

*News from the*

**U.S. Senate Committee on  
Health, Education, Labor and Pensions**

**Michael B. Enzi (Wyoming), Chairman**



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Contact: Craig Orfield (202) 224-6770**

***ENZI, KENNEDY INTRODUCE BILL TO MOVE MINE SAFETY INTO  
21<sup>ST</sup> CENTURY; WILL BETTER PROTECT LIVES OF MINERS;  
BYRD, ROCKEFELLER CO-SPONSOR SWEEPING REFORMS***

**Washington, D.C.** - U.S. Senator Mike Enzi (R-WY), Chairman of the Senate Health, Education, Labor and Pensions Committee (HELP Committee), and Senator Edward M. Kennedy (D-MA), Ranking Member of the HELP Committee, today introduced a sweeping reform bill to move mine safety and regulation into the 21st Century, reduce safety risks for miners across the country, and respond to the Sago and Alma mine tragedies in West Virginia.

The legislation, the "Mine Improvement and New Emergency Response Act of 2006 (MINER Act), is cosponsored by Senator Robert Byrd (D-WV), Senator Jay Rockefeller (D-WV), Senator Johnny Isakson (R-GA) and Senator Patty Murray, (D-WA).

"This bill is the product of months of work across party lines to find practical and innovative solutions to enhance mine safety," Enzi said. "Our goal has been to move the industry to create mine-specific emergency response plans that incorporate safety and technology provisions that will enhance mine safety and better protect workers who put themselves in harm's way to provide our nation's energy." Enzi said.

Senator Kennedy said: “Protecting worker safety is a bipartisan issue, and this bill is critical to ensuring a safe workplace for our nation’s miners. Congress should pass this legislation immediately and the President should sign it into law this year. Our nation’s miners have waited long enough -- it is our duty to do everything we can to prevent future tragedies like those at Sago and Alma mines.”

Senator Rockefeller said: “The MINER Act represents the most groundbreaking development in mine safety legislation in a generation. This bill will usher in a new era of safety for our mines. For the first time, we will be better able to address an accident before it occurs, not simply react to it. And when accidents happen – and, unfortunately, they will because coal mining is dangerous -- we will now be able to employ the most advanced technology to bring miners back to safety and to their families. I want to thank Senator Enzi for his leadership, and I want to thank Senators Kennedy, Byrd, Isakson, and Murray for their contributions. They have put the interests of West Virginia and our miners first – they have visited Sago, they have talked to the families, and they have kept these memories uppermost in their minds as we have drafted this visionary legislation.”

Senator Byrd said: “The tragedies at the Sago and Alma mines highlighted the weaknesses in mine emergency preparedness and the failure of leadership at the federal Mine Safety and Health Administration to get tough about rescue procedures and safety initiatives. The status quo is not good enough; the status quo puts lives at risk. This legislation is a good step forward for our coal miners. I thank Chairman Enzi and Senator Kennedy, Senator Isakson and Senator Murray, and Senator Rockefeller for their constant efforts in crafting this bill, and for their dedication to the safety and health of coal miners.”

Senator Isakson said: “Since our trip to the Buckhannon area of West Virginia four months ago, it has been my honor and pleasure to work with a tremendous bipartisan group of Senators on the numerous issues surrounding mine safety. This bill is the product of months of hearings, in-depth research, and intense discussions about how to make mines across the country safer,” Isakson said. “I am proud to introduce this bill with Senators Enzi, Kennedy, Murray, Byrd and Rockefeller, and I feel confident it will make mines across the country safer so we can avoid another tragedy such as the one that occurred in January in West Virginia.”

Senator Murray said: “Four months ago, we all watched the horror of the Sago mine tragedy and said never again. This bill will help prevent another tragedy by protecting the lives and health of America's miners. Our bill moves mine safety into the 21st century with new technology, oversight and enforcement tools to keep our miners safe. I look forward to working with Senator Byrd on the Appropriations Committee to ensure we have the resources in place to carry out this law.”

“As Chairman of the HELP Committee, I am deeply grateful for the cooperation and support of my distinguished cosponsors on this bill, particularly Senator Byrd and Senator Rockefeller, who have worked tirelessly to make this bill a reality,” Enzi concluded.

***Key provisions of the “MINER Act” will:***

- Require each covered mine to develop and continuously update a written emergency response plan;
- Promote use of equipment and technology that is currently commercially available;
- Require each mine’s emergency response plan to be continuously reviewed, updated and re-certified by MSHA every six months;
- Direct the Secretary of Labor to require, within three years, wireless two-way communications and an electronic tracking system permitting those on the surface to locate persons trapped underground;
- Require each mine to make available two experienced rescue teams capable of a one hour response time;
- Require mine operators to make notification of all incidents/accidents which pose a reasonable risk of death within 15 minutes, and sets a civil penalty of \$5,000 to \$60,000 for mine operators who fail to do so;
- Establish a competitive grant program for new mine safety technology to be administered by NIOSH;
- Establish an interagency working group to provide a formal means of sharing non-classified technology that would have applicability to mine safety;
- Raise the criminal penalty cap to \$250,000 for first offenses and \$500,000 for second offenses, and raise the maximum civil penalty for flagrant violations to \$220,000;
- Give MSHA the power to request an injunction (shutting down a mine) in cases where the mine has refused to pay a final order MSHA penalty;
- Create a scholarship program available to miners and those who wish to become miners and MSHA enforcement staff to head off an anticipated shortage in trained and experienced miners and MSHA enforcement; and,
- Establish the Sago Mine Safety Grants program to provide training grants to better identify, avoid and prevent unsafe working conditions in and around the mines. These grants will be made on an annual, competitive basis to provide education and training for employers and miners, with a special emphasis on smaller mines.

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