

News from the

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

Michael B. Enzi (Wyoming), Chairman



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***HELP COMMITTEE APPROVES SWEEPING,
BIPARTISAN MINE SAFETY REFORM BILL;
MOVES MINE SAFETY INTO 21ST CENTURY***

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 announced the passage of 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), was approved unanimously by the Committee and is cosponsored by Senator Jay Rockefeller (D-WV), Senator Robert Byrd (D-WV), Senator Johnny Isakson (R-GA) and Senator Patty Murray, (D-WA).

“This year our nation has experienced tragic losses in the coal mines of West Virginia,” Enzi said. “We were all deeply moved by that experience, and committed to do our best to ensure that such tragedies will not be repeated. Mining, and coal mining in particular, is vital to our national and local economies, and to our national energy security. No aspect of mining is more important than protecting the health and safety of those whose hard work fuels the industry.”

Senator Kennedy said: “We cannot bring back the brave miners who have died this year. But we can and must honor their memory by making all our mines safer. I will do everything I can to get this bill to the President's desk to be signed into law this year.”

“As Chairman of the HELP Committee, I am deeply grateful for the cooperation and support of my distinguished cosponsors on this bill, Senator Kennedy, Senator Isakson, Senator Murray, 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 and updated and re-certified by MSHA every six months;
- Direct the Secretary of Labor to require wireless two-way communications and an electronic tracking system within three years, 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, as well as 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;

- 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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