Ramps - traffic control signs, ruts, debris
Berms - Mid-axle height, strength to impede vehicle
Elevated walkways - Substantial construction, non skid, clean, Handrails and mid rails if necessary
Work locations - Safe access provided PPE used, safety glasses, safety belts Respirators, ear plugs, warning signs posted
Ventilation controls - dust, mist, gas, fumes
Electrical - Distribution boxes, labeled, fused, grounded
Comments:
Examiner's Name:

30 CFR 56/57.18002

56.18002 Workplace Exam

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	1	2	3	4	5	-	7	8	9				13	14	15	16	17	18	19	20	21	22	22	24	25	26	27	28	29	30	21
Homes / Dumn	1	2	3	4	3	6	/	8	9	10	11	12	13	14	15	10	1/	18	19	20	21	22	23	24	23	26	21	28	29	30	31
Hopper / Dump																														$\vdash\vdash$	_
Walkways																														$\vdash \vdash$	
Steps and Ladders																														$\vdash\vdash$	
Elevated Walkways and Handrails																														Н	_
Guards																														$\vdash\vdash$	
Conveyor Rollers																														${oldsymbol{\sqcup}}$	—
Structural Damage																														Ш	—
Electrical Installation/Lock Out Procedures																														ш	—
Oxygen / Acetylene / Welding																														ш	—
Flammable Material Storage																														Ш	—
Warning Signs / Alarms / Barricades																															_
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Traffic Signs	\vdash																													H	
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Ponds																														\vdash	
Dump Sites																														\vdash	_
Highwalls																														\vdash	_
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Personal Protective Equipment																															
Fall Protection																															
First Aid Supplies																															
Communications																															
Emergency Numbers																															
Housekeeping																															_
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Fire Extinguisher																														Ш	—
Dust / Mists / Gas / Fumes																														Ш	—
Examiner's Name																															
Comments:	-		•	•	•	•		•													•	•	•		•						

Continue on back, if needed. Documentation must be kept for one year.

WORKPLACE EXAMINATION – QUARRY/PIT

Documentation must be kept for one year.

Date
Roadways/Ramps – Ruts, debris, traffic control signs
Berms – Mid axle height, strength to impeded vehicle
Highwalls – Hazards at top edge, back break,
Drilling – Drill positioned perpendicular on stable ground Dust controls, drilling wet, personal protective equipment Fall restraints provided and used by driller
Loading – Loader perpendicular to wall on stable ground Drivers remain inside haul unit cabs
Crusher/dump point – Berms, bumper block, signaling device Mechanical device to handle blockage Safe access to areas where maintenance is required
Sumps – Barricaded or bermed to impede vehicle accessSafe access to pumps where maintenance is requiredLife jackets provided and used
Dust, Mists, Gas, Fumes
Comments:
Examiner's Name:
L'Adminier 5 Ivanie.

30 CFR 56/57 .18002

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Dato	Workp	ace/Mobile	Equipment/Recordkeeping
Date:	Standard	Time	Examiner's Name: COMMENTS
Person in charge of mine	56.18009	Time	COMMENTS
Workplace Exam	56.18002a		
Dust / Mists / Gas / Fumes	56.5002		
Fire Ext. Equip. on Site	56.4200b1		
First Aid Materials (kits, blanket, stretcher)	56.15001		
Emergency Communication	56.18013		
Emergency Telephone Numbers Posted Emergency Medical Assistance/Transport	56.18012 56.18014		
Emorgonoy Modiodi / toolotanoo/ Transport	00.10014		
Pit or Quarry Wall Stability	56.3131		
Traffic Control Load, Transport of Equip/Supplies	56.9100 56.9201		
Berms or Guardrails	56.9300		
Dump Site Restraints	56.9301		
Roadway Maint. Dust Control Muck/Transfer Points/Crushers/Roads	56.9313 56.9315		
Dast Control Macio Transfer Forms/Ords/icis/Noads	30.3313		
Oxygen Cylinder Storage	56.4601		
Compressed Gas Cylinder Maint. Securing Gas Cylinders	56.4602 56.16005		
Protection of Gas Cylinder Valves	56.16005		
•			
Warning Signs-No Smoking/Open Flames Accumulation of Combustible Mat.	56.4101 56.4104		
Safety Can Identification	56.4402		
Fuel Line Shutoff Valve	56.4501		
Storage of Hazardous Materials	56.16003		
Storing/Stacking Materials-Tripping/Fall of Material Containers for Hazardous Materials	56.16001 56.16004		
Circuit Overload Protection	56.12001		
Mechanical Damage and Size Fittings and Bushings for Power Wire	56.12004 56.12008		
Splices	56.12013		
Lockout/Tagout	56.12016		
ID of Power Switches Danger Signs Electrical	56.12018 56.12021		
Inspection and Cover Plates	56.12032		
Guarding Around Lights	56.12034		
Weather Proof Lamp Sockets Installation of Transformers	56.12035 56.12067		
Locking Transformer Enclosures	56.12068		
Guarding for Moving Machine Parts Overhead Drive Belts	56.14107a 56.14108		
Unguarded Conveyors with Travelways	56.14109		
Flying Falling Materials	56.14110		
Construction/Maint. of Guards Start Up Alarms	56.14112a/b 56.14200		
Start Op Alaims	30.14200		
Hard Hats	56.15002		
Protective Footwear Eye Protection	56.15003 56.15004		
Life Jacket	56.15004		
Potable Water Housekeeping	56.20002 56.20003		
Toilet Facilities	56.20008		
Service Brakes Parking Brakes	56.14101a 56.14101a3		
Obstuction of Visibility	56.14101a3 56.14103a		
Seat Belts and ROPS	56.14130a		
Seat Belts for Surface Trucks Horns and Back Up Alarms	56.14131a 56.14132		
Unattended Equipment	56.14132		
, ,			
RECORDS		1	COMMENTS
Land ID Hadata (90. h	Standard		
Legal ID Update/30 days Independent Contractors	41.12/13 45.4		
Training Plan	46/48		
Training Records	46/48		
HazCom Program 7000-1 Accident Reports	47.31/32 50.20		
7000-1 Accident Reports 7000.2 Quarterly Reports	50.20		
Commencement Notice	56.1000		
Fire Ext. Inspection Monthly Fire Ext. Inspection Annual	56.4201a1 56.4201a2		
Firefighting, Evacuation and Rescue	56.4330		
Continuity and Resistance Tests	56.12028		
Pressure Vessel & Boiler Certification Mobile Equip. Exam	56.13015 56.14100		
Record of Workplace Exam	56.14100 56.18002b		
First Aid Training	56.18010		
Respiratory Protection Program	56.5001/5		
Hearing Conservation Program Explosive Permit/Number	62.150		
,			Documentation must be kept for one year.

30 CFR § 56.18010 First Aid

An individual capable of providing first aid shall be available on all shifts. The individual shall be currently trained and have the skills to perform patient assessment and artificial respiration; control bleeding; and treat shock, wounds, burns, and musculoskeletal injuries. First aid training shall be made available to all interested miners.

30 CFR § 56.15001 First-aid materials.

Adequate first-aid materials, including stretchers and blankets, shall be provided at places convenient to all working areas. Water or neutralizing agents shall be available where corrosive chemicals or other harmful substances are stored, handled, or used.

Program Policy Manual

56/57.15001 First Aid Materials

This standard requires that adequate first-aid materials, including stretchers and blankets, shall be provided at places convenient to all working areas, and that water or neutralizing agents shall be available where corrosive chemicals or other harmful substances are stored, handled or used.

The purpose of this mandatory standard is to ensure that adequate first-aid materials, including eye wash solution, safety showers (not just "deluge" showers, but a constant warm water supply for long-term flushing) and other neutralizing agents are available to workers where corrosive chemicals or other harmful substances are stored, handled, or used. Neutralizing agents shall be readily available for first-aid treatment and cleanup of corrosive chemical spillage or leakage. Spill-control products are commercially available for all hazardous chemical substances.

These products both absorb and neutralize hazardous chemicals, thereby reducing the hazard to workers while containing the spilled chemicals.

56.18012 Emergency telephone numbers.

Emergency telephone numbers shall be posted at appropriate telephones.

56.18013 Emergency communications system.

A suitable communication system shall be provided at the mine to obtain assistance in the event of an emergency.

56.18014 Emergency medical assistance and transportation.

Arrangements shall be made in advance for obtaining emergency medical assistance and transportation for injured persons.

30 CFR Part 62 Hearing Conservation Program

GENERAL COMPANY INFORMATION

Number:	
Company Name:	
Company	
Address:	
City, State & Zip	
Code:	
Mine Name:	
Person responsible	e for health and safety training at the mine (Name and Position)
Responsible	
Responsible Person:	
Responsible Person: Position/Title:	
Person:	
Person: Position/Title:	

The attached Hearing Conservation Program complies with the following subparts of 30 CFR:

62.110 - Noise Exposure Assessment

62.160 - Hearing Protectors

62.170 thru 62.175 - Audiometric Testing

62.80 - Training

62.190 - Records

62.110-Noise Exposure Assessment

Noise Exposure Assessment

(All that apply are checked):
____1. Company self assessment using a Sound Level Meter.
____2. Company self-assessment using a Noise Dosimeter.
____3. Mine Safety &Health Administration (MSHA) compliance sampling data. (Copies of all such data will be included in records kept for this Hearing Conservation Program.)
____4. Equipment manufacturer's noise specifications. (Copies of all, such data will be included in records kept for this Hearing Conservation Program.)

At least one of the following method(s) will be used to assess employee exposure to noise

Observation of Monitoring

This mine will provide the miners and their representatives with an opportunity to observe noise exposure monitoring and will give them prior notice of the date and time monitoring will take place.

Miner Notification of Exposure

This mine will notify a miner in writing within 15 days when his or her noise exposure equals or exceeds the 'action level, permissible exposure level or dual hearing protection level (provided this mine has not notified the miner of a similar exposure within the prior 12 months.) A record of notification will be kept at the mine for at least 6 months or until the overexposure situation is corrected.

62.160 Hearing Protectors

Hearing Protectors

The following two Hearing Protection Devices will be routinely offered (at no cost) to employees requiring such devices at this company.

Hearing protection Type:	Device #1				
	g) _	_ Over-the-Ear (Ear Muf	f)	Ear Canal Cap	
Other (Describe:)					
Manufacturer:					
Ordering					
Information:					
Hearing protection	Device #2				
Type:					
In-Ear (Ear Plug	g) _	_ Over-the-Ear (Ear Muf	f)	Ear Canal Cap	
Other (Describe:)		·			
Manufacturer:					
Ordering					
Information:					
In the event that the e	employee has a	n medical condition that prev	vents the use of	the original choice	es offered the
following additional c	hoices will be a	nade available.			
Hearing Protection	n Deice - Alte	rnate #1			
Type:					
In-Ear (Ear Plug	g) _	_ Over-the-Ear (Ear Muf	f)	Ear Canal Cap	
Other (Describe:)		·			
Manufacturer:					
Ordering					
Information:					
Hearing Protection	n Device - Al	ternate #2			
O		y the physician who de	termined that	the original ch	noices were

Hearing Protector Training

not suitable.

Training will be done on provided hearing protectors within 30 days of enrollment in the Hearing Conservation Program and thereafter, during annual refresher training.

62.170 thru 62.175 - Audiometric Testing

Audiometric testing will be offered to employees whose noise exposure is at or above the Action Level. The choice checked below reflects this mine's policy on requiring audiometric testing.

 This mine requires baseline audiometric testing as a condition of employment. This mine does nbt require a baseline audiometric test as a condition of employment.
Baseline audiometric testing will be provided within 6 months of enrollment in the Hearing Conservation Program (12 months if mobile lab is used.) The choice checked below reflects this mine's policy on audiometric testing.
Audiometric testing will be performed by our mine operation. The following is the name of the qualified Audiometric testing person:
The following Audiometric Testing Service will be used for testing of our employees. Name of Audiometric Testing Service: Address:
Other Contact information:
Audiometric testing will be offered annually to all employees who have been baseline tested.
Employee Notification
(Sample Notification Letters are in the Forms Appendix.)

Within 10 working days of receiving the results of an audiogram, or of a follow-up evaluation required under § 62.173 of Part 62, this mine will notify the miner in writing of the following:

- 1. The results and interpretation of the audiometric test, including any finding of a standard threshold shift or reportable hearing loss; and
- 2. The need and reasons for any further testing or evaluation, if applicable.

Note: When evaluation_s of the audiogram shows that a miner has incurred a reportable hearing loss as defined in Part 62, this mine will report such loss to MSHA as a noise-induced hearing loss in, accordance with part 50 of 30 CFR. (Unless a physician or audiologist has determined that the loss is neither work-related nor aggravated by occupational noise exposure.)

62.110(d)(e) Notification Letter - - Exposure at or above AL

This is not an official MSHA form. Part 62 does not specify the format for notification letters. Mine operators may use any format they wish for such letters.

Date

John Jones Employee Number 24689753 Loader Operator

RE: Your Workplace Noise Exposure

On Thursday, May 10, 2001, you were sampled for noise exposure while you operated the #4 Cat loader feeding the plant hopper. Your full shift noise exposure did not exceed MSHA's Permissible Exposure Level, however your noise dose of 85 dba did exceed MSHA's Action Level for noise exposure. The Action Level for noise exposure is one-half of the Permissible Exposure Limit.

Because of this noise exposure, you have been enrolled in the company's Hearing Conservation Program (HCP). By following the provisions of the HCP, your chances of sustaining a serious hearing loss as a result of on-the-job noise exposure will be greatly reduced. Within the next 30 days, you will be provided with hearing conservation training (62.180), be offered audiometric testing (62.170(a)(1)) and offered your choice of either ear muffs or ear plugs (62.160(a)(2)).

If you have any questions, please feel free to contact me or your supervisor.

Sincerely,

John Smith General Manager

NOTE: Miners exposed at or above the Action Level, Permissible Exposure Level, or Dual Hearing Protection Level must be notified in writing within 15 days of:

- 1. The exposure determination, and
- 2. The corrective action being taken.

62.110(e) The mine operator must maintain a copy of the miner notification, or a list on which the relevant information is recorded for the duration of the miner's exposure at or above the Action Level plus 6 months.

62.171(c) Baseline Audiometric Test Record

This is not an official MSHA form. Part 62 does not specify recordkeeping format. Mine

operators may use any records format they wish.

62.171(b)(1) Employee Name	62.171(b)(1) Job	Date Enrolled In	62.171(b)(2) Baseline Audiometric Testcopy of all of the miner's audiograms										
1 7	Classification	Hearing Conservatio n Program	Date Offered	Offer Accepted (A) Declined (D)	Date Of Valid Baseline Test	Indicate If Mobile Lab Used							
	Miner												

62.171(c) Annual Audiometric Test Record

This is not an official MSHA form. Part 62 does not specify recordkeeping format.

Mine operators may use any records format they wish. 62.171(b)(2) ...copy of all of the miner's audiograms

62.171(b)(1) Employee Name	62.171(b)(1) Job Classification	Date Offered	Offer Accepted (A) Declined (D)	Date Of Annual Audiometric Test	Date Offered	Offer Accepted (A) Declined (D)	Date Of Annual Audiometric Test	Date Offered	Offer Accepted (A) Declined (D)	Date Of Annual Audiometric Test
	Miner									

62.175(b) When evaluation of the audiogram shows that a miner has incurred a reportable hearing loss as defined in this part, the mine operator must report such loss to MSHA as a noise-induced hearing loss in accordance with part 50 of this title, unless a physician or audiologist has determined that the loss is neither work-related nor aggravated by occupational noise exposure.

62.180 Training

Within 30 days of a miner's enrollment into the Hearing Conservation Program, this mine will provide the miner with training. This mine operation will give training every 12 months thereafter if the miner's noise exposure continues to equal or exceed the action level. Training will include:

- 1. The effects of noise on hearing.
- 2. The purpose and value of wearing hearing protectors.
- 3. The advantages and disadvantages of the hearing protectors to be offered.
- 4. The various tyes of hearing protectors offered by the mine operator and the care, fitting, and use of each type.
- 5. The general requirements of this standard.
- 6. The mine operator's and miner's respective tasks in controlling the miner's exposure to noise.
- 7. The purpose and value of audiometric testing and a summary of the procedures.

This mine will certify the date and type of training given each miner, and maintain a record of this training for as long as the miner is enrolled in the Hearing Conservation Program, and for at least 6 months thereafter. (Sample Training Certificates are in the Forms Appendix.)

62.180(b) Hearing Conservation Program Training Record

MINE NAMEMSH.	A ID#	
This is not an official MSHA training form. This form is b operator in documenting "Hearing Conservation Program" not specify what form to use for documenting training.		
Miner's Full Name (print):		
Miner's Job Title:		
30 CFR Part 62.180 Training §62.180(a) The mine operator must, within 30 days of a miner's enrointo a hearing conservation program, provide the miner with training mine operator must give training every 12 months thereafter if the minoise exposure continues to equal or exceed the action level. Training include:	. The iner's Check 4 if comple	Miner's Initials (optional)
§ 62.180(a)(1) The effects of noise on hearing;		
§ 62.180(a)(2) The purpose and value of wearing hearing protectors;		
§ 62.180(a)(3) The advantages and disadvantages of the hearing protoffered;	ectors	
§ 62.180(a)(4) The various types of hearing protectors offered by the operator and the care, fitting and use of each type;	mine	
§ 62.180(a)(5) The general requirements of this part;		
§ 62.180(a)(6) The operator's and miner's respective task in maintain mine noise controls; and	ning	
§ 62.180(a)(7) The purpose and value of audiometric testing and a su of the procedures.	mmary	
Optional Training List all additional training provided on the companies "Hearing Conservation Program" in the space below.		Miner's Initials (optional)
1)		
2)		
3)		
4)		
As required by §62.180(b), I certify that the above training	thas been comple	eted.
(Signature of person responsible training)	(Date training p	provided)



PHONES & RADIO PORTABLE COMMUNICATIONS MUSIC

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CAMERAS & POWER & CAMCORDERS BATTERIES

Digital

HOME Entertainment

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FREE

Restore balance to your life.

Get precise readings when you fine-tune audio response of a

Instructions:

- 1. Use a Sound Level Meter (SLM) to determine noise level (in dBA); find the column corresponding to that noise level.
- 2. Measure or estimate number of hours of exposure, find the row corresponding to that number of hours of exposure.
- 3. The box at the intersection of the noise level column and hours of exposure row contains the noise dose.
- 4. If noise levels vary throughout the shift, divide the shift into separate tasks so that each task has a roughly constant noise level. Determine noise dose corresponding to each task, then add the individual task noise doses to yield a total noise dose for the full shift.
- 5. If Action Level Noise Dose is at or above 50%, enroll employee in Hearing Conservation Program.
- 6. If Permissible Exposure Limit Noise Dose is above 100%, use engineering and/or administrative controls to reduce exposure to 100% or less.

NOTES: 1. Use of a Sound Level Meter (SLM) and this table to estimate noise dose should be considered a rough approximation at best, of actual noise dose 2. A noise dosimeter is recommended for more accurate determinations of noise dose

Hours						N	· ·	Co determi	ne Action	Level Noise	Dose. use	entire tabl	hrough le . usc shade	•		-	·	D	· Property of the second
	80	81	82	83	84	85	86	87	88	89	90	ાજ	93	43.	9.4	9.5	96	97	48
15	47 %	54 %	62 %	71 %	81%	94 %	107 %	123 %	142 %	163 %	187 %	215 %	247 %	284 %	326 %	375 %	430 %	494 %	567 %
14	44 %	50%	58 %	66 %	76%	88 %	100 %	115 %	132 %	152 %	175 %	201 %	230 %	265 %	304 %	350 %	401%	460%	528 %
13	41%	47%	53 %	62 %	71%	81%	93 %	107%	123 %	141 %	163 %	186 %	214%	246 %	283 %	325 %	372 %	426 %	490 %
12	38 %	43 %	49 %	57%	65 %	75%	86%	99 %	113 %	130 %	150 %	172 %	197 %	227 %	261%	300 %	343 %	395 %	453 %
11	34 %	39 %	45 %	52 %	58%	69 %	79 %	91%	104 %	119 %	138 %	158 %	181 %	208 %	239 %	275 %	315 %	362 %	615%
10	31%	36%	41%	47%	54 %	63 %	71%	82 %	95 %	109 %	125 %	143 %	164 %	189 %	217%	250 %	286 %	329 %	377 %
9	28 %	32 %	37%	43 %	49 %	56%	64 %	74 %	85 %	98.%	113 %	129 %	1487%	170 %	196 %	225 %	257%	296 %	340%
8	25 %	29 %	33 %	38 %	43 %	50 %	57%	66 %	76%	87 %	100 %	115 %	132 %	152 %	174 %	200 %	229 %	263 %	302 %
7	22 %	25 %	29 %	33 %	38 %	44 %	50 %	58 %	66 %	76%	88 %	100 %	115%	132 %	152 %	175 %	200 %	230 %	264%
6	19%	22 %	25 %	28 %	33 %	38 %	43 %	49 %	57%	65 %	75 %	86 %	99 %	113 %	130 %	150 %	172 %	197%	226%
5	16%	18 %	21%	24 %	27%	31%	38 %	41%	47%	54 %	63 %	72 %	82 %	95 %	107 %	125 %	153 %	165 %	187%
4	13 %	14 %	16 %	19%	22 %	25 %	29 %	33 %	38%	43 %	50%	57%	66 %	76%	87%	100 %	114%	132 %	151%
3	9%	11%	12 %	14%	16 %	19%	22 %	25 %	28 %	33 %	38 %	43 %	49 %	57 %	65 %	75 %	19 %	99%	113%
	6%	7%	8%	10%	11%	13 %	14%	17%	19%	22 %	25 %	27 %	33 %	38 %	43 %	50 %	57 %	66 %	75 %
2	3 %	4 %	4%	5 %	5%	6%	7%	8%	10%	11%	13 %	14 %	16 %	19 %	22 %	25 %	29 %	33 %	38 %
1 30 Min	2%	2 %	2%	2%	3%	3%	4%	4%	5 %	5%	6%	7%	8 %	9%	11%	12 %	14%	16%	19%
15 Min	1%	1%	1%	1%	1%	2%	2 %	2%	2%	3 %	3 %	4%	4%	5%	5%	6%	7%	8%	9%

Hours	Noise Level in dBA (see other side for 80 dBA through 98 dBA) To determine Action Level Noise Dose, use entire table To defermine Fermissible Exposure Limit Noise Dose, use shaded portion only											gramma zarenskokolokolok 400 dalak dale					
	dq	100'	101	íŌZ	103	104	្រែទ	406	107"	(08	109	Tib i	******	112::	1113	114	115
15	651 %	750 %	860 %	987 %	1134 %	1303 %	1500 %	1719 %	1975 %	2268 %	2606 %	3000 %	3438 %	3949 %	4536 %	5211 %	6000 %
14	607 %	700 %	802 %	922 %	1059 %	1216 %	1400 %	1604 %	1843 %	2117%	2432 %	2800 %	3209 %	3686 %	4234 %	4863 %	5600 %
13	565 %	650 %	745 %	856 %	983 %	1129 %	1300 %	1490 %	1711 %	1966 %	2258 %	2600 %	2979 %	3422 %	3931 %	4516%	5200 %
12	522 %	600 %	688 %	790 %	907.%	1042 %	1200 %	1375 %	1580 %	1815 %	2084 %	2400%	2750 %	3159%	3629 %	4169 %	4800 %
11	478 %	550%	630 %	724 %	832 %	955 %	1100%	1261 %	1448 %	1663 %	1911%	2200 %	2521 %	2896 %	3327 %	3821 %	4400 %
10	435 %	500 %	573 %	658 %	756%	869%	1000 %	1146%	1316%	1512 %	1737 %	2000%	2292 %	2633 %	3024 %	3474 %	4000 %
9	391 %	450%	516%	592 %	681 %	782 %	900 %	1031%	1185 %	1361 %	1563 %	1800 %	2063 %	2369 %	2722 %	3126%	3600 %
8	348 %	400 %	458%	527 %	605 %	695 %	800 %	917%	1053 %	1210 %	1390 %	1600 %	1834 %	2106 %	2419 %	2779 %	3200 %
7	304 %	350 %	401%	461 %	529 %	608 %	700 %	802 %	922 %	1059 %	1216%	1400 %	1604 %	1843 %	2117%	2432 %	2800 %
6	261 %	300 %	344 %	395 %	454 %	521 %	600 %	688 %	790 %	907 %	1042 %	1200 %	1375 %	1580 %	1814%	2084 %	2400 %
5	217%	250 %	287 %	329 %	378%	434 %	500 %	573 %	658 %	756 %	869 %	1000 %	1146%	1316%	1512 %	1737 %	2000%
4	174 %	200%	229 %	263 %	302.%	347 %	400 %	458%	527 %	605 %	695 %	800 %	917%	1053 %	1210 %	1390 %	1600 %
3	130%	150%	172 %	197 %	227 %	261 %	300%	344 %	395 %	454 %	521 %	600 %	688 %	790 %	907 %	1042 %	1200 %
2	87%	100%	115%	132 %	151%	174 %	200 %	229 %	263 %	302 %	347 %	400 %	458 %	527 %	605 %	695 %	.800 %
1	43 %	50%	57 %	66 %	76%	87 %	100%	115 %	132 %	151 %	174 %	200 %	229 %	263 %	302 %	347 %	400 %
30 Min	22 %	25 %	29 %	33 %	38 %	43 %	50 %	57 %	66 %	76 %	87%	100 %	115%	132 %	151 %	174 %	200 %
15 Min	11%	12 %	14 %	16%	19 %	22 %	25 %	29 %	33 %	38 %	43 %	50 %	57 %	66%	76,%	87 %	100 %

Example: A 10 hour work shift consists of 2 hours at 98 dBA noise exposure, and 8 hours at 88 dBA noise exposure.

a. For the 2 hour exposure at 98 dBA, both the Action Level Noise Dose and Permissible Exposure Limit Noise Dose would be 75%.

c. To determine the full shift noise exposure, the two partial shift noise exposures are added together. The Action Level Noise Dose would be 75% + 76% = 151%, and the Permissible Exposure Limit Noise Dose would be 75% + 0% = 75%.

d. If this full-shift 10-hr noise exposure was representative of a typical work day, this employee would have to be enrolled in a hearing conservation program because the Action Level Noise Dose is greater than 50%, but this exposure does not exceed the Permissible Exposure Limit because the Permissible Exposure limit Noise Dose is less than 100%.

b. For the 8 hour exposure at 88 dBA, the Action Level Noise Dose would be 76%, and the Permissible Exposure Limit Noise Dose would be 0% (the Permissible Exposure Limit Noise Dose is 0% because 88 dBA noise level is not on the shaded portion of the table).

30 CFR § 100.1 Scope and purpose.

This part provides the criteria and procedures for proposing civil penalties under sections 105 and 110 of the Federal Mine Safety and Health Act of 1977 (Mine Act). The purpose of this part is to provide a fair and equitable procedure for the application of the statutory criteria in determining proposed penalties for violations, to maximize the incentives for mine operators to prevent and correct hazardous conditions, and to assure the prompt and efficient processing and collection of penalties.

30 CFR § 100.2 Applicability.

The criteria and procedures in this part are applicable to all proposed assessments of civil penalties for violations of the Mine Act and the standards and regulations promulgated pursuant to the Mine Act, as amended. MSHA shall review each citation and order and shall make proposed assessments of civil penalties.

30 CFR § 100.3 Determination of penalty amount; regular assessment.

- (a) General. (1) Except as provided in § 100.5(e), the operator of any mine in which a violation occurs of a mandatory health or safety standard or who violates any other provision of the Mine Act, as amended, shall be assessed a civil penalty of not more than \$70,000. Each occurrence of a violation of a mandatory safety or health standard may constitute a separate offense. The amount of the proposed civil penalty shall be based on the criteria set forth in sections 105(b) and 110(i) of the Mine Act. These criteria are:
- (i) The appropriateness of the penalty to the size of the business of the operator charged;
 - (ii) The operator's history of previous violations;
 - (iii) Whether the operator was negligent;
 - (iv) The gravity of the violation;
- (v) The demonstrated good faith of the operator charged in attempting to achieve rapid compliance after notification of a violation; and
 - (vi) The effect of the penalty on the operator's ability to continue in business.
- (2) A regular assessment is determined by first assigning the appropriate number of penalty points to the violation by using the appropriate criteria and tables set forth in this section. The total number of penalty points will then be converted into a dollar amount under the penalty conversion table in paragraph (g) of this section. The penalty amount will be adjusted for demonstrated good faith in accordance with paragraph (f) of this section.

(b) The appropriateness of the penalty to the size of the business of the operator charged. The appropriateness of the penalty to the size of the mine operator's business is calculated by using both the size of the mine cited and the size of the mine's controlling entity. The size of coal mines and their controlling entities is measured by coal production. The size of metal and nonmetal mines and their controlling entities is measured by hours worked. The size of independent contractors is measured by the total hours worked at all mines. Penalty points for size are assigned based on Tables I to V. As used in these tables, the terms "annual tonnage" and "annual hours worked" mean coal produced and hours worked in the previous calendar year. In cases where a full year of data is not available, the coal produced or hours worked is prorated to an annual basis. This criterion accounts for a maximum of 25 penalty points.

Table I—Size of Coal Mine

Annual tonnage of mine	Penalty Points
0 to 7,500	1
Over 7,500 to 10,000	2
Over 10,000 to 15,000	3
Over 15,000 to 20,000	4
Over 20,000 to 30,000	5
Over 30,000 to 50,000	6
Over 50,000 to 70,000	7
Over 70,000 to 100,000	8
Over 100,000 to 200,000	9
Over 200,000 to 300,000	10
Over 300,000 to 500,000	11
Over 500,000 to 700,000	12
Over 700,000 to 1,000,000	13
Over 1,000,000 to 2,000,000	14
Over 2,000,000	15

Table II—Size of Controlling Entity—Coal Mine

Annual tonnage	Penalty Points
0 to 50,000	1
Over 50,000 to 100,000	2
Over 100,000 to 200,000	3
Over 200,000 to 300,000	4
Over 300,000 to 500,000	5
Over 500,000 to 700,000	6
Over 700,000 to 1,000,000	7
Over 1,000,000 to 3,000,000	8
Over 3,000,000 to 10,000,000	9
Over 10,000,000	10

Table III—Size of Metal/Nonmetal Mine

Annual hours worked at mine	Penalty Points
0 to 5,000	0
Over 5,000 to 10,000	1
Over 10,000 to 20,000	2
Over 20,000 to 30,000	3
Over 30,000 to 50,000	4
Over 50,000 to 100,000	5
Over 100,000 to 200,000	6
Over 200,000 to 300,000	7
Over 300,000 to 500,000	8
Over 500,000 to 700,000	9
Over 700,000 to 1,000,000	10
Over 1,000,000 to 1,500,000	11
Over 1,500,000 to 2,000,000	12
Over 2,000,000 to 3,000,000	13
Over 3,000,000 to 5,000,000	14
Over 5,000,000	15

Table IV—Size of Controlling Entity—Metal/Nonmetal Mine

Annual hours worked	Penalty Points
0 to 50,000	0
Over 50,000 to 100,000	1
Over 100,000 to 200,000	2
Over 200,000 to 300,000	3
Over 300,000 to 500,000	4
Over 500,000 to 1,000,000	5
Over 1,000,000 to 2,000,000	6
Over 2,000,000 to 3,000,000	7
Over 3,000,000 to 5,000,000	8
Over 5,000,000 to 10,000,000	9
Over 10,000,000	10

 $\label{thm:contractor} \textbf{Table V---Size of Independent Contractor}$

Annual hours worked at all mines	Penalty Points
0 to 5,000	0
Over 5,000 to 7,000	2
Over 7,000 to 10,000	4
Over 10,000 to 20,000	6
Over 20,000 to 30,000	8
Over 30,000 to 50,000	10
Over 50,000 to 70,000	12
Over 70,000 to 100,000	14
Over 100,000 to 200,000	16
Over 200,000 to 300,000	18
Over 300,000 to 500,000	20
Over 500,000 to 700,000	22
Over 700,000 to 1,000,000	24
Over 1,000,000	25

- (c) History of previous violations. An operator's history of previous violations is based on both the total number of violations and the number of repeat violations of the same citable provision of a standard in a preceding 15-month period. Only assessed violations that have been paid or finally adjudicated, or have become final orders of the Commission will be included in determining an operator's history. The repeat aspect of the history criterion in paragraph (c)(2) applies only after an operator has received 10 violations or an independent contractor operator has received 6 violations.
- (1) Total number of violations. For mine operators, penalty points are assigned on the basis of the number of violations per inspection day (VPID)(Table VI). Penalty points are not assigned for mines with fewer than 10 violations in the specified history period. For independent contractors, penalty points are assigned on the basis of the total number of violations at all mines (Table VII).

This aspect of the history criterion accounts for a maximum of 25 penalty points.

Table VI — **History of Previous Violations-Mine Operators**

Mine Operator's Overall History of Violations Per Inspection Day	Penalty Points
0 to 0.3	0
Over 0.3 to 0.5	2
Over 0.5 to 0.7	5
Over 0.7 to 0.9	8
Over 0.9 to 1.1	10
Over 1.1 to 1.3	12
Over 1.3 to 1.5	14
Over 1.5 to 1.7	16
Over 1.7 to 1.9	19
Over 1.9 to 2.1	22
Over 2.1	25

Table VII—History of Previous Violations-Independent Contractors

Independent Contractor's Overall History of Number of Violations	Penalty Points
0 to 5	0
6	1
7	2
8	3
9	4
10	5
11	6
12	7
13	8
14	9
15	10
16	11
17	12
18	13
19	14
20	15
21	16
22	17
23	18
24	19
25	20
26	21
27	22
28	23
29	24
Over 29	25

(2) Repeat violations of the same standard. Repeat violation history is based on the number of violations of the same citable provision of a standard in a preceding 15-month period. For coal and metal and nonmetal mine operators with a minimum of six repeat violations, penalty points are assigned on the basis of the number of repeat violations per inspection day (RPID)(Table VIII). For independent contractors, penalty points are assigned on the basis of the number of violations at all mines (Table IX). This aspect of the history criterion accounts for a maximum of 20 penalty points (Table VIII).

Table VIII-History of Previous Violations-Repeat Violations for Coal and Metal and Nonmetal Operators with a Minimum of 6 Repeat Violations

Number of Repeat Violations Per Inspection Day	Final Rule Penalty Points
0 to 0.01	0
Over 0.01 to 0.015	1
Over 0.015 to 0.02	2
Over 0.02 to 0.025	3
Over 0.025 to 0.03	4
Over 0.03 to 0.04	5
Over 0.04 to 0.05	6
Over 0.05 to 0.06	7
Over 0.06 to 0.08	8
Over 0.08 to 0.10	9
Over 0.10 to 0.12	10
Over 0.12 to 0.14	11
Over 0.14 to 0.16	12
Over 0.16 to 0.18	13
Over 0.18 to 0.20	14
Over 0.20 to 0.25	15
Over 0.25 to 0.3	16
Over 0.3 to 0.4	17
Over 0.4 to 0.5	18
Over 0.5 to 1.0	19
Over 1.0	20

Table IX-History of Previous Violations-Repeat Violations for Independent Contractors

Number of Repeat Violations of the Same Standard	Final Rule Penalty Points
5 or fewer	0
6	2
7	4
8	6
9	8
10	10
11	12
12	14
13	16
14	18
More than 14	20

(d) Negligence. Negligence is conduct, either by commission or omission, which falls below a standard of care established under the Mine Act to protect miners against the risks of harm. Under the Mine Act, an operator is held to a high standard of care. A mine operator is required to be on the alert for conditions and practices in the mine that affect the safety or health of miners and to take steps necessary to correct or prevent hazardous conditions or practices. The failure to exercise a high standard of care constitutes negligence. The negligence criterion assigns penalty points based on the degree to which the operator failed to exercise a high standard of care. When applying this criterion, MSHA considers mitigating circumstances which may include, but are not limited to, actions taken by the operator to prevent or correct hazardous conditions or practices. This criterion accounts for a maximum of 50 penalty points, based on conduct evaluated according to Table X.

Table X—Negligence

Categories	Penalty Points
No negligence	0
(The operator exercised diligence and could not have known of the violative condition or practice.)	
Low negligence	10
(The operator knew or should have known of the violative condition or practice, but there are considerable mitigating circumstances.)	
Moderate negligence	20
(The operator knew or should have known of the violative condition or practice, but there are mitigating circumstances.)	
High negligence	35
(The operator knew or should have known of the violative condition or practice, and there are no mitigating circumstances.)	
Reckless disregard	50
(The operator displayed conduct which exhibits the absence of the slightest degree of care.)	

(e) Gravity. Gravity is an evaluation of the seriousness of the violation. This criterion accounts for a maximum of 88 penalty points, as derived from the Tables XI through XIII. Gravity is determined by the likelihood of the occurrence of the event against which a standard is directed; the severity of the illness or injury if the event has occurred or was to occur; and the number of persons potentially affected if the event has occurred or were to occur.

Table XI—Gravity: Likelihood

Likelihood of occurrence	Penalty Points
No likelihood	0
Unlikely	10
Reasonably likely	30
Highly likely	40
Occurred	50

Table XII—Gravity: Severity

Severity of injury or illness if the event has occurred or were to occur	Penalty Points
No lost work days	0
(All occupational injuries and illnesses as defined in 30 CFR Part 50 except those listed below.)	
Lost work days or restricted duty	5
(Any injury or illness which would cause the injured or ill person to lose one full day of work or more after the day of the injury or illness, or which would cause one full day or more of restricted duty.)	
Permanently disabling	10
(Any injury or illness which would be likely to result in the total or partial loss of the use of any member or function of the body.)	
Fatal	20
(Any work-related injury or illness resulting in death, or which has a reasonable potential to cause death.)	

Table XIII—Gravity: Persons Potentially Affected

Number of persons potentially affected if the event has occurred or were to occur	Penalty Points
0	0
1	1
2	2
3	4
4	6
5	8
6	10
7	12
8	14
9	16
10 or more	18

- (f) Demonstrated good faith of the operator in abating the violation. This criterion provides a 10% reduction in the penalty amount of a regular assessment where the operator abates the violation within the time set by the inspector.
- (g) Penalty conversion table. The penalty conversion table is used to convert the total penalty points to a dollar amount.

Table XIV—Penalty Conversion Table

60 or fewer 112 61 121 62 131 63 142 64 154 65 167 66 181 67 196 68 212 69 230 70 249 71 270 72 293 73 317 74 343 75 372 76 403 77 436 78 473 79 512 80 555 81 601 82 651 83 705 84 764 85 828 86 897 87 971 88 1,052 89 1,140 90 1,235 91 1,337 92 1,449 93 1,56		
62 131 63 142 64 154 65 167 66 181 67 196 68 212 69 230 70 249 71 270 72 293 73 317 74 343 75 372 76 403 77 436 78 473 79 512 80 555 81 601 82 651 83 705 84 764 85 828 86 897 87 971 88 1,052 89 1,140 90 1,235 91 1,337 92 1,449 93 1,569 94 1,700 95 1,842 96 1,995 97 2,161 <td>60 or fewer</td> <td>112</td>	60 or fewer	112
63 142 64 154 65 167 66 181 67 196 68 212 69 230 70 249 71 270 72 293 73 317 74 343 75 372 76 403 78 473 79 512 80 555 81 601 82 651 83 705 84 764 85 828 86 897 87 971 88 1,052 89 1,140 90 1,235 91 1,337 92 1,449 93 1,569 94 1,700 95 1,842 96 1,995 97 2,161 98 2,341 99 2,536	61	121
64 154 65 167 66 181 67 196 68 212 69 230 70 249 71 270 72 293 73 317 74 343 75 372 76 403 77 436 78 473 79 512 80 555 81 601 82 651 83 705 84 764 85 828 86 897 87 971 88 1,052 89 1,140 90 1,235 91 1,337 92 1,449 93 1,569 94 1,700 95 1,842 96 1,995 97 2,161 98 2,341 99 2,536		131
65 167 66 181 67 196 68 212 69 230 70 249 71 270 72 293 73 317 74 343 75 372 76 403 77 436 78 473 79 512 80 555 81 601 82 651 83 705 84 764 85 828 86 897 87 971 88 1,052 89 1,140 90 1,235 91 1,337 92 1,449 93 1,569 94 1,700 95 1,842 96 1,995 97 2,161 98 2,341 99 2,536 100 2,748	63	142
66 181 67 196 68 212 69 230 70 249 71 270 72 293 73 317 74 343 75 372 76 403 77 436 78 473 79 512 80 555 81 601 82 651 83 705 84 764 85 828 86 897 87 971 88 1,052 89 1,140 90 1,235 91 1,337 92 1,449 93 1,569 94 1,700 95 1,842 96 1,995 97 2,161 98 2,341 99 2,536 100 2,748	64	154
67 196 68 212 69 230 70 249 71 270 72 293 73 317 74 343 75 372 76 403 77 436 78 473 79 512 80 555 81 601 82 651 83 705 84 764 85 828 86 897 87 971 88 1,052 89 1,140 90 1,235 91 1,337 92 1,449 93 1,569 94 1,700 95 1,842 96 1,995 97 2,161 98 2,341 99 2,536 100 2,748	65	167
68 212 69 230 70 249 71 270 72 293 73 317 74 343 75 372 76 403 77 436 78 473 79 512 80 555 81 601 82 651 83 705 84 764 85 828 86 897 87 971 88 1,052 89 1,140 90 1,235 91 1,337 92 1,449 93 1,569 94 1,700 95 1,842 96 1,995 97 2,161 98 2,341 99 2,536 100 2,748	66	181
69 230 70 249 71 270 72 293 73 317 74 343 75 372 76 403 77 436 78 473 79 512 80 555 81 601 82 651 83 705 84 764 85 828 86 897 87 971 88 1,052 89 1,140 90 1,235 91 1,337 92 1,449 93 1,569 94 1,700 95 1,842 96 1,995 97 2,161 98 2,341 99 2,536 100 2,748	67	196
70 249 71 270 72 293 73 317 74 343 75 372 76 403 77 436 78 473 79 512 80 555 81 601 82 651 83 705 84 764 85 828 86 897 87 971 88 1,052 89 1,140 90 1,235 91 1,337 92 1,449 93 1,569 94 1,700 95 1,842 96 1,995 97 2,161 98 2,341 99 2,536 100 2,748	68	212
71 270 72 293 73 317 74 343 75 372 76 403 77 436 78 473 79 512 80 555 81 601 82 651 83 705 84 764 85 828 86 897 87 971 88 1,052 89 1,140 90 1,235 91 1,337 92 1,449 93 1,569 94 1,700 95 1,842 96 1,995 97 2,161 98 2,341 99 2,536 100 2,748	69	230
72 293 73 317 74 343 75 372 76 403 77 436 78 473 79 512 80 555 81 601 82 651 83 705 84 764 85 828 86 897 87 971 88 1,052 89 1,140 90 1,235 91 1,337 92 1,449 93 1,569 94 1,700 95 1,842 96 1,995 97 2,161 98 2,341 99 2,536 100 2,748	70	249
73 317 74 343 75 403 77 436 78 473 79 512 80 555 81 601 82 651 83 705 84 764 85 828 86 897 87 971 88 1,052 89 1,140 90 1,235 91 1,337 92 1,449 93 1,569 94 1,700 95 1,842 96 1,995 97 2,161 98 2,341 99 2,536 100 2,748	71	270
73 317 74 343 75 403 77 436 78 473 79 512 80 555 81 601 82 651 83 705 84 764 85 828 86 897 87 971 88 1,052 89 1,140 90 1,235 91 1,337 92 1,449 93 1,569 94 1,700 95 1,842 96 1,995 97 2,161 98 2,341 99 2,536 100 2,748	72	293
74 343 75 372 76 403 77 436 78 473 79 512 80 555 81 601 82 651 83 705 84 764 85 828 86 897 87 971 88 1,052 89 1,140 90 1,235 91 1,337 92 1,449 93 1,569 94 1,700 95 1,842 96 1,995 97 2,161 98 2,341 99 2,536 100 2,748	73	
75 372 76 403 77 436 78 473 79 512 80 555 81 601 82 651 83 705 84 764 85 828 86 897 87 971 88 1,052 89 1,140 90 1,235 91 1,337 92 1,449 93 1,569 94 1,700 95 1,842 96 1,995 97 2,161 98 2,341 99 2,536 100 2,748		
76 403 77 436 78 473 79 512 80 555 81 601 82 651 83 705 84 764 85 828 86 897 87 971 88 1,052 89 1,140 90 1,235 91 1,337 92 1,449 93 1,569 94 1,700 95 1,842 96 1,995 97 2,161 98 2,341 99 2,536 100 2,748	75	
77 436 78 473 79 512 80 555 81 601 82 651 83 705 84 764 85 828 86 897 87 971 88 1,052 89 1,140 90 1,235 91 1,337 92 1,449 93 1,569 94 1,700 95 1,842 96 1,995 97 2,161 98 2,341 99 2,536 100 2,748		
78 473 79 512 80 555 81 601 82 651 83 705 84 764 85 828 86 897 87 971 88 1,052 89 1,140 90 1,235 91 1,337 92 1,449 93 1,569 94 1,700 95 1,842 96 1,995 97 2,161 98 2,341 99 2,536 100 2,748		
79 512 80 555 81 601 82 651 83 705 84 764 85 828 86 897 87 971 88 1,052 89 1,140 90 1,235 91 1,337 92 1,449 93 1,569 94 1,700 95 1,842 96 1,995 97 2,161 98 2,341 99 2,536 100 2,748		
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82 651 83 705 84 764 85 828 86 897 87 971 88 1,052 89 1,140 90 1,235 91 1,337 92 1,449 93 1,569 94 1,700 95 1,842 96 1,995 97 2,161 98 2,341 99 2,536 100 2,748		_
83 705 84 764 85 828 86 897 87 971 88 1,052 89 1,140 90 1,235 91 1,337 92 1,449 93 1,569 94 1,700 95 1,842 96 1,995 97 2,161 98 2,341 99 2,536 100 2,748		
84 764 85 828 86 897 87 971 88 1,052 89 1,140 90 1,235 91 1,337 92 1,449 93 1,569 94 1,700 95 1,842 96 1,995 97 2,161 98 2,341 99 2,536 100 2,748		
85 828 86 897 87 971 88 1,052 89 1,140 90 1,235 91 1,337 92 1,449 93 1,569 94 1,700 95 1,842 96 1,995 97 2,161 98 2,341 99 2,536 100 2,748		
86 897 87 971 88 1,052 89 1,140 90 1,235 91 1,337 92 1,449 93 1,569 94 1,700 95 1,842 96 1,995 97 2,161 98 2,341 99 2,536 100 2,748		
87 971 88 1,052 89 1,140 90 1,235 91 1,337 92 1,449 93 1,569 94 1,700 95 1,842 96 1,995 97 2,161 98 2,341 99 2,536 100 2,748		
88 1,052 89 1,140 90 1,235 91 1,337 92 1,449 93 1,569 94 1,700 95 1,842 96 1,995 97 2,161 98 2,341 99 2,536 100 2,748		
89 1,140 90 1,235 91 1,337 92 1,449 93 1,569 94 1,700 95 1,842 96 1,995 97 2,161 98 2,341 99 2,536 100 2,748		
90 1,235 91 1,337 92 1,449 93 1,569 94 1,700 95 1,842 96 1,995 97 2,161 98 2,341 99 2,536 100 2,748		
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97 2,161 98 2,341 99 2,536 100 2,748		
98 2,341 99 2,536 100 2,748		
99 2,536 100 2,748		
100		1
	99	
2,976		
	101	2,976

102	3,224
103	3,493
104	3,784
105	4,099
106	4,440
107	4,810
108	5,211
109	5,645
110	6,115
111	6,624
112	7,176
113	
	7,774
114	8,421
115	9,122
116	9,882
117	10,705
118	11,597
119	12,563
120	13,609
121	14,743
122	15,971
123	17,301
124	18,742
125	20,302
126	21,993
127	23,825
128	25,810
129	27,959
130	30,288
131	32,810
132	35,543
133	38,503
134	41,574
135	44,645
136	47,716
137	50,787
138	53,858
139	56,929
140	60,000
141	63,071
142	66,142
143	69,213
144 or more	70,000
TITO INOI COMMISSION	70,000

(h)The effect of the penalty on the operator's ability to continue in business. MSHA presumes that the operator's ability to continue in business will not be affected by the assessment of a civil penalty. The operator may, however, submit information to the District Manager concerning the financial status of the business. If the information provided by the operator indicates that the penalty will adversely affect the operator's ability to continue in business, the penalty may be reduced.

30 CFR § 100.4 100.4 Unwarrantable failure.

- (a) The minimum penalty for any citation or order issued under section 104(d)(1) of the Mine Act shall be \$2,000.
- (b) The minimum penalty for any order issued under section 104(d)(2) of the Mine Act shall be \$4,000.
- (c) The penalty for failure to provide timely notification to the Secretary under section 103(j) of the Mine Act will be not less than \$5,000 and not more than \$60,000 for the following accidents:
 - (1) The death of an individual at the mine, or
- (2) An injury or entrapment of an individual at the mine, which has a reasonable potential to cause death.

30 CFR § 100.5 Determination of penalty amount; special assessment.

- (a) MSHA may elect to waive the regular assessment under § 100.3 if it determines that conditions warrant a special assessment.
- (b) When MSHA determines that a special assessment is appropriate, the proposed penalty will be based on the six criteria set forth in § 100.3(a).

All findings shall be in narrative form.

- (c) Any operator who fails to correct a violation for which a citation has been issued under Section 104(a) of the Mine Act within the period permitted for its correction may be assessed a civil penalty of not more than \$7,500 for each day during which such failure or violation continues.
- (d) Any miner who willfully violates the mandatory safety standards relating to smoking or the carrying of smoking materials, matches, or lighters shall be subject to a civil penalty of not more than \$375 for each occurrence of such violation.
- (e) Violations that are deemed to be flagrant under section 110(b 2) of the Mine Act may be assessed a civil penalty of not more than \$220,000. For purposes of this section, a flagrant violation means "a reckless or repeated failure to make reasonable efforts to

eliminate a known violation of a mandatory health or safety standard that substantially and proximately caused, or reasonably could have been expected to cause, death or serious bodily injury."

30 CFR § 100.6 Procedures for review of citations and orders; procedures for assessment of civil penalties and conferences.

- (a) All parties shall be afforded the opportunity to review with MSHA each citation and order issued during an inspection. It is within the sole discretion of MSHA to grant a request for a conference and to determine the nature of the conference.
- (b) Upon notice by MSHA, all parties will have 10 days within which to submit additional information or request a safety and health conference with the District Manager or designee. A conference request may include a request to be notified of, and to participate in, a conference initiated by another party. A conference request must be in writing and must include a brief statement of the reason why each citation or order should be conferenced.
- (c) When a conference is conducted, the parties may submit any additional relevant information relating to the violation, either prior to or at the conference. To expedite the conference, the official assigned to the case may contact the parties to discuss the issues involved prior to the conference.
- (d) MSHA will consider all relevant information submitted in a timely manner by the parties with respect to the violation. When the facts warrant a finding that no violation occurred, the citation or order will be vacated. Upon conclusion of the conference, or expiration of the conference request period, all citations that are abated and all orders will be promptly referred to MSHA's Office of Assessments. The Office of Assessments will use the citations, orders, and inspector's evaluation as the basis for determining the appropriate amount of a proposed penalty.

Program Policy Manual

100.6 Safety and Health Conferences

The safety and health conference is a scheduled meeting of a mine operator or miners' representative with MSHA district personnel to discuss the facts surrounding a citation or order. The purpose of the conference is to provide an opportunity to submit additional information regarding the violation. At this meeting, questions regarding the issuance of a citation or order, including the inspector's evaluation of negligence, gravity, and good faith, may be discussed. Conferences should be conducted before a penalty is proposed. They must be requested by the operator or other party within 10 calendar days of notification by MSHA of the opportunity for a safety and health conference.

Generally, an operator should be notified of the right to a safety and health conference at the time the inspector issues a citation or order or at the inspector's closeout conference. This notification starts the 10-calendar-day period during which the operator or other

parties may request a safety and health conference or submit additional information. The request or additional information should be submitted to the District Manager or designee. Requests for safety and health conferences will be honored based on the postmark date of mailing or date of telephone request. Conferences will be conducted within 15 calendar days of the request; however, it is understood that a small number of conferences may be scheduled later than 15 days due to extenuating circumstances. The issuing inspector, if not present, will be informed of the results of the conference.

Each citation or order will be held by the district in a pending file for no more than 15 calendar days from issuance, unless a safety and health conference is requested. If no conference is requested, each terminated citation and all orders will be promptly transmitted to the Office of Assessments.

In the case of Section 110(c) violations where an opportunity for conference has not been previously offered, the Headquarters office will notify the District Manager by memorandum that an operator or agent is to be given the opportunity for a safety and health conference. The memorandum will include a review and recommendation from the Office of the Solicitor, the name of the agent against whom a penalty is proposed to be assessed, the specific violation allegedly knowingly authorized, ordered, or carried out, and the reference to the MSHA special investigation file. The District Manager, or designee, will promptly notify the operator or agent of the opportunity for a conference and the specific matters to be discussed. The notice may be either in person or by telephone. This notice from the District Manager is the first formal notice to the operator or agent of MSHA's decision to assess an individual civil penalty against the agent.

During the safety and health conference, the investigative file shall not be shown to the operator or agent, nor in any instance may the information contained in the file be released. The scope of the conference will not be whether a violation exists. Instead, the conference will focus on the facts and circumstances relating to the statutory criteria, and any facts in mitigation will be considered. The District Manager must provide the conference results to Headquarters, and the agent's correct home address, so that the Office of Assessments can transmit the proposed penalty assessment to the agent.

100.6(f) Referral of Citations/Orders for Assessment

Terminated citations and all orders are to be promptly referred to the Office of Assessments. Section 105(a) of the Mine Act requires that a proposed civil penalty be issued for all violations" ... within a reasonable time after the termination of such inspection or investigation" For proposed assessment purposes, "reasonable time" is normally defined as within 18 months of the issuance of a citation or order or, in the case of a fatal accident, within 18 months of the issuance of the accident report.

Absent unusual circumstances, citations and orders received for assessment after the 18-month period has elapsed, or too near the end of such period to ensure timely assessment, will not receive a proposed assessment.

In order to propose a penalty as expeditiously as possible, the agency goals will be:

- 1. Citations and orders **not** associated with a serious accident, fatality, or other special circumstance should be assessed within 31 days of the issuance date.
- 2. Citations and orders **not** associated with a serious accident, fatality, or other special circumstance that are recommended for a special assessment should be assessed within 75 days of the issuance date.
- 3. Citations and orders associated with a serious accident, fatality, or other special circumstance should be assessed within 180 days of the accident or special event date.

To meet these goals the Office of Assessments should process citations and orders within 14 days for single penalty and regular assessments, 30 days for routine special assessments, and 45 days for accident-related special assessments.

Top Twenty Citations

The top twenty citations is a good brief tool to show operators how their special focus on the top cited standards can go a long way to improving their compliance and to better protect their miners.

Usually the top 10 citations account for about 40-50 % of all citations issued at similar operations (S&G: crushed stone, UG coal etc.).

To obtain the Top Twenty Citations: Go to www.msha.gov: The top twenty is listed in the statistics section on the left hand side of the web page.

Rules to Live By I

56.14105	Procedures during repairs or maintenance
56.15005	Safety belts and lines
56.9101	Operating speeds and control of equipment
56.14101(a)	Service brake performance
56.14205	Machinery, equipment, and tools used beyond design
56.20011	Barricades and warning signs
56.16009	Persons shall stay clear of suspended loads
57.3360	Ground support use
56.14131(a)	Seat belts provided and worn in haul trucks
56.14130(g)	Wearing seat belts
56.12017	Work on power circuits
56.16002(c)	Bins, hoppers, silos, tanks, and surge piles
56.14207	Parking procedures for unattended equipment

Rules to Live By III

46.7(a)	New task training
56.15020	Life jackets and belts
56.3130	Wall, bank, and slope stability
56.3200	Correction of hazardous conditions
56.14100(b)	Safety defects; examination, correction and records
57.14100(b)	Safety defects; examination, correction and records

Safety will be given primary importance in planning and operating all company activities in order to protect employees against occupational injuries and illnesses, and in order to protect the company against unnecessary financial burden and reduce efficiency. Accordingly, it is company policy to place safety and health on an equal basis with Quality, Quantity, and Cost of providing service.

All management and supervisory personnel are responsible for providing and maintaining a safe and healthy work environment and for the safe work conduct of all persons reporting or assigned to them.

All employees are responsible for their own safety, that of their fellow employees and the public. They must perform their work in a professional, safe manner and adhere to working practices and rules established for their safety.

This guide has been prepared for all employees and is intended to be a reference to job safety in all company operations. It is intended to prevent accidents, which could result in property damage or injury to you, your fellow employees, the public, or our customers. Very simply, this guide is a tool to assist and protect you in your work.

Our statement and general policy is:

- To provide adequate control of the health and safety risk arising from our work activities
- To consult with our employees on matters affecting their health and safety
- To provide and maintain safe work areas including plants and mobile equipment
- To insure safe handling and use of hazardous materials

- To provide information, instruction, and supervision for employees
- To ensure that all employees are competent to do their task, and give them adequate training
- To prevent accidents and cases of work related ill health
- To maintain safe and healthy working conditions; and
- To review and revise this policy as necessary at regular intervals

Company Official	Title	Date	

Health & Safety Hazards Arising from Work Activities

Hazard assessments training and reporting procedures will be undertaken by all employees.

- Identified hazards will be reported to management
- Action to correct hazards will be approved by management
- Management is responsible to ensure action required is implemented promptly
- Management will follow up to assure hazardous conditions are corrected
- Management and employees will pursue permanent controls to eliminate reoccurrence
- When work areas/activities change: management will re evaluate to ensure hazards do not
 exist

Area Safety Guidelines

Office Safety:

- If objects or boxes are heavy or awkward, seek additional assistance
- Eliminate all tripping and slipping hazards
- Keep work area reasonably neat and organized
- Close all drawers and cabinets before leaving work area
- Be familiar with fire exits and emergency evacuation procedures for your work area
- All computer monitors should be placed at eye level or lower
- Maintain proper lighting
- Take adequate periods of rest or alternate activity to eliminate fatigue and stress
- Be supportive of fellow workers in daily job performance
- Notify management of all accidents or incidents immediately

Shop Safety:

Maintenance, servicing, and repair of equipment pose several serious hazards to maintenance personnel. Hazard prevention guidelines for shop operations are as follows:

- Maintenance personnel must heed all applicable warnings listed in service manuals
- All loads must be blocked or appropriate safety locks and pins must be utilized (truck beds, blades, buckets, and booms, etc.)
- Equipment must be shut down before lubrication or service work is started
- When handling heavy and awkward parts, mechanical aids (hoist, hand trucks, etc.) must be used
- Do not cut on or weld near fuel cells
- On articulating machines, lock bars must be in place before service work begins
- Use cardboard or wood to check for hydraulic leaks, do not use fingers

- Eye protection must be worn when grinding, chipping, sandblasting, power washing, burning or welding, when handling chemicals, or other substances that are likely to splash, and when using power tools
- Oxygen and acetylene pressure cylinders should be secured and capped when not in use, this also includes empty tanks. Empty tanks should be identified as being empty
- Acetylene pressure must not exceed 15 psi
- Always monitor tire pressure prior to and during inflation of tires
- Do not by pass or remove safety devices on tools or equipment
- Use only approved lifting devices. Log type chains are not to be used as a lifting device
- Good housekeeping shall be practiced in all areas of the shop
- Know the location of fire extinguishers and do not block access to them
- Maintain tools in good working condition. Remove defective tools from service and properly tag them as such
- Proper ventilation must be maintained when equipment is running in doors
- Notify management immediately of all accidents or incidents
- Welding or cutting on certain painted surfaces can cause exposure to airborne toxic fumes

Equipment and Plant Safety

Employees and Management will be responsible for identifying equipment and plant maintenance needs:

- Management will be responsible for ensuring effective maintenance procedures are drawn up
- Management will be responsible for scheduling and ensuring required maintenance is completed
- Any problems with plant/equipment shall be reported to management
- Management will ensure that new equipment meets the current health and safety standards before it is put in service

Hazardous Communications

Management will inventory and record hazardous materials

- Management will ensure that a written program is kept up to date
- Management will secure MSDS for all materials listed and make them available to all miners at locations that are assessable on any working shift
- Management will provide and insure all hazardous materials containers are labeled for identification
- Management will ensure all miners and contractors receive training with regards to the hazardous materials they may be exposed to while on mine property
- Management will provide a copy of an MSDS sheet to miners or contractors upon their request

Training

Management will ensure that quality training is provided that will comply with the Part 46 Training requirements for all miners, supervisors, and contractors who perform work activities on mine property. (See our Part 46 Training Plan for details)

Management will ensure that an individual receives training in first aid. A person capable of providing first aid will be available on all shifts.

Personal Protective Equipment

Management will ensure that employees wear and use personal protective equipment when required, as listed below:

Protective Gear	For Whom	When
Safety Shoes	All Workers	All Times
Safety Glasses	All Workers	When needed
Hard Hat	All Workers	All Times
Protective Gloves	All Workers	When needed
Electrician's gloves	All Workers	When handling electrical cables
Hearing Protection	All Workers	When noise levels exceed 85 dBA
Respirators	All Workers	When dust, gas, or fumes exceed allowable
		limits

Emergency Provisions and Procedures

In the event of an emergency – Management and/or employees will activate the EMS system – Call 911 – provide known information

• Management and/or employees will secure accident scene and provide initial first aid for the victim until emergency medical assistance is present

Accident investigation/analysis, reporting, and follow - up

- Employees are required to report all accidents or illness to management as soon as possible after the occurrence.
- Management will contact MSHA of accidents requiring immediate notification (See Part 50.10)
- Management will investigate all accidents and complete accident reports required by this policy and Part 50, CFR.
- Management with the assistance of the employees will, after review of the finding, initiate policies and procedures to prevent recurrence.

Lock - out Tag - out Procedures

A lock – out tag – out board will be provided with a sufficient number of locks and keys, for use when necessary, to prevent anyone from energizing the circuit. Anyone who plans to enter an area for any type of maintenance while equipment is off will follow this procedure:

- 1. Locate the proper equipment by bath area and location and equipment designation or type.
- 2. Determine where the proper disconnect point is located. All disconnected points should be clearly marked. IF IN DOUBT as to the proper location of the disconnect, have the supervisor or operator in the area of responsibility either show you where the disconnect is, or verify that you have identified the proper disconnect point. This procedure pertains to electrical or mechanical lockout points.
- 3. Determine whether or not the equipment is "OUT OF SERVICE". Determine whether adjacent equipment is "OUT OF SERVICE". Or should be locked and tagged out for you to perform your job safely.
- 4. NEVER TURN DISCONNECT TO OFF POSITION WHILE EQUIPMENT IS UNDER LOAD. Always turn off equipment using stop button or call the supervisor if you are not sure whether equipment is remotely operated. If equipment is remotely operated, go to the control location and fill out an "OUT OF SERVICE" tag. Place this lockout tag on the start button.
- 5. If disconnect switch is marked "HIGH VOLTAGE", DO NOT DISCONNECT. Call and Electrician.
- 6. If not marked "HIGH VOLTAGE", stand to the right side of the switch and turn the disconnect switch to the "OFF" position with your left hand. NEVER STAND DIRECTLY IN FRONT OF DISCONNECT SWITCH WHEN TURNING THE SWITCH TO THE OFF POSITION.
- 7. Always wear eye protection!
- 8. With the switch in the "OFF" position, place a hasp on the switch and then place your personal safety lock and tag on the hasp. THE HASP WILL ALWAYS BE PLACE ON THE DISCONNECT FIRST.
- 9. All employees working on one piece of equipment will have their own individual personal safety lock and lock out tag on the hasp locking the disconnect switch. There will never be more than five locks on one hasp. The sixth hole on the hasp will be filled by adding a second hasp and placing the personal safety lock on the second hasp.
- 10. Before working on any equipment which you have locked and tagged out, test the equipment for safe lock out and tag out by trying to start the equipment on "NORMAL" or "TEST".
- 11. ALWAYS LOCK AND TAG OUT adjacent equipment that may present a danger while working. Spare locks and lockout tags may be obtained from your supervisor.
- 12. Employees who have not completed work on a piece of equipment by the end of the shift will have their supervisor place a departmental spare lock and tag on the equipment prior to removing their personal lock and tag.

Mechanical Lockout and Tagout Procedures

Identify potential hazards and use safe work practices when performing maintenance or working on equipment that may contain non – electrical sources of energy. These may include:

- *Gravity:* Rolling downhill, bucket or bed falling, roll back of elevations and conveyors.
- *Hydraulic*: Oil or other liquid used under pressure to raise or lower, open or close etc.
- <u>Pneumatic:</u> Air used under pressure to raise, lower, open or close. Also tires and pressure vessels, etc.
- **Stored:** Tension created by springs, gears, etc.
- Hot and/or pressurized liquids: Steam or other pressurized liquids such as water.
- 1. Determine where the proper disconnect point is located. Equipment shall be de energized by turning off the ignition switch, and or kill switch. Place your personal lockout tag on the ignition switch, and or the kill switch. Remove the key from the ignition switch and keep the key with you until the end of the shift. Give the key to the supervisor at the end of the shift. Do not work on equipment unless you have possession of the keys.
- 2. If not equipment with keyed ignition system, equipment ignition will be disabled by disconnection of the battery cables. If engine must be running to perform maintenance or repairs, employees shall follow the manufactures' recommendation for the specific job being performed.
- 3. parking brakes shall be set, implements shall be lowered, wheels shall be chocked front and back axle, and all safety locks shall be in place. Determine whether or not the equipment is "OUT OF SERVICE". Determine whether adjacent equipment is "OUT OF SERVICE" or should be locked out and tagged out for you to do your job safely. Equipment will be tagged out denoting maintenance is being performed.
- 4. All hydraulic moved parts that are affected by depressurization of hydraulics shall be sufficiently blocked to prevent unplanned movement of parts.
- 5. Upon completion of the maintenance or repair work, the employee initially placing the tags may remove the tags. Blocking may be removed and the equipment be reenergized.
- 6. All employees working on a piece of equipment will have their own individual personal safety lock and lockout tag on the hasp locking the disconnecting switch. There will never be more than five locks on one hasp. The sixth hole on the hasp will be filled by adding a second hasp and placing the personal safety lock on the second hasp.
- 7. Before working on any equipment which you have locked and tagged out, test the equipment for a safe lockout and assure that no unplanned movement will occur during maintenance activities.
- 8. Employees who have not completed work on a piece of equipment by the end of the shift will have their supervisor place a departmental spare lock and tag on the equipment prior to removing their personal lock and tag.

Procedures for Fall Protection

The procedure covers requirements associated with working at heights including high plant structures, scaffolding, work platforms, highwalls, and roof work. The objective is to ensure the work at high places and on general walking/working surfaces is carried out safely so employees performing the work do not endanger themselves or other persons.

- 1. When employees are exposed to a hazard of falling from an elevated location, employees will use fall restraint systems. Systems to be provided should be in the form of ANSI Z-359.1 approved full body harness system with shock absorbing lanyard.
- 2. Persons utilizing a man basket elevated by crane, lift or any other device should wear a full body harness tied by safety lanyard to attachment point capable of supporting a 5,000 pound static load.
- 3. Operator shall not raise man basket until all persons in man basket are wearing full body harnesses and are properly tied off.
- 4. Crane must be equipped with anti two block device and boom extension must be completed before any person may enter the man basket.
- 5. All equipment utilized as personnel hoisting or lifting including mobile cranes, overhead cranes, and man lifts must be thoroughly inspected prior to lifting personnel. This includes inspecting wire ropes, plate clamps, basket, and bridle hitches, wire rope slings, lifting eye bolts, and shackles. This will assure that the equipment is maintained in good working order so as not present any hazard to the operator, employees, and equipment.
- 6. Safety harness must be worn snugly and the lanyard must be attached and adjusted to allow only minimum drop in case of a fall. The safety harness must be tied off to a firm anchorage or independent safety drop line. Never tie off the harness to shafts or other machinery, which may move or rotate. Always wear safety harness when working in a suspended basket or out of a boom truck.
- 7. Every stairway, ladder way, hatchway, or other floor opening must be guarded by a standard railing and toe board on the exposed sides except the entrance. Temporary railings in the form of wire rope or chain may be used along walkway or other openings provided that the area is clearly marked and employees are notified of the hazard. The temporary railings must be capable of restraining a load 4 times the expected minimum.
- 8. Employees entering silos, bins, hoppers, tanks, manholes, or any other similar confined space will be required to wear a safety harness and attached lanyard/lifeline.
- 9. All walking/working surfaces shall be kept clear of tools, materials, debris, holes or other projections that may cause employees to fall.
- 10. Portable ladders:
 - The top of the ladder to gain access to an upper level must extend at least three feet above the top landing.
 - Portable ladders shall not be used with a greater than 4 to 1 pitch.

Under no circumstances will loader or excavator buckets, lift truck forks, or other equipment not intended to lift personnel, be used for that purpose.

Workplace Violence Prevention

We are committed to preventing workplace violence and to maintain a safe work environment. Given the increasing violence in society in general, we have adopted the following guidelines to deal with intimidation, harassment, or other threats including actual violence that may occur during business hours or on the mine premises.

All employees, including supervisors and temporary employees should be treated with courtesy and respected all times. Employees are expected to refrain from fighting, "horseplay", or other conduct that may be dangerous to others. Fire arms, weapons, and other dangerous or hazardous devices or substances are prohibited from the premises.

Anyone determined to be responsible for threats, actual violence, or other conduct that is in violation of these guidelines will be subject to disciplinary action up to and including termination of employment.

We encourage employees to bring forth their disputes or differences with other employees or management to the attention of management before the situation escalates into potential violence. We are eager to assist in the resolution of employee disputes, and will not discipline employees for raising such concerns.

Guarding

To access the guarding information go to www.msha,gov and scroll down to the Metal/Nonmetal Resource Page.

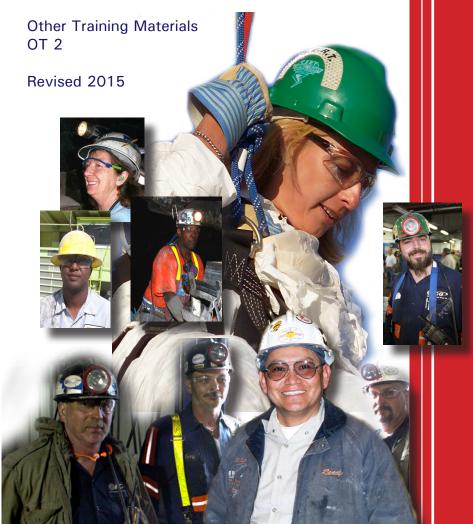
Then scroll down to:

Guarding Phase I and Guarding Phase II and choose the format you desire. These guides provide compliance information to help the metal and nonmetal mining industry meet current requirements of the Mine Safety and Health Administration's (MSHA's) guarding standards.

A Guide to Miners' Rights and Responsibilities Under the Federal Mine Safety and Health Act of 1977



U.S. Department of Labor Mine Safety and Health Administration National Mine Health and Safety Academy



MSHA's National Hazard Reporting System "One Call Does It All!"

To report a hazardous condition at a mine to MSHA, call:

(800) 746-1553

You do not need to identify yourself!

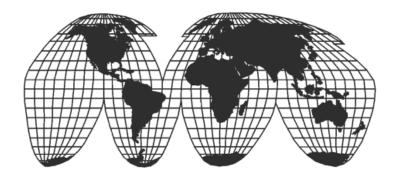
OR

You may also report a hazardous condition by visiting MSHA's Web site listed below.

To help us help you, please include any or all of the following information:

Name of company
Name of mine
Location of mine (city/town)
State where mine is located
If you know the MSHA ID for the mine, please include it.

Visit our Web site at www.msha.gov



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Introduction

The Federal Mine Safety and Health Act of 1977 (referred to in this booklet as "the Act") and the Mine Improvement and New Emergency Response Act of 2006 (MINER Act), and Title 30 of the Code of Federal Regulations (30 CFR) grant a variety of rights for individuals employed as miners, designated representatives of miners, and applicants for employment in mine related jobs. Congress wanted to encourage each to take an active, responsible role in matters of mine safety and health.

This booklet summarizes those rights and responsibilities but must not, however, be considered an "official" statement of the law and should not be used as a source for legal interpretations of the Act. Some of the rights and responsibilities described in this booklet may involve interpretations of the Act by the Mine Safety and Health Administration (MSHA) and could be modified by subsequent Commission and court decisions.

If you are a miner, representative of miners, or job applicant, and you have questions about your rights and responsibilities under the Act beyond what is provided here, please contact the nearest MSHA office. A list of District Offices is located in the back of this booklet.

To find out about proposed and final MSHA regulations, contact your miners' representative, the nearest MSHA office, or log onto MSHA's home page at www.msha.gov. MSHA sends copies of all new regulations to all known miners' representatives. A good safety and health program depends on the active participation and interest of everyone at the worksite. If you and your fellow miners take advantage of these rights and adhere to your responsibilities, you can help decrease workplace deaths, injuries, and illnesses.

A "mine" is generally any surface or underground location involved in the extraction, preparation, or processing of coal or other minerals.

A "miner" is generally any person working in a mine, including contractors, construction or demolition workers, and truck drivers who are regularly exposed to mine hazards. Therefore, all persons working in a mine may exercise the rights given them by the Act. Supervisors who may not normally perform actual physical mining activities but who work in a mine are also "miners."

The Act gives certain rights to a "representative of miners." This is a person who has been chosen by two or more miners at a mine to represent them in safety and health matters under the Act at their mine. Additionally, the Act provides that applicants for mining jobs cannot be denied a job because they have exercised rights given them by the Act.

There are time limits on many of the rights described in this booklet. You may risk losing some rights if certain time limits are not met.

For all of these rights included in this booklet, it is very important that you be heard by the operator, MSHA and the courts when your health or safety is at stake. For this reason, MSHA urges that you keep good records when you believe your rights have been violated. Things that you may need include a good calendar for dates of events and copies of any documents you receive or send including emails or text messages, and phone records. Finally, hold all important conversations with management in the company of others. Do not take any documents that belong to your employer such as required books and records in order to document these events. Do not break the law while attempting to secure your rights. If your rights are being violated, notify MSHA at 1-800-746-1553.

Your Rights Under the Act

If you are a miner, representative of miners, or applicant for employment:

You have the right to be protected against discrimination when you exercise your rights under the Act, including reporting violations and unsafe conditions at any mine.

If you are a miner or representative of miners:

You have the right to request that MSHA inspect your mine when you believe that an imminent danger, a violation of the Act, or a violation of a safety or health standard exists. You also have the right to be informed of, and participate in, enforcement proceedings under the Act.

If you are a miner:

You have the right to be paid for certain periods of time when a mine, or part of a mine, has been closed because of a withdrawal order.

You have the right to receive health and safety training during your normal working hours and to be paid for that time at your regular rate of pay.

You, and a fellow miner, have the right to have a representative accompany an MSHA inspector during inspections at your mine.

If you are a representative who is also a miner:

You have the right to be paid for time spent participating in health and safety inspections at your mine under certain circumstances.

Every Miner's Responsibilities Under the Act

You have the responsibility to comply with all Federal and State laws and regulations, and company safety and health policies.

When refusing to work in unsafe or unhealthy conditions, you have the responsibility to notify the operator, supervisor, or other responsible person. This gives the operator an opportunity to address the situation.

You have the responsibility to provide truthful statements and representations (orally or in writing) during any inspection or investigation, or on any applications, records, reports, plans, training certificates, or other documents required to be kept or filed with MSHA.

Your Protection Against Discrimination Under the Act

Section 105(c) protects you from discrimination for exercising any of your rights under the Act.

You may not be fired, demoted, harassed, intimidated, transferred, refused employment, suffer any loss of wages, or discriminated against for exercising your rights under the Act.

You are protected under Section 105(c) of the Act when you engage in the following activities:

- File or make a complaint of an alleged danger or safety or health violation to a Federal or State agency, a mine operator, an operator's agent, or a miners' representative.
- File a complaint with the Federal Mine Safety and Health Review Commission, testify, or otherwise participate in any proceeding.
- Become involved in any inspection or investigation conducted under the Act.

- Have a medical evaluation or are considered for transfer to another job location because of harmful physical agents and toxic substances. For example, coal miners have the right to a chest x-ray and physical examination for black lung disease (pneumoconiosis) and potential transfer to a less dusty position if the diagnosis is positive.
- Withdraw from the mine for not having the required health and safety training.
- Refuse to work in conditions you reasonably believe to be unsafe or unhealthy.
- Use any statutory right given by the Act, such as being paid as a miners' representative while accompanying an MSHA inspector during an inspection or the right to be paid while receiving required training under the Act.

Activities that are not listed above may be protected.

Types of Discriminatory Conduct

Congress wanted the Act to be broadly interpreted and clearly meant to protect you from discrimination if you, in good faith, exercise any of these rights.

Some examples of discriminatory conduct include, but are not limited to, the following:

- discharge or termination
- layoff
- demotion
- refusal of employment
- reduction in your benefits, vacation, bonuses, or rates of pay
- changes in your pay and hours of work
- threats of reprisal
- transfer to another position that is less desirable or with compensation less than the regular rate of pay you received immediately prior to the transfer
- interference with the exercise of your statutory rights

If you are a miner, representative of miners, or applicant for employment and you believe that you have been the subject of discriminatory conduct as a result of exercising your rights, you must file a discrimination complaint within **60 days** of the discriminatory event. You may have additional time to file your complaint under special circumstances. If you were not aware of the discrimination during the **60 day** period, or other factors prevented you from filing your complaint, your delay may be excused if you have a good reason. You should always try to file the complaint during the **60 day** period or as soon as possible if the **60 days** have expired.

Be sure the complaint includes relevant details such as names, dates, places, times, events, and actions of/or relating to the discrimination. Anything that may assist MSHA or your lawyer in a case should be documented. Documentation is essential if the discrimination has affected you financially. Whether it is due to a demotion, firing, or loss of overtime, these financial losses could possibly be returned to you if they are properly documented. Please visit chapter 2, Exhibit 2-6, Information on Backpay for Miners, http://www.msha.gov/READROOM/HANDBOOK/PH05-I-4.pdf for more information about back pay and other related financial losses.

You may file your complaint with any MSHA or local Black Lung office. MSHA staff are specially trained to assist you, answer your questions and provide you with the documents you need to file your complaint. MSHA's headquarters office also has specially trained persons to answer questions and help you in filing a complaint.

If you are a miner and you have been discharged, or have otherwise suffered a change in working conditions, such as a transfer to a less desirable position for exercising your rights under the Act, you may be eligible for temporary reinstatement. Upon your request for temporary reinstatement, MSHA will examine your complaint for its potential merit. If MSHA finds that your complaint appears to have merit, Department of Labor attorneys may ask the Federal Mine Safety and Health Review Commission (Commission) to order your temporary reinstatement or, if necessary, your temporary reassignment to a comparable job at your regular pay until a final decision is reached on your complaint.

For all cases, with or without temporary reinstatement, MSHA will investigate your complaint and within **90 days** of the date you filed your complaint you will be notified in writing of MSHA's decision. If MSHA determines that you have been discriminated against under Section 105(c), Department of Labor attorneys will file an action with the Commission requesting appropriate relief in your complaint. Relief may include permanent reinstatement to your old job, back pay, restoration of seniority rights, transfer (reassignment to a comparable job), or any other remedy needed to correct the discrimination.

If MSHA determines that no violation of Section 105(c) occurred, you will be notified in writing and informed of your right to pursue the matter without MSHA's assistance. To do this, you need to file an action on your own behalf with the Commission within **30 days** of being notified of MSHA's determination in your complaint. If the Commission agrees with you and finds that discrimination has occurred, the Commission may order an appropriate remedy.

PLEASE NOTE: Discrimination on the basis of race, sex, age, religion, handicap, union activity, or any other non-mining status, is not covered by Section 105(c) of the Act. However, MSHA may assist you in contacting the appropriate agency for relief.

Your Rights to Request a Health and Safety Inspection or Report Hazardous Conditions, Imminent Dangers, Violations of the Act or Health and Safety Standards

You have the right to request that MSHA inspect your mine when you believe that a hazardous condition, imminent danger, violation of the Mine Act or MINER Act, or violation of a mandatory safety or health standard exists. MSHA maintains a hotline, "One Call Does It All" at 1-800-746-1553, and an online complaint system at https://lakegovprod2.msha.gov/HazardousConditionComplaint. aspx, on a 24-hour basis, 7 days a week, 365 days a year.

You can also request an inspection by directly talking to any MSHA employee or by calling or writing any MSHA inspector or office. It is important to remember that there is a difference between a formal request for inspection made under Section 103(g) of the Act and all other hazardous condition complaints. This distinction is described below.

Requirements and Benefits of Filing a Formal Section 103(g) Request for Inspection

Under Section 103(g) of the Act, you or your representative have the right to request an MSHA inspection if you believe an imminent danger, violation of the Act, or violation of a mandatory safety or health standard exists at your mine. All Section 103(g) requests for inspection must be given to MSHA in writing and require a signature from you or your representative.

A copy of the required sections of a Section 103(g) complaint is provided to the mine operator either before the start of, or during the inspection. If the complaint states that an imminent danger exists, or the information indicates an imminent danger may exist, MSHA will immediately contact the operator about the imminent danger. Your name, the name of your representative, or any references to a specific work area, equipment, work shift, or any other information that would reveal your identity on the "Request for Inspection" will remain confidential and will not be provided to the operator.

The benefits of filing a formal Section 103(g) complaint include: a) you or your representative will receive a written notice from the District Manager if MSHA decides not to conduct the requested inspection, or if no violation or imminent danger was found; and b) you have a right to appeal MSHA's determination if they issue a negative finding.

Appealing MSHA's Determination

You or your representative may appeal MSHA's determination not to issue a citation or imminent danger order at the conclusion of the inspection conducted as a result of your Section 103(g) complaint.

You or your representative must appeal the determination, in writing, to the appropriate District Manager. The appeal must be filed **within 10 days** of when you received notice of a negative finding from MSHA. All information supporting your position should be attached to your appeal. See 30 CFR 43 for more information. After the District Manager receives your appeal, he or she may hold an informal conference. At that time, you or your representative will be allowed to present your views. Following the meeting, the District Manager may do one of the following:

- Affirm the no violation findings and provide justification for not issuing citations or orders; or
- Require that an additional or new Section 103(g) investigation be conducted.

Filing Other Hazardous Condition Complaints

A hazardous condition complaint is any communication from a miner, representative of miners, or other party received by MSHA that does not meet the criteria for Section 103(g), and describes an alleged hazardous condition, imminent danger, violation of a mandatory safety or health standard, or violation of the Mine Act or MINER Act.

You may tell MSHA in writing, electronically, or orally at any time about a potentially hazardous condition. You can contact any MSHA inspector in the nearest district office or MSHA's national hotline number or Web site listed above.

No matter who makes the complaint or how we receive it, any complaint about a safety and health concern that is clearly within MSHA's jurisdiction will be taken seriously. If the complaint provides enough information to identify the location and the hazard of concern, MSHA will inspect the mine as soon as possible to see if the alleged violation or imminent danger exists. MSHA is not required to give the operator a copy of any complaint categorized as "other complaint" and the operator may not be informed that a complaint has been made. MSHA will issue a citation if it finds a violation, or a withdrawal order if it finds an imminent danger exists.

Your Right to Be Represented or Participate in Inspections

Section 103(f) of the Act gives your representative an opportunity to participate in Federal mine inspections and in conferences before and after the inspections occur.

Congress believed that you, with your knowledge of the work site, could provide MSHA inspectors with a great deal of useful information. They also believed that if you observed what happened during an inspection, you would better understand how the Act's safety and health requirements work.

Miners' representatives have the right to accompany MSHA inspectors during their activities that involve enforcement of health and safety standards. Your representative participates in MSHA's inspection without loss of pay, under certain circumstances, if he or she is an employee of your operator.

This right does not include investigations concerning allegations of discrimination or individual liability of agents of the operator for violations of the Act or the health and safety standards found in 30 CFR. These types of investigations are confidential, and neither the company nor miners' representatives have a right to attend any interviews or be present at any step of the investigation unless the investigation involves you, and you personally request either the company representative or your representative to be present on your behalf.

MSHA recommends that you select a representative for every shift at the mine so that you can assure that your representative is included in any inspection party. MSHA will not give advance notice of an inspection, and the inspection party will not wait for your representative to arrive if he or she is not at the mine at the time of the inspection.

If no representative selected by you and your fellow miners is present, or should you decide not to select a representative, MSHA's

inspector will consult with a reasonable number of miners about health and safety matters at your mine.

Generally, the law does not provide for pay when you or your representative participates in technical consultations, equipment demonstrations, off-mine property meetings, and discussion of research.

Designating a Miners' Representative

Under 30 CFR 40, any person or organization designated by two or more miners may serve as a miners' representative. Your representative does not necessarily have to be an employee at your mine. To be recognized as a designated person or organization, your representative must file the appropriate documents with the District Manager. For additional information about designating a miners' representative, see 30 CFR 40.3 online at http://www.msha.gov/30cfr/40.3.htm.

You may also contact your local MSHA office or visit online at http://www.msha.gov/forms/elawsforms/MineRep.htm to obtain additional information on how to be a recognized representative of miners. Once a person or persons or organization has been recognized by MSHA as a representative of miners at your mine, a copy of the information provided to the operator pursuant to 30 CFR 40.3 must be posted upon receipt by the operator on the mine bulletin board and maintained in a current status.

Multiple Representatives

A mine may have more than one miners' representative for two reasons. First, because only two miners are required to agree in order to designate a miners' representative, there may be multiple groups of miners for any one mine who have designated different individuals to represent them. Second, one individual group of miners may designate several representatives so that every shift has someone present. The MSHA inspector will determine the number of representatives who travel with any given inspection party. If

the MSHA inspector decides that additional people are needed to participate in the inspection because they are familiar with the mine or with a specific problem area at the mine, the inspector may allow the operator and the miners to have an equal number of additional representatives. However, the operator is only required to pay one representative of miners. The representative must be an employee of the mine to receive compensation for accompanying the inspector.

There is one exception where multiple representatives may be compensated for participating in inspections on the same day or time.

Where two or more MSHA inspectors are at the mine at the same time, and do *not* travel together, a representative may travel with each inspector or with a separate group of inspectors. Under these circumstances, each representative participates in the inspection without loss of pay. This does not apply where two or more MSHA inspectors are conducting an inspection *together* in the same section or area of the mine.

When multiple operators are present at the mine and the work or activities of one operator affect the safety and health of the other operator(s), a miners' representative of each of the operators has the right to accompany an MSHA inspector under Section 103(f). One representative of miners of each operator is entitled to pay for the time spent accompanying the MSHA inspector during the inspection.

Right to Pay for Miners Idled By a Withdrawal Order

Under Section 111 of the Act, you are entitled to pay if you are idled because of a withdrawal order issued to the operator.

If you are working on the shift when a withdrawal order is issued, and you are idled by the withdrawal order, you are entitled to your regular pay for the time lost; *but only* for the balance of the shift.

If the withdrawal order is not terminated before the next shift, all the miners on the next shift are entitled to be paid at their regular rate for the time they are idled, up to four hours.

If you are withdrawn from the mine or part of the mine and idled because the operator does not comply with any mandatory safety or health standard, you are to be paid for lost time at your regular rate for the time you are idled, or for one week, whichever is the lesser.

If the operator fails to comply with a withdrawal order issued under the Act and keeps you working in the area where the order applies, you receive your full compensation for the time the order is issued plus an amount equal to your full compensation for the time you worked after the order was issued. If you are a miner working to correct the condition that resulted in the withdrawal order, then you are not working in violation of the order and are not entitled to double pay.

If you or your representative believes you are entitled to compensation but have not received it, you must file a complaint with the Commission **within 90 days** after the idle period began or should have begun. The Commission's procedural rules can be found at 29 CFR 2700 or at http://www.fmshrc.gov. Your MSHA District Office can inform you of other possible remedies to recover compensation to which you may be entitled.

Your Right to Be Informed of and Participate in Enforcement Proceedings Under the Act

Under Section 107(b) of the Act, you have the right to be informed of, and participate in, investigations and subsequent conferences and Commission proceedings where there is an allegation of a possible imminent danger which cannot be abated with current technology.

Sometimes MSHA finds that a mine or an area of a mine has dangerous conditions which cannot be corrected using existing technology. If the dangerous condition does not present an imminent danger, MSHA may issue a notice to the operator describing the area where the condition exists. Your representative also gets a copy of this notice.

MSHA may investigate the matter in greater detail and your representative may present information to us about the notice during this investigation. MSHA will also hold a public hearing about the situation if it is requested. After the investigation and public hearing, MSHA will either cancel the notice or issue an order withdrawing the miners (except those who are working to correct the condition or causes described in the order) from the area of the mine closed by the order.

Once you have been withdrawn, it is illegal to reenter the area until after a public hearing has been held at which all interested persons have a chance to present their views and MSHA determines that the hazardous conditions no longer exist.

Your Right to Contest Enforcement Actions

You and your miners' representative have the right to review all citations and orders that are issued at your mine and request a conference about them. Such requests must be made within 10 days of the issuance of the citations and/or orders. All citations and orders are required to be posted at the mine. You and/or your miners' representative may also request to be notified and participate in any conference held and submit additional information. MSHA will consider all relevant information submitted in a timely manner and upon conclusion of the conference or expiration of conference request period. Unless the citation/order was vacated as a result of the conference, the proposed penalty will be assessed. You and your representative also have a right to a copy of the proposed assessment for the citation/order.

You or your representative have the right to challenge the issuance, modification, or termination of any citation or order issued under Section 104 of the Act, and also the reasonableness of the time fixed

for abatement. This is called a "notice of contest." The notice should state you and your representative's position on each item being challenged and the action ("relief") you want MSHA to take, and must be done **within 30 days** of when you or your representative receive your copy of the contested citation or order, modification, or termination.

You or your representative may file a copy of this notice with the Federal Mine Safety and Health Review Commission (Commission). You can find the Commission's address at the end of this booklet.

As affected parties, you or your representative have the right to participate in Commission hearings held under Section 104 of the Act that were initiated by other parties.

The mine operator must post certain documents at the mine including petitions for assessment and notices of contest. Both of these documents will tell you that there is a case open before the Commission relating to citation(s) and/or order(s) issued by MSHA. If your miners' representative has filed the proper paperwork for designation, he/she should also receive copies of these legal documents.

Additional information regarding these rights can be found in Sections 105(a), 105(b)(1)(A), and 105(d) of the Act and in 30 CFR 100.6 and 100.7, and 29 CFR 2700.

Review of Imminent Danger Orders

Under Section 107(e) of the Act, your representative has **30 days** after being notified that an imminent danger order has been issued, modified, or terminated to ask the Commission to reinstate, modify, or vacate the order. If your representative files a request, Commission Administrative Law Judges may hold a hearing and issue a decision to vacate, terminate, affirm, or modify the order.

Commission Review of Administrative Law Judges (ALJ) Decisions

The Administrative Law Judges (ALJs) work for the Commission. These judges are not employees of MSHA or the U.S. Department of Labor. You or your representative have a right to ask the Commission to review an ALJ's decision that adversely affects you. If you decide to do this, you need to file your request (in the form of a petition) with the Commission within 30 days after the ALJ's decision was issued. The Commission will decide whether or not to review the decision. If the Commission decides not to conduct a review, the ALJ's decision becomes final 40 days after it is issued. For additional information see Section 113(d) of the Act or go to the Commission website at www.fmshrc.gov.

Judicial Review of Commission Decisions

Under Section 106(a) of the Act, you or your representative have the right to ask for a judicial review of a Commission decision where you were a party and the decision adversely affects you.

If you decide to do this, you must file a written petition for review with the pertinent circuit court **within 30 days** after the Commission's decision, requesting that the decision be modified or set aside. The review takes place either in the U.S. Circuit Court of Appeals for the District of Columbia or for the circuit where the violation of the Act is alleged to have occurred.

Your Right to Receive Health and Safety Training

You have a right to receive health and safety training under 30 CFR 46 or 48 if you work in a mine or if you engage in mining operations whether you are a rank and file employee or a supervisor. This includes independent contractors and the employees of independent contractors who are engaged in mining operations.

You have a right to receive health and safety training under 30 CFR 46 or 48 during your normal working hours and to be paid for that time at your regular rate of pay if you are an employee of the operator. If the training is given at a place other than your normal workplace, you must be compensated for the additional costs associated with your training. Examples of these costs include mileage, meals, and lodging.

Detailed training requirements for "New Miners," "Experienced Miners," "Annual Refresher," "New Task," and "Hazard Recognition" for Surface and Underground under CFR 46 and 48 may be found at www.msha.gov/Education&Training.htm.

You must have the proper training prior to beginning work at a mine. As an applicant, you do not have a right to have your future employer (or the operator) pay for the newly employed or experienced miner training. If you are laid off from work and your training expires during the lay off period, the operator is not required by the Act to pay for your training prior to your recall to work.

You have a right to withdraw yourself from the mine for not having the required health and safety training. You cannot be fired, discriminated against, or suffer loss of pay if you withdraw yourself or if you are withdrawn from a mine by an MSHA inspector because you lack the required training. You are entitled to be paid from the time you are withdrawn until you receive the required training and the MSHA inspector verifies the training.

Your Part 46 Training Rights

If you work in mining operations at a sand, gravel, surface clay, surface limestone, surface stone, colloidal phosphate, or shell dredging operation, surface marble, granite, sandstone, slate, shale, traprock, kaolin, cement, feldspar, and lime operation, you are required to have health and safety training under 30 CFR 46.

You have a right to site specific hazard awareness training if you are a worker at a mine who is not involved in mining operations. This includes scientific workers (i.e. lab technicians); delivery workers; customers (including commercial over-the-road truck drivers); vendors; or visitors. This also includes maintenance or service workers who do not work at a mine site for frequent or extended periods. This training is not required for any person accompanied by an experienced miner.

Training under 30 CFR 46 is provided by a "Competent Person." A Competent Person is defined as a person who is designated by the production-operator or independent contractor with the ability, training, knowledge, or experience to provide training to miners in his or her area of expertise. The competent person must be able to explain the training subject matter to you and must be able to evaluate whether the training you received was effective. You may, in certain cases, be able to substitute health and safety training required by other agencies. Refer to 30 CFR 46.4(a)(3) for more information.

MSHA approves training plans under Part 46 in two ways:

- A training plan is considered approved by MSHA if it meets the minimum requirements listed in 30 CFR 46.3(b).
- Training plans not meeting the minimum requirements of 30 CFR 46.3(b) must be submitted to MSHA for review and approval.

Part 46 training plans are submitted to MSHA's Regional Manager, Educational Field Services Division (Regional Manager) for review and approval. Regional Manager's addresses can be found at the end of this booklet. The operator must inform you when a plan is being submitted to MSHA for approval. You or your representative may also request that MSHA examine and approve the Part 46 training plan for your mine.

Depending on which process for plan approval is followed, your representative must receive a copy of the plan from the operator at least two weeks before training starts, or at least two weeks before the plan is sent to the Regional Manager for approval.

If there is no representative at your mine, the operator must post the plan or give you a copy at least two weeks before training starts, or at least two weeks before the plan is sent to MSHA's Regional Manager for approval.

When a training plan is submitted to MSHA's Regional Manager for approval (or a request for plan approval is made by you or your representative), MSHA will notify you, your miners' representative, and the operator of MSHA's decision, or the status of approval, in writing within 30 days from the time MSHA receives it.

You or your representative may give written comments about the plan to the operator or MSHA's Regional Manager (where applicable) **within two weeks** after the plan is received by the miners' representative or posted at the mine.

If you request a review and approval of the plan by the MSHA Regional Manager, you must notify the production operator or independent contractor of such request.

Once MSHA's Regional Manager makes the decision to approve a training plan, the operator must give your miners' representative a copy **within one week**. If there is no representative at your mine, the operator must post the plan or give you a copy **within one week**.

Training plan decisions by MSHA's Regional Manager can be appealed in writing within 30 days after you or your representative receives notice of the decision to the:

U.S. Department of Labor Mine Safety and Health Administration Director for Educational Policy and Development 1100 Wilson Blvd. Arlington, VA 22209

Additional information on Part 46 training may be found at: www.msha.gov/Education&Training.htm

Your Part 48 Training Rights

Under 30 CFR 48, you must have comprehensive training if you work in an underground mine in extraction and production, or work in shaft or slope construction, or are regularly exposed to mine hazards, or work in maintenance or service either employed by the operator or work for a contractor at the mine for frequent or extended periods. This includes the operator if he/she works underground on a continuing, even if irregular, basis. Short-term, specialized contract workers, such as drillers and blasters, who work in extraction and production or work in shaft or slope construction and who have received experienced miner training may, in lieu of subsequent training under that section for each new employment, receive hazard training under 30 CFR 48.11.

Training must be conducted by an MSHA-approved training instructor. The operator must give your representative a copy of the training plan at least two weeks before it is sent to the District Manager for approval. If there is no representative at your mine, the operator posts a copy of the plan on the mine bulletin board or gives each miner a copy of the plan at least two weeks before it is sent to the District Manager for approval.

You or your representative may submit written comments on the plan to the operator who will forward them to the District Manager or you or your representative may submit comments directly to the District Manager.

The District Manager then evaluates and approves the plan or suggests changes to the plan before it is approved.

If you are an experienced miner, you must receive training if you are returning to the mine after an absence of more than 12 months.

You must receive training on major changes to the mine environment that could adversely affect your health and safety if you return to work at the *same* mine after being away for 12 months or less.

Additional information on Part 48 training may be found at: www.msha.gov/Education&Training.htm

Your Health Protection Rights

Hazardous Communications

If you are a miner or an on-site operator who is exposed to chemical hazards, you have a right to be informed about physical and health hazards in your work area and the appropriate protective measures to deal with those hazards (30 CFR 47.1-47.2). The operator of your mine must develop and implement a written Hazardous Communications (HazCom) program, and share that information with you and any other operator whose miners are affected by the hazards presented.

If you have a medical emergency, the operator must immediately disclose any trade secret chemical information to your treating health professional if the identity of the hazardous chemical is necessary for emergency or first aid treatment (30 CFR 47.83-47.85).

Noise Exposure Assessment

Under 30 CFR 62.110, the mine operator is required to monitor your exposure to noise. You and your representative have the right to be notified by the operator before you are monitored for noise exposure. If you are affected, you and your representative are allowed to observe the exposure monitoring activity. The requirements for testing noise levels, and details regarding hearing protection regulations are in the Appendix.

The operator is required to take action to reduce your exposure to noise if your exposure exceeds: 1) the action noise level; 2) the permissible exposure level; or 3) the dual hearing protection level. If your noise exposure equals or exceeds any of these levels, the operator must notify you of the exposure and its action(s) to reduce your exposure within 15 days of determination, unless you have been notified of an overexposure within the past 12 months. If you have an excessive exposure, you must be enrolled in a hearing conservation program.

Additionally, if your noise exposure is equal to or exceeds the levels listed in 30 CFR 62.120, the operator must provide you with hearing protection. You must be trained in the use of this hearing protection. If dual hearing protection is required, you can choose a hearing protector from at least two muff types and two plug types. The operator must make sure that the hearing protector is in good condition and fitted and maintained in accordance with the manufacturer's instructions. Replacements are to be provided to you at no cost. You may choose a different hearing protector(s) if wearing the selected hearing protector(s) is subsequently precluded due to medical pathology of the ear.

Toxic Substances and Hazardous Physical Agents and Equipment Studies

Under Section 501(a)(11) of the Act, your representative may request, in writing, MSHA or the Department of Health and Human Services (DHHS) to conduct studies, research, experiments, and demonstrations to determine if any substance normally found in your mine has potentially toxic effects in its usual concentration, or if any physical agents or equipment found or used at the mine has potentially hazardous effects. MSHA or DHHS will share the results of any of these activities with you and the operator as soon as possible.

Medical Surveillance for Coal Miners

If you are a coal miner, the mine operator shall provide to you periodic examinations including chest x-rays, spirometry, symptom assessment, and occupational history.

The operator shall use facilities approved by the National Institute for Occupational Safety and Health (NIOSH) to conduct these examinations. The examinations are free-of-charge to you. The mine operator shall post on the mine bulletin board at all times the approved plan for providing these tests.

You have the opportunity for a chest x-ray when you start work in a coal mine for the first time, and again three years later if you are

working as a coal miner. If your second x-ray shows evidence of the development of black lung, you receive an additional x-ray two years later if you are still working as a coal miner.

You have an opportunity for a chest x-ray at least once every five years, or earlier, if requested by the Secretary of Health and Human Services.

MSHA will give you the results of your examination and tests. You may ask that the results of your examinations and tests be sent to your designated physician.

Transfer Rights for Coal Miners Diagnosed With Black Lung Disease

If your x-ray or other examination is positive for black lung disease, you may have a right to transfer to a less dusty position. MSHA will advise you, where appropriate of your transfer rights. Under 30 CFR 90 you may elect to work in an area of the mine where the average concentration of dust in the mine atmosphere during each shift is continuously maintained at or below 1.0 milligrams per cubic meter of air. If you are transferred you have the right to retain your regular rate of pay and receive wage increases.

If you are eligible for transfer rights, you will receive a written notice from the Chief, Division of Health, Coal Mine Safety and Health Administration. After notification, you may exercise or reexercise the option to work in a low dust area of the mine under 30 CFR 90 by signing and dating the Exercise of Option form and mailing the form to:

U.S. Department of Labor Mine Safety and Health Administration Coal Mine Safety and Health Chief, Division of Health 1100 Wilson Blvd., Room 2416 Arlington, VA 22209-3939 You may waive your rights and be removed from MSHA's active list of miners who have rights under 30 CFR 90. If rights under 30 CFR 90 are waived, you may re-exercise this portion at any time.

If you are found eligible for transfer under 30 CFR 90, the mine operator must provide you with a copy of the MSHA-approved respirable dust plan. The operator shall post the original or a copy of the plan on the mine bulletin board.

Your Protection Against Black Lung Discrimination

You cannot be fired or discriminated against if you are partly disabled from black lung and keep working. If you are fired or discriminated against because of your condition, you or your representative may apply to MSHA or the Black Lung office **within 60 days** for a review of your situation. If you have any questions relating to black lung discrimination or how to issue a discrimination complaint, please contact your local MSHA or Black Lung office.

Your Black Lung Benefits

You are entitled to compensation and medical benefits if you are a coal miner who is totally disabled by black lung disease due to your coal mine employment.

MSHA does not handle black lung benefits.

For information on black lung benefits, contact the:

U.S. Department of Labor Office of Workers' Compensation Programs Division of Coal Mine Workers' Compensation Washington, DC 20210 Telephone: 1-866-487-2365

Underground Metal/Nonmetal Exposure to Diesel Particulate Matter (DPM)

If you can reasonably be expected to be exposed to diesel emissions, while working or traveling in the underground areas of a mine, you must be trained annually by the operator concerning health

risks from exposure to DPM, control methods, the personnel who are responsible for DPM controls and appropriate operation of controls.

The mine operator must monitor your full-shift personal exposure as often as necessary to verify continuing compliance. If you are affected by the monitoring, the operator must notify you and your representative before this monitoring takes place. You and your representative may observe the exposure monitoring activity.

If you have been overexposed to DPM, the operator must promptly post a notice on the mine bulletin board of how the operator intends to correct the problem. Also, the operator must initiate corrective action by the next work shift, and promptly complete the corrective action. The operator must post monitoring results, as well as sampling results from MSHA for **at least 30 days**. You and your representative are entitled to a copy of sampling results.

If you are overexposed to DPM, the operator must take action to reduce your exposure. If attempts to reduce your exposure with controls are unsuccessful, you may be placed in a respiratory protection program and fitted with a respirator, provided you do not have a medical condition that prevents you from wearing a respirator. To determine your ability to wear a respirator, you must be examined by a physician or other licensed healthcare professional (PLHCP), free-of-charge.

You have the right to a copy of your medical results and to discuss them with the PLHCP before the results are submitted to the mine operator. If you disagree with the PLHCP's determination, the mine operator must reevaluate you, or give you **up to 30 days** to provide additional information to the PLHCP to correct your medical results. Also, you will be reevaluated if the mine operator "has reason to believe" that conditions have changed regarding your ability to wear a respirator.

If you cannot wear respirator protection for medical reasons, you will not be allowed to continue to work in an area where such protection is required. If the mine operator has an existing job in an area of the same mine where you will not need to wear a respirator, you must be transferred to work in that location within 30 days of the final determination by the PLHCP.

Regarding your pay, you are to be paid at no less than the regular rate of pay in the classification held by you immediately prior to the transfer. Any increases in pay after your transfer must be based on your new work classification.

Your Rights Relating to New and Revised Standards or Regulations

Section 101(e) of the Act requires MSHA to publish all proposed health or safety standards or regulations in the Federal Register and send copies of them to your representative and the operator. The operator must post copies of the MSHA proposed standards and regulations on your mine's bulletin board.

You and your representative may comment on or object to a proposed standard or regulation. The Federal Register will provide contact information and all appropriate dates for submission of comments on proposed standards or regulations. You and your representative may also notify our contact person listed in the proposed standard or regulation to request a hearing to state your views.

Under Section 101(d) of the Act, you or your representative may file a petition to challenge a new standard **within 60 days** after the standard is published in final form in the Federal Register if you believe you are adversely affected by it. You may file a petition with the U.S. Circuit Court of Appeals for the District of Columbia or for the circuit where you or your representative live. The court will not, *except* "for good cause," consider your objection to the standard unless your objection was mentioned to MSHA during the proposal period.

Petitions for Modification of a Safety Standard or Regulation

Under Section 101(c) of the Act, your representative can ask MSHA to modify how it applies a safety standard if the proposed alternative guarantees *at least* the same measure of protection afforded by the standard, or if enforcing the standard itself will cause safety to be reduced at your mine.

MSHA will notify your representative if it receives a petition for modification from the operator or anyone else at your mine. Your representative can present his or her views on the proposed modification in writing or can request a hearing before a Department of Labor Administrative Law Judge (ALJ) to discuss the proposed modification after MSHA has issued its decision. ALJ decisions can be appealed to the Assistant Secretary for Mine Safety and Health.

Your representative will also receive a copy of MSHA's final decision on the modification. For more information on petitions for modification refer to www.dol.gov.

Your Rights to Information

Under Sections 103(c) and (h) of the Act, you or your representative have the right to receive copies of most records, information, reports, findings, citations, notices, orders, and decisions that the Act calls for from the Secretary of Labor (MSHA) or the Secretary of Health, Education and Welfare (now Health and Human Services).

If you are a miner or a former miner, the operator can provide you with copies of your records of exposure to potentially toxic materials and harmful physical agents.

You and your representative have access (right to examine records) to all HazCom materials except as provided in 30 CFR 47.81 - 47.87 (provisions for withholding trade secrets).

The operator is to provide the first copy and each revision of the HazCom material free-of-charge to you or your representative. Fees for additional copies are to be non-discriminatory and reasonable.

Upon request, the operator must disclose the identity of a trade secret chemical in a non-emergency situation to an exposed miner, the miner's designated representative, or a health professional. This request has to be in writing and must describe in reasonable details an occupational health need.

If a request is denied, the denial has to be in writing and a copy of the denial is to be provided to the health professional, miner or designated representative within 30 days of the request.

Where administrative controls are used to reduce your exposure to noise, the operator must post the procedures for these controls on the mine bulletin board and provide you with a copy. Records related to occupational noise exposure are available to authorized representatives of the Secretaries of Labor and Health and Human Services. Upon written request, the mine operator must provide you, or with your written consent, to your designee, access to records that the mine operator must maintain for you, within 15 calendar days of the request.

Miners' representatives designated under 30 CFR 40 have access to training certificates prepared under 30 CFR 62.180(b) and to any notice of exposure determination under 30 CFR 62.110(d). The mine operator must provide the first copy of such record at no cost to the requestor, and additional copies at reasonable cost.

Monitoring and Recording of Exposure to Toxic Materials or Harmful Physical Agents

Under Section 103(c) of the Act, you and your representative may watch the operator's monitoring or measuring of employee exposure to potentially toxic materials or harmful physical agents.

If you are a miner or a former miner, you have a right to access records of your exposure to toxic materials or harmful physical agents. In case of overexposure, the operator must tell you about it and what is being done to correct the situation.

Accident Investigations

Section 103(d) of the Act requires operators to investigate all accidents to find the cause of any accident, and to devise a way to make sure it does not happen again. The operator's accident records and reports are open for inspection by "interested parties" which include you and your representative.

Notice of Proposed Civil Penalty

Under Section 105(a) of the Act, MSHA will send the operator and your representative notices of a proposed civil penalty for a safety or health violation cited by an MSHA inspector.

Under Section 105(b) of the Act, MSHA will notify the operator and send your representative a copy of any notice of a proposed civil penalty under Section 110(b) for failure to correct a violation within the time period permitted for its correction.

Posting Documents

Under Section 109 of the Act, MSHA will deliver to your mine office any order, citation, notice, or decision required by the Act, and the operator or its agent must immediately post copies of these on the bulletin board at your mine. MSHA also mails or delivers copies of these materials to your representative.

Your Rights Concerning Records, Plans, Maps, Evacuation and Emergency Preparedness Drills and Other Emergency Information

1. Underground Coal Mines

Roof Control Plans

Under Section 302(a) of the Act, you or your representative may inspect a copy of the approved roof control plan of the underground coal mine where you work.

30 CFR 75.220(e) says that the approved roof control plan and any revisions shall be available to you and your representative at the mine.

According to 30 CFR 75.220(d), before implementing an approved revision to a roof control plan, all persons who are affected by the revision shall be instructed in its provisions.

Mine Maps

Under Section 312(b) of the Act, you or your representative may inspect the maps of the underground coal mine where you work. This includes the mine map on which roof falls are plotted as explained in 30 CFR 75.223(c), and the map of all electrical mine installations as covered in Section 305(e) of the Act and 30 CFR 75.508.

The escapeway map for your mine must be posted and/or readily accessible to you as a miner in the following locations: in each working section; in each area where mechanized mining equipment is being installed or removed; at the refuge alternative; and at a surface location of the mine where miners congregate, such as at the mine bulletin board, bathhouse, or waiting room.

The map must show designated escapeways from the working section or the miners' work stations to the surface or the exits at the bottom of the shaft or slope, refuge alternatives, and SCSR storage locations. These maps are to be kept up-to-date. Any change in route of travel, location of doors, location of refuge alternatives, or direction of airflow is to be shown on the maps by the end of the shift on which the change is made. All miners underground on the shift when any such change is made must be notified immediately of the change, and other affected miners must be notified of the change before entering the underground areas of the mine.

Mine Emergency Response Plan

Under Section 316(b)(1)(D) of the Act, you and your representative have the right to access your coal mine's emergency response plan.

This plan is reviewed by MSHA at least every six months. You or your representative may submit comments on the plan as part of this review process. MSHA will consider all comments submitted by you or your representative that could enhance a miner's ability to survive in an emergency.

Ventilation Plans

Your representative must be given notice of a new ventilation plan or any change in an existing plan by the operator **at least five days** before the plan is submitted to MSHA. At the time of notification, a copy of the proposed plan can be made available to your representative, upon request.

Sometimes a plan has to be revised immediately. When this happens, the operator must provide notification of the proposed revision and, upon request, provide a copy of the proposed revision to the plan to your representative when it is submitted to MSHA for approval. Copies of proposed ventilation plans and any proposed revisions must also be posted on the mine bulletin board. These documents remain posted until they are approved, withdrawn, or denied.

Your representative may submit timely written comments regarding the proposed plan or revision to the District Manager. The District Manager will give copies of these comments to the operator if they are requested.

The District Manager will notify the operator, in writing, of the plan approval or denial and provide a copy of the notification to your representative.

If a plan or revision is approved, copies of the plan and any revisions to the plan are made available to your representative for inspection, upon request. If you are directly affected, the operator must instruct you in the provisions of the plan or revision before the approved ventilation plan or revision takes effect.

The approved ventilation plans and revisions must be posted by the operator on the mine bulletin board within one working day after

notification of approval. Approved plans and revisions stay posted on the mine bulletin board as long as they remain in effect.

Records of Examinations and Reports

You and/or your representative may look at the recorded results of examinations, tests, and reports made in underground coal mines. These include:

- Pre-shift examinations (miners' representative only)
- Weekly examinations for hazardous conditions (miners' representative only)
- Weekly ventilation examinations (miners' representative only)
- Electrical equipment examinations (miners' representative only, except for circuit breakers which are available to miners and miners' representatives)
- Main Mine Fan pressure, fan examinations and data produced by the fan monitoring system (miners' representative only)
- Machine mounted methane monitor calibrations (miners' representative only)
- Atmospheric Monitoring System operation, examination, testing and calibration (miners' representative only)
- Training and qualification program records of persons working on diesel-powered equipment (miners' representative only)
- Records relating to seals at underground coal mines (miners' representative only)
- Procedures used for mining into inaccessible areas (these records must also be posted near the site of such mining)
- Records regarding inspection and tests of fire suppression systems installation and maintenance requirements
- Certifications regarding conduct of mine emergency evacuation training and drills (records maintained for one year)
- Respirable dust sample data (must be posted for at least 31 days on the mine bulletin board)

Rehabilitation of Areas With Unsupported Roof

You have a right to instruction on the cleanup and support procedures when you are assigned to rehabilitating each area where a roof fall has occurred or the roof has been removed by mining machines or blasting.

Ground Failure on Longwall Mining Systems

When you are working on a longwall mining system, you must be notified that the tailgate is blocked when a ground failure prevents travel out of the section through the tailgate side of a longwall section. You must also be reinstructed on escape procedures, and reinstructed in the availability and use of self-contained self-rescuers. See 30 CFR 75.222(g)(2).

Mine Emergency Evacuation, Training and Drills

You must participate in a mine emergency evacuation training and drill once each quarter and escapeway drills from the working section to the main escapeway at least once every 90 days. The emergency and evacuation training must include hands on training in self rescue devices used at the mine. During the evacuation drill you must travel the primary or alternate escapeway in its entirety and physically locate directional lines and the stored Self-Contained Self-Rescuers (SCSRs). You must also review the mine and escapeway maps, firefighting plan, and the mine emergency evacuation plan for your mine. A newly hired miner, who has not participated in a mine emergency evacuation training and drill at the mine within the previous three months, must participate in the next applicable mine emergency evacuation training and drill.

Over the course of each year, you are to participate in expectations training. Expectations training includes donning and transferring SCSRs in smoke, simulated smoke, or an equivalent environment. A miner shall participate in expectations training within one quarter of being employed at the mine.

At the completion of each training or drill required in this section, the operator is to certify by signature and date that the training or drill was held in accordance with the requirements of 30 CFR 75.1504. Certifications shall be kept at the mine for a year and must be made available to your designated representative. You should receive a copy of the training certificate upon request.

Fire Suppression Systems

If you are normally assigned to the active workings of the mine, you are to be instructed about the hazards inherent to the operation of the fire suppression systems where you work and, where appropriate, the safeguards available for each system.

2. Surface Coal Mines/Surface Areas of Underground Coal Mines

Respirable Dust Control Plan and Sample Reports; Posting

The operator is required to post on the mine bulletin board a copy of each current designated work position (DWP) respirable dust control plan approved by the District Manager.

Upon receipt of respirable dust sample reports, the mine operator is required to post this data **for at least 31 days** on the mine bulletin board.

3. Underground Metal/Nonmetal Mines

Ground Control – Rock Fixtures

You and your representative have the right to examine the manufacturer's certification that roof and rock bolts and accessories are manufactured and tested in accordance with the requirements set forth in ASTM F-432-95, "Standard Specifications for Roof and Rock Bolts and Accessories."

Limit on Exposure to Diesel Particulate Matter – Posting of Application

An operator may file an application for extension of time if the mine needs time to achieve compliance with the final diesel particulate matter limits of 30 CFR 57.5060 due to technological or economic constraints. If such an application is filed, it must be posted at the mine site for **at least 30 days** prior to the date of application. Your representative must also be given a copy of the application.

The extensions are limited to a period of one year from the date of the approval. Additional extensions provided are limited to one year. See 30 CFR 57.5060(c) for additional information.

Your Responsibilities Under the Act

A good safety and health program depends on the active participation and interest of everyone at the mine site. If you and your fellow miners exercise your responsibilities, you can help decrease workplace deaths, injuries, and illnesses.

It is your responsibility to comply with all Federal and State laws and regulations and your mine's safety and health policies.

When refusing to work in unsafe or unhealthy conditions, you are responsible for notifying the operator, a supervisor, or other responsible person. This gives the operator the opportunity to address the situation.

Making False Statements and False Representations: Section 110(f)

Under Section 110(f) of the Act, you are responsible for providing truthful statements or representations (orally or in writing) during any inspection or investigation, or on any application, record, report, plan, training certificate, or other document required to be kept or filed by the Act. Criminal fines for violation under the Act are subject

to the increased penalty provisions by the Federal Comprehensive Crime Control Act, 18 U.S.C. 3571. You may be fined, or imprisoned up to five years, or both.

Smoking Prohibited

Under Section 110(g) of the Act, you are prohibited from smoking in all underground coal mines, gassy underground metal/nonmetal mines, areas around combustible/flammable storage, waste, or distribution facilities, explosives magazines, and other surface areas where smoking could cause a fire or explosion.

You are prohibited from smoking or carrying smoking materials, matches, or lighters into an underground coal mine and gassy underground metal/nonmetal mines.

You are prohibited from smoking or using an open flame at a surface coal mine in any area where it might cause a fire or an explosion.

You are prohibited, if you work in an underground metal/nonmetal mine, from smoking or using an open flame where flammable or combustible liquids, including greases, or flammable gases are used or transported in a manner that could create a fire hazard or are stored or handled.

You are prohibited from smoking within 50 feet of where explosives or detonators are stored in noncoal mines.

You are prohibited from smoking in a uranium mine where radon daughter exposure measurements are required to be taken.

You may be fined for each separate violation.

Advance Notice of Inspection

Any person who gives advance notice of an inspection conducted by MSHA may be fined, imprisoned, or both as stated in Section 110(e) of the Act.

Responsibilities for Supervisors or Other Responsible Persons

If you are a supervisor or other responsible person, you have the responsibility to take appropriate action to address the safety and health issues and concerns.

You are prohibited from interfering with, hindering, or delaying any inspection or investigation carried out under the Act.

You must admit an authorized representative (MSHA inspector or investigator) into a coal or metal/nonmetal mine for the purpose of an inspection or investigation.

You shall permit access to and copying of any information, document or record requested during an inspection or investigation.

Knowing Violations

Under Section 110(c) of the Act, if you are a director, officer or agent of a corporation, you have additional responsibilities under the Act.

If you knowingly authorize, order, or carry out a violation of a mandatory health and safety standard, or knowingly violate or refuse to comply with any order issued under the Act or any order incorporated in a final decision issued under the Act, you may be subject to civil penalties, fines, and imprisonment.

Appendix

Your Health Rights

Audiometric Testing - 30 CFR 62.170 - 62.175

The operator must provide you with audiometric tests to satisfy the requirements of the standard. These tests are to be conducted by a physician or an audiologist, or by a qualified technician under the direction or supervision of a physician.

Action Level (Enrollment in Hearing Conservation Program) – 30 CFR 62.120

The operator is required to enroll you in a hearing conservation program if your noise exposure equals or exceeds the action level.

Hearing Conservation Program – Training 30 CFR 62.180

You must receive training within 30 days of your enrollment in a hearing conservation program. You are to receive training every 12 months, thereafter, if your noise exposure continues to equal or exceed the action level.

Permissible Exposure Level - 30 CFR 62.130

The operator must assure that you are not exposed to noise that exceeds the permissible exposure level during any work shift.

If during any work shift your noise exposure exceeds the permissible exposure level, the operator must use "...all feasible engineering and administrative controls to reduce [your] noise exposure to the permissible exposure level, and enroll [you] in a hearing conservation program..."

You are not to be exposed at any time to noise levels exceeding 115 dBA (decibels), as determined without adjustment for the use of any hearing protector.

Dual Hearing Protection Level - 30 CFR 62.140

If during any work shift your noise exposure exceeds the dual hearing protection level, the operator must, "...in addition to the actions required for noise exposure that exceed the permissible exposure level, provide and ensure the concurrent use of both an ear plug and ear muff type hearing protector."

Additional Information

Coal Mine Safety and Health District Offices

- **District 2** Bituminous coal mining regions in Pennsylvania
- District 3 Maryland, Ohio, and Northern West Virginia
- **District 4** Southern West Virginia to inlcude the following counties: Boone, Braxton, Clay, Fayette, Greenbrier, Kanawha, Monroe, Nicholas, Pocahontas, Putnam, Raleigh, Summers, Webster
- District 5 Virginia
- District 6 Eastern Kentucky
- **District 7** Central Kentucky, North Carolina, South Carolina, and Tennessee
- **District 8** Illinois, Indiana, Iowa, Michigan, Minnesota, Northern Missouri, Wisconsin
- **District 9** All States west of the Mississippi River, except for Minnesota, Iowa, and Northern Missouri
- **District 10** Western Kentucky
- **District 11** Alabama, Georgia, Florida, Mississippi, Puerto Rico, Virgin Islands
- **District 12** Southern West Virginia to inlcude the following counties: Cabell, Lincoln, Logan, McDowell, Mercer, Mingo, Wayne, Wyoming

District Offices

2.	Mt. Pleasant, PA	8.	Vincennes, IN
3.	Morgantown, WV	9.	Denver, CO
4.	Mount Hope, WV	10.	Madisonville, KY

5. Norton, VA 11. Birmingham, AL

6. Pikeville, KY 12. Beaver, WV

7. Barbourville, KY

Office of the Administrator CMSH 1100 Wilson Blvd., Rm. 2424 Arlington, VA 22209-3939 (202) 693-9500

MSHA - District 2 Paladin Professional Center 631 Excel Drive, Suite 100 Mt. Pleasant, PA 15666 (724) 925-5150

MSHA - District 3 604 Cheat Road Morgantown, WV 26508 (304) 225-6800

MSHA - District 4 100 Bluestone Road Mt. Hope, WV 25880 (304) 877-3900

MSHA - District 5 PO Box 560 Norton, VA 24273 (276) 679-0230

MSHA - District 6 100 Fae Ramsey Lane Pikeville, KY 41501-3294 (606) 432-0944 MSHA - District 7 3837 S. U.S. Hwy. 25E Barbourville, KY 40906 (606) 546-5123

MSHA - District 8 2300 Willow Street, Ste. 200 Vincennes, IN 47591 (812) 882-7617

MSHA - District 9 PO Box 25367, DFC Denver, CO 80225-0367 (303) 231-5458

MSHA - District 10 100 YMCA Drive Madisonville, KY 42431-9019 (270) 821-4180

MSHA - District 11 1030 London Drive, Suite 400 Birmingham, AL 35211 (205) 290-7300

MSHA - District 12 1301 Airport Road Beaver, WV 25813 (304) 253-5237

Metal/Nonmetal Mine Safety and Health District Offices

- Northeastern District: Connecticut, Delaware, District of Columbia, Maine, Maryland, Massachusetts, New Hampshire, New York, New Jersey, Ohio, Pennsylvania, Rhode Island, Vermont, West Virginia
- **North Central District:** Illinois, Indiana, Iowa, Michigan, Minnesota, Wisconsin
- Rocky Mountain District: Arizona, Colorado, Kansas, Montana, Nebraska, North Dakota, South Dakota, Utah, Wyoming, and in the state of Idaho for the counties of Clark, Fremont, Jefferson, Madison, Teton, Bingham, Bonneville, Caribou, Bannock, Power, Bear Lake, Franklin and Oneida
- Southeastern District Office: Alabama, Florida, Georgia, Kentucky, North Carolina, Puerto Rico, South Carolina, Tennessee, Virginia, Virgin Islands and Mississippi for the counties of Alcorn, Benton, Calhoun, Chickasaw, Choctaw, Clarke, Clay, George, Greene, Grenada, Itawamba, Jasper, Kemper, Lafayette, Lauderdale, Lee, Lowndes, Marshall, Monroe, Montgomery, Neshoba, Newton, Noxubee, Oktibbeha, Pontotoc, Prentiss, Tippah, Tishomingo, Union, Webster, Winston, and Yalobusha
- South Central District: Arkansas, Louisiana, Missouri, New Mexico, Oklahoma, Texas and Mississippi for the counties of Adams, Amite, Attala, Bolivar, Carroll, Claiborne, Coahoma, Copiah, Covington, DeSoto, Forrest, Franklin, Hancock, Harrison, Hinds, Holmes, Humphreys, Issaquena, Jackson, Jefferson, Jefferson Davis, Jones, Lamar, Lawrence, Leake, Leflore, Lincoln, Madison, Marion, Panola, Pearl River, Perry, Pike, Quitman, Rankin, Scott, Sharkey, Simpson, Smith, Stone, Sunflower, Tallahatchie, Tate, Tunica, Walthall, Warren, Washington, Wayne, Wilkinson, and Yazoo
- Western District: Alaska, California, Hawaii, Idaho not to include the counties of Clark, Fremont, Jefferson, Madison, Teton, Bingham, Bonneville, Caribou, Bannock, Power, Bear Lake, Franklin and Oneida; Nevada, Oregon, Mohave County, Arizona, Washington County, Utah, and State of Washington

District Offices

Northeastern Warrendale, PA

Southeastern Birmingham, AL

North Central Duluth, MN

South Central Dallas, TX

Rocky Mountain Denver, CO

Western Vacaville, CA

Office of the Administrator M/NMSH 1100 Wilson Blvd. Arlington, VA 22209-3939 (202) 693-9600

MSHA - NE District 100 Thorn Hill Road, Suite 100 Warrendale, PA 15086 (724) 772-2334

MSHA - SE District 1030 London Drive, Suite 400 Birmingham, AL 35209 (205) 290-7296

MSHA - NC District Fed. Bldg., U.S. Courthouse 515 W. 1st St., Rm. 333 Duluth, MN 55802-1302 (218) 720-5448 MSHA - SC District 1100 Commerce Street, Rm. 462 Dallas, TX 75242-0499 (214) 767-8401

MSHA - Rocky Mtn. District PO Box 25367, DFC Denver, CO 80225-0367 (303) 231-5465

MSHA - Western District 991 Nut Tree Road Vacaville, CA 95687 (707) 447-9844

Office of Assessments, Accountability, Special Enforcement and Investigations

Office of Assessments, Accountability, Special Enforcement and Investigations 1100 Wilson Blvd. Arlington, VA 22209-3939 (202) 693-9700 Office of Assessments, Accountability, Special Enforcement and Investigations 7 N Wilkes-Barre Blvd. Stegmaier #432 Wilkes-Barre, PA 18702 (570) 826-6431

Educational Field and Small Mine Services Assistant Managers

Eastern Operations Western Operations 1301 Airport Road PO Box 25367 Beaver, WV 25813 Denver, CO 80225 (304) 256-3223 (303) 231-5434

Federal Mine Safety and Health Review Commission

Federal MS&H Review Commission 1331 Pennsylvania Avenue, NW, Suite 520N Washington, DC 20004-1710 (202) 434-9900

MSHA Headquarters Office

Mine Safety and Health Administration 1100 Wilson Blvd., 21st Floor Arlington, VA 22209-3939 (202) 693-9500

Note: To contact your local MSHA office, please consult your local telephone directory under U.S. Government, Department of Labor.

Safety and Health Information Contacts

Title and Name	Phone Number
Miners' Representative	
Safety Committeeman	
Company Instructor	
Company Safety Director	
MSHA Inspector	
MSHA Inspection Supervisor	
MSHA District Manager	

Notes



Come Grow With Us

Joseph A. Holmes Safety Association

Background: A History of Mine Disasters

During the period 1900-1910 newspaper headlines told of devastating mine disasters every few weeks. Each disaster was a front-page attraction for a day or so, and then it was forgotten until the next sensational event—usually another mine disaster. Interspersed with the large mine disasters were the so-called "sniping" mine accidents that caused the death of one or two miners. During this period, the total mine fatalities of all types usually exceeded 3,000 a year, and nonfatal accidents approached 250,000 a year. From 1906-1910, inclusive, there were 84 major explosions, which took 13,288 lives.

Dr. Holmes and the Bureau of Mines

As a result of these deplorable statistics, Congress saw the urgent need to stop the excessive loss of human life in the Nation's mines. In July 1910, the Bureau of Mines was established and Dr. Joseph A. Holmes was named as the Bureau's first director. Dr. Holmes was not only a person of high intellect, but also a humanitarian. He established training programs at mine sites, in local communities, and at other locations where miners and their families could gather. His interest was in preserving human lives and reducing suffering, and this training helped achieve both goals.

Dr. Holmes pioneered his attack on accidents and injuries with training in first aid, rescue and recovery procedures, accident prevention, and basic mining skills. Due to the remote location of most mines, first aid was especially important. Dr. Holmes recognized that safety and health were not only issues of concern at work but also at home, during leisure activities, on the highway, or wherever a person might be. For that reason, Dr. Holmes opened up Bureau training classes to anyone interested. Since most mines were accessible by railroad, Dr. Holmes put his classroom on rails using a converted passenger car.

Founding of the Joseph A. Holmes Safety Association

Through the leadership of Dr. Holmes the efforts of the Bureau of Mines proved very beneficial. Recognizing that the task of continuing his philosophy was much too large for government alone to accomplish, the Bureau founded the Joseph A. Holmes Safety Association in 1916. Twenty-four leading national organizations made up the original charter of incorporation. Sub-units, or chapters, were organized at each mine or in close proximity to mining and related industries. The purpose of the parent association and these chapters was to conserve lives of those working in the mines and related industries by educating individuals in hazards and work precautions and by rewarding safe-work activities. The chapters facilitated the exchange of state-of-the-art accident prevention techniques.

The Holmes Safety Association (HSA)

In 1926, the Joseph A. Holmes Safety Association saw the need to initiate an independent effort to take over the function of organizing chapters. As a result, Article V of the Constitution of the Joseph A. Holmes Safety Association established the Holmes Safety Association to be its working arm: "The local chapters of the Joseph A. Holmes Safety Association existing on March 5, 1926, and such future chapters, shall form an affiliated body known as the Holmes Safety Association."

The Joseph A. Holmes Safety Association and the Holmes Safety Association become one

In 2001, the Joseph A. Holmes Association and the Holmes Safety Association become one safety organization, as Dr. Holmes originally created it in 1916.

The Joseph A. Holmes Safety Association and You

The Joseph A. Holmes Safety Association (JHSA) consists of the national council, 7 state councils and 70 district councils, and over 5,125 local chapters. State and district councils nominate individuals to serve on the JHSA Executive Committee (presently 99 persons). These nominations are reviewed, each on its own merit, and voted on at the national meeting each year. Committee members serve one-year terms, which are renewable if they are so nominated.

The JHSA Executive Committee elects a President, four Vice Presidents, and a Secretary-Treasurer each year. The President and Vice Presidents each represent one of five member groups (Management, Labor, Federal Agency, State Agency, and Supplier/Insurance/Contractor/Academia), and through a five-year rotation, each group has a representative serve as President. The Secretary-Treasurer has historically been a person working for the Federal Government since this has been an agreement from the time of original incorporation.

The National Council directs and assists state councils, state councils direct and assist district councils, and district councils direct and assist chapters and their members. A solution to any issue may be found through the network of local chapters, district councils, state councils or the national association. Members nationwide willingly share with one another to make this industry safer and accident free.

The Joseph A. Holmes Safety Association Mission

Today, the Joseph A. Holmes Safety Association effectively functions as one of the Nation's largest, if not the largest, safety associations dedicated to the promotion of health and safety of miners, associated industries, and families of both. This is accomplished through the nonadversarial relationship of members from the association's five member groups. Over 450,000 employees of mining and associated industries represented by JHSA strive to meet the goal of the JHSA mission statement: "Promote effective management of safety in mining and associated industries by providing a forum of government, industry, and labor to develop solutions through communications, education, and recognition of safety excellence."

Recognition and Awards

The Joseph A. Holmes Safety Association provides recognition and awards to individuals, groups, organizations, etc., for promoting the ideals of the association. The following JHSA awards are presented at the Annual National Meeting:

- Merit Award
- 10/20/30/40 Year Active Member Award
- Safety Award
- Special recognition
- Man and Woman of the Year
- Chapter Organizing Recognition
- District Council Safety Competition Award
- Act of Heroism Award
- Ival VanHorn Activity Award
- William H. Hoover Lifetime Achievement Award
- Other special awards as approved by JHSA

In addition, many district and state councils present numerous awards on the local level.

Membership Benefits

As a member, you will receive a monthly safety bulletin containing information and articles that will aid you in your safety meetings. In addition, you will be able to interface with other safety-conscious people from other chapters at the district council meetings in your area. They can give you new ideas for improving safety and lowering compensation costs at your mine.

How to Apply for Membership

Membership is free. Your organization can become a Joseph A. Holmes Safety Association Chapter by completing a membership application and submitting it to the Joseph A. Holmes Safety Association.

Mail your application request to:

Joseph A. Holmes Safety Association

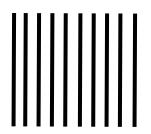
P.O. Box 9375 Arlington, VA 22219 Phone: 202-693-9574

Fax: 202-693-9571

Mailing Address for New Chapter

Contact Person:
Phone Number:
Company Name:
Street/P.O. Box:
City:
State: Zip:
E-Mail Address:
MSHA ID Number:
Type of Product:
Type of Operation: Underground Surface
MillOther
Name you would like to call the chapter being established:
Name and organization of person assisting in recruiting this application:
Signature of Applicant:
Date:

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UNITED STATES



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Professional Miner Program
Joseph A. Holmes Safety
1301 Anjroot Road

The **Professional** Miner Reaching New Levels

Joseph A. Holmes Safety Association

Professional Miner Recognition Program



Supported by the Mine Safety and Health Administration

The Joseph A. Holmes Safety Association (JAHSA) was organized in 1916 to promote health and safety in the mining industry. The Association currently recognizes miners and mine operators who promote safety and health in the mining industry.

The Association also sponsors the "Professional Miner Program," which recognizes individual miners who have worked injury free for various periods of time.

Through the program the Association can communicate directly with individual miners using mail and E-mail regarding health and safety matters.

Professional miners embrace safety and health as values, which are critical to mining the many natural resources needed to keep this country strong and growing.

A self-nominating process allows a miner who meets the program criteria to apply for recognition as a "Professional Miner." A miner signs a pledge to serve as a positive role model for other miners, and as a mentor for new miners. After the Association receives the miner's pledge, a sticker, a certificate, and other information is mailed to the miner.

For those interested in applying to be a "Professional Miner," please complete and sign the postage free card on this brochure or go to the Joseph A. Holmes Safety Association website:

http://holmessafety.org.

Who May Apply

Miners can apply for one of the seven different levels of the Professional Miner Program.

Professional Miner Double Diamond Level

Miners with No Lost Workday Injuries over a 40-year period.

Professional Miner Diamond Level

Miners with No Lost Workday Injuries over a 30-year period.

Professional Miner Granite Level

Miners with No Lost Workday Injuries over a 20-year period.

Professional Miner Marble Level

Miners with No Lost Workday Injuries over a 10-year period.

Professional Miner Platinum Level

Miners with No Reportable Injuries over a 5-year period.

Professional Miner Gold Level

Miners with No Reportable Injuries over a 3-year period.

Professional Miner Silver Level

Miners with No Lost Time Injuries over a 3-year period.

Please Check:

Mine Type	
□Underground	□Surface
Commodity	
□Coal	□Gold/Silver
☐Sand and Gravel	□Copper
□Limestone	□Iron Ore
□Stone	□ Cement
□Phosphate	□Clay
□Other	

☑ I release this information for Joseph A. Holmes Safety Association use only.

Type of Certification Level for which you are applying:

☐ Double Diamond
(40 years, No Lost Workday Injuries)
\square Diamond
(30 years, No Lost Workday Injuries)
□Granite
(20 years, No Lost Workday Injuries)
\square Marble
(10 years, No Lost Workday Injuries)
□ Platinum
(5 years, No Reportable Injuries)
□Gold
(3 years, No Reportable Injuries)
□Silver
(3 Years, No Lost Time Injuries)

Professional Miner's Pledge

As a Professional Miner I pledge to serve as a positive role model for other miners, and as a mentor for new miners. By recognizing "Safety and Health are Values," I will work to ensure a safe, healthy, and alcohol and drug free workplace for myself and coworkers, and promote and participate in health and safety initiatives.

Signature:		
Date:		
Name:	(Please Print Name and Address)	
Address:	1	
E Moil		

Educational Field and Small Mine Services Contacts

EFSMS Manager Assistant Manager Assistant Manager

Contact: Kevin Deel Contact: Glen Poe Contact: Eric C. Johnson

EFSMS National Office EFSMS Regional Office EFSMS Regional Office 1100 Wilson Boulevard 1301 Airport Rd. EFSMS Regional Office P.O. Box 25367

Arlington, VA 22209 Beaver, WV 25813 Denver, CO 80225

Telephone: (202) 693-9585 (HQ) Telephone: (304) 256-3223 Telephone: (303) 231-5434

Fax: (202) 693-9571 Fax: (304) 256-3319 Fax: (303) 231-5550

E-Mail Address: deel.kevin@dol.gov E-Mail Address: poe.glen@dol.gov E-Mail Address: johnson.eric.c@dol.gov

ALABAMA

Birmingham Birmingham

Contact: Alan Coburn (Supervisor) Contact: Terry Lingenfelter

MSHA/EFSMS MSHA/EFSMS

1030 London Drive 1030 London Drive

Suite 400 Suite 400

Birmingham, AL 35211 Birmingham, AL 35211

Telephone: (205) 290-7294 Telephone: (205) 290-7294

Fax: (205) 290-7299 Fax: (205) 290-7299

E-Mail Address: coburn.alan@dol.gov E-Mail Address: lingenfelter.terry@dol.gov

ARIZONA

Mesa

Contact: Larry Palacios

MSHA/EFSMS

63 E. Main Street

Suite 402

Mesa, AZ 85201

Telephone: (480) 649-5452

FAX: (480) 649-5662

E-Mail Address: palacios.hilario@dol.gov

ARKANSAS

Little Rock

Contact: Brent Shelby

MSHA/EFSMS

700 West Capitol Street, Room 2420

Little Rock, AR 72201

Telephone: (501) 324-5114

Fax: (501) 324-5394

E-Mail Address: shelby.paul@dol.gov

CALIFORNIA

CALII ORNIA		
San Bernardino	San Bernardino	Vacaville
Contact: Ralph Chavez	Contact: Janet Ames	Contact: Vacant
MSHA/EFSMS	MSHA/EFSMS	MSHA/EFSMS
720 E. Carnegie Drive, Suite	720 E. Carnegie Drive, Suite	991 Nut Tree Rd.
San Bernardino, CA 92408	San Bernardino, CA 92408	Vacaville, CA 95687-6699
Telephone: (909) 890-1987	Telephone: (909) 890-1987	Telephone: (707) 447-8421
FAX: (909) 890-1557	FAX: (909) 890-1557	FAX: (707) 447-9816
E-Mail Address: chavez.ralph@dol.gov	E-Mail Address: ames.janet@dol.gov	E-Mail Address:

COLORADO

Denver Denver

Contact: William Schroeder Contact: Vacant

MSHA/EFSMS MSHA/EFSMS

P.O. Box 25367, DFC P.O. Box 25367, DFC

Denver, CO 80225-0367 Denver, CO 80225-0367

Telephone: (303) 231-5939 Telephone: (303) 231-5485

FAX: (303) 231-5550 FAX: (303) 231-5550 E-Mail Address: schroeder.william@dol.gov E-Mail Address:

Denver Delta

Contact: Sarah Nicholas Contact: VACANT

MSHA/EFSMS MSHA/EFSMS

P.O. Box 25367, DFC 675 Industrial Blvd. Denver, CO 80225-0367 Delta, CO 81416

Telephone: (303) 231-5663 Telephone: (970) 874-7637

FAX: (303) 231-5550 FAX: (970) 874-4592 E-Mail Address: nicholas.sarah@dol.gov E-Mail Address:

FLORIDA

Bartow Bartow

Contact: Norberto Ortiz Contact: John Reed

MSHA/EFSMS MSHA/EFSMS 1662 Park Avenue 1662 Park Avenue

Bartow, Florida 33830-3139 Bartow, Florida 33830-3139

Telephone: (863) 533-5390 Telephone: (863)533-5390

Fax: (863) 533-1464 Fax: (863) 533-1464

E-Mail Address: ortiz.norberto@dol.gov E-Mail Address: reed.john.d@dol.gov

GEORGIA

Macon

Contact: Brett Calzaretta

MSHA/EFSMS 1645 Forest Hill Road Suite 100

Macon, GA 31210

Telephone: (478) 471-0549

Fax: (478) 752-3440

E-Mail Address: calzaretta.brett@dol.gov

IDAHO

Boise

Contact: John Kathmann

MSHA/EFSMS LakePointe Centre One, 300 East Mallard Drive, Suite 150 Boise, ID 83706-6646

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