

Examinations of Working Places Update

Stay of Effective Date
Reinstatement of Rules



MSHA is **staying** the effective date of the agency's January 23 **final rule** that amended standards for examination of working places. The effective date has been extended to June 2, 2018

They also are reinstating the provisions of the working place examinations standards that were in effect as of October 1, 2017.

Why are they doing this?

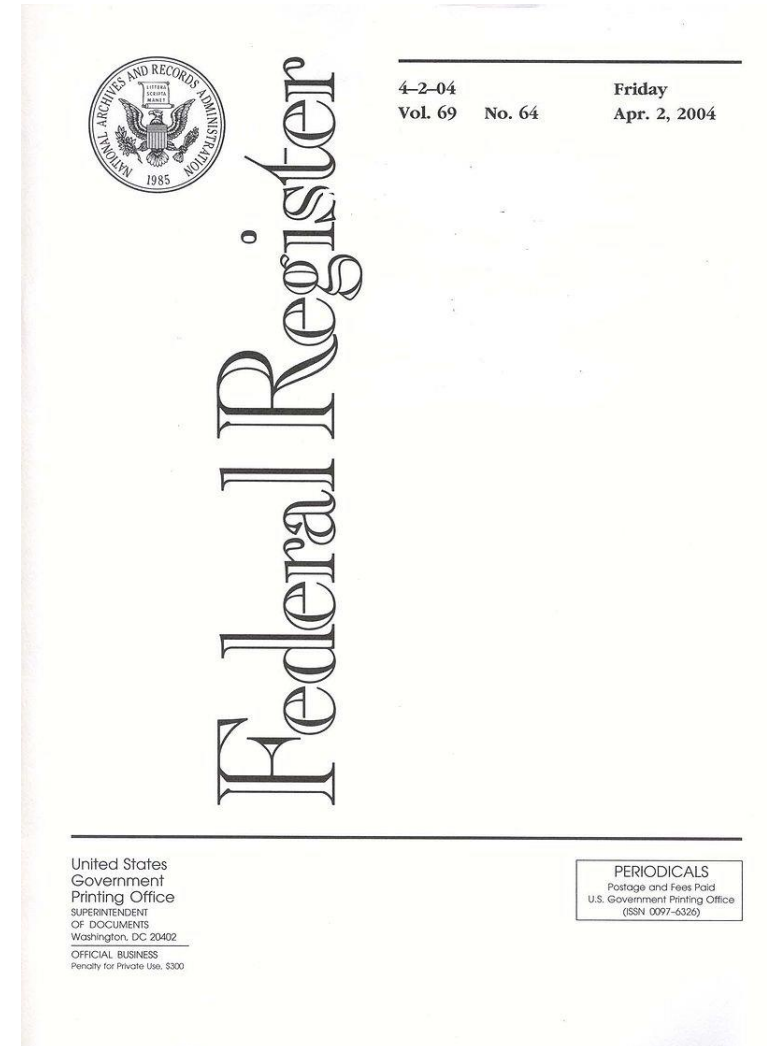
The stay and reinstatement offer additional time for MSHA **to provide stakeholders training and compliance assistance.**

MSHA has scheduled four public hearings from Oct 24 to Nov 2 at various locations to provide the members of the public an opportunity to present their views on the **limited changes being proposed**. The comment period closes on Nov 13.

Date	Location	Contact No.
Oct. 24:	MSHA Headquarters, 201 12th St. South, Arlington, VA 22202	202-693-9440
Oct. 26:	Salt Lake Marriott, 75 South West Temple, Salt Lake City, UT 84101	801-531-0800
Oct. 31:	Sheraton Birmingham, 2101 Richard Arrington Jr. Blvd., N. Birmingham, AL 35203	205-324-5000
Nov. 2:	Wyndham Pittsburgh University Center, 100 Lytton Ave., Pittsburgh, PA 15213	412-682-6200

Both industry and MSHA have responsibilities to comply with the final rule in accordance with:

Federal Register Docket No. MSHA-2014-0030



What is industry's responsibility?

MSHA will expect mine operators to **develop appropriate compliance programs** to comply with the final rule.

What is MSHA's responsibility?

To **insure compliance readiness on June 2, 2018** they will do this by providing educational, technical, and compliance assistance to comply with final rule requirements.

We both have a lot of ground to cover prior to June 2, 2018

How are they going to do this?

- ✓ They are in the process of developing compliance assistance materials to make available to the industry.
- ✓ Posting of materials on their web page www.msha.gov.
- ✓ Hold informational stakeholder meetings at various locations around the country.
- ✓ Compliance assistance visits in other areas around the country.
- ✓ Ensure all issues at these meetings and visits are addressed.
- ✓ Train their inspectors to **ensure consistent enforcement**.
- ✓ Provide inspector training materials available to assist effectively implementing the rule

Reinstated Rule

30 CFR 56/57.18002T

Starting October 1, 2017

56/57.18002T

- (a) **Competent Person** designated by the operator
- (a) Examine each working place at least once each shift
- (a) Promptly initiate appropriate action to correct such conditions

- (b) A record of examinations be kept for a period of one year
- (b) Made available for review

- (c) Imminent danger found be brought to immediate attention of operator
- (c) Withdraw all persons for the affected area

What do we do now?

Participate!

- ✓ Prepare for the June 2nd effective date
- ✓ Weekly visits to the MSHA web page
- ✓ Subscribe to DOL email list
- ✓ Gather information as it becomes available
- ✓ Go beyond, train your “Competent Persons” to understand what to look for and how to document the new rule
- ✓ Document your training efforts to comply
- ✓ Stay in contact with your local MSHA office

TRAINING



BUILDS CONFIDENCE



David R. Brown IS IU

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**Competent Person
Training**

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