

# News Release



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## **MSHA publishes final rule for underground coal mine rescue teams** *New rule calls for more teams, additional training*

**ARLINGTON, Va.** – The U.S. Department of Labor’s Mine Safety and Health Administration (MSHA) today published a final rule in the *Federal Register* for mine rescue teams regarding underground coal mines. The final rule amends existing standards published Feb. 8, 2008, in accordance with the Mine Improvement and New Emergency Response (MINER) Act of 2006. The United Mine Workers of America challenged that rule and, on Feb. 10, 2009, the U.S. Court of Appeals for the District of Columbia Circuit issued its decision.

“MSHA recognizes the invaluable role that mine rescue teams play in the aftermath of a mine disaster,” said Michael A. Davis, MSHA’s deputy assistant secretary for operations. “These teams are critical for ensuring the necessary response in the event of a mine emergency.”

In its decision, the court vacated three portions of the final rule, which allow:

- Mine-site and state-sponsored teams to train at small mines annually rather than semi-annually.
- State employees who are members of state-sponsored teams to substitute certain job duties for participation in one of the two mine rescue contests required annually.
- State employees who are members of state-sponsored teams to participate in mine rescue contests by serving as judges.

The final rule requires that mine-site and state-sponsored teams train semi-annually at small mines, rather than annually, and state employees who are members of state-sponsored teams participate in two mine rescue contests annually.

In the preamble to today’s final rule, MSHA rescinds its intent, as stated in the preamble to the 2008 rule, that members of state-sponsored mine rescue teams may participate in mine rescue contests by serving as judges. Under this final rule, all members of state-sponsored teams who are full-time employees must participate in two local mine rescue contests.

Delayed compliance dates of six months and one year, respectively, are included for Kentucky mine operators to establish new teams and complete the training in accordance with the requirements of this final rule.

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