

# News Release



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## **MSHA publishes final mine rule on refuge alternatives**

### ***Rule requires life-sustaining environment to protect miners when escape not possible***

**ARLINGTON, Va.** – The U.S. Department of Labor’s Mine Safety and Health Administration (MSHA) will publish a final rule tomorrow in the *Federal Register* that requires operators of underground coal mines to provide refuge alternatives to protect miners when a life-threatening event occurs that makes escape impossible. The rule is based on agency data and experience, recommendations from the National Institute for Occupational Safety and Health report on refuge alternatives, research on available and developing technology, state regulations, and public comments and hearing testimony. The rule implements Section 13 of the Mine Improvement and New Emergency Response (MINER) Act of 2006.

“This final rule will help reassure coal miners that, should a mine emergency occur that prevents them from escaping, they will have a protected, secure area to sustain them while they await rescue,” said Richard E. Stickler, acting assistant secretary of labor for mine safety and health.

Underground coal mine operators must address the location, capability and capacity of refuge alternatives in written Emergency Response Plans; train miners to locate, transport, deploy, use and maintain refuge alternatives; conduct pre-shift examinations of refuge alternatives and components; and locate refuge alternatives on mine maps.

Two types of refuge alternatives are allowed: Pre-fabricated self-contained units, and units consisting of 15 psi stoppings constructed prior to an event in a secure space with an isolated atmosphere. Other refuges currently approved in Emergency Response Plans would be phased out over time.

Refuge alternatives must provide at least 15 square feet of floor space per person and, depending on mining heights, 30 to 60 cubic feet of volume per person. The airlock can be included as useable space. For locations near the working section, the capacity is the maximum number of persons that can be expected on or near the section at any time. In an outby area, the capacity is the maximum number of persons reasonably expected to use the refuge alternative.

Refuge alternatives must be located within 1,000 feet from the nearest working face and from locations where mechanized mining equipment is being installed or removed; and within 1-hour travel distances in outby areas, unless the operator requests – and the MSHA district manager approves – a different location based on an assessment of risks to persons in outby areas.

Refuge alternatives and their components need to sustain persons for 96 hours, or 48 hours if advance arrangements are made for additional supplies from the surface. Food, water, lighting, first-aid supplies, and sanitation are required. A two-way communication system that is part of the mine communication system – which can be used from inside the refuge alternative – and an additional communication system and other specifications set forth in the operator’s approved Emergency Response Plan, are required.

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