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## **ROCKEFELLER REINTRODUCES COMPREHENSIVE MINE SAFETY LEGISLATION; CALLS FOR CONGRESS TO PROTECT NATION'S MINERS**

### **Manchin Cosponsors Bill to Improve Workplace Safety**

WASHINGTON, D.C. — Senator Jay Rockefeller today reintroduced his landmark mine safety legislation aimed at fixing the glaring safety issues revealed in the wake of the Upper Big Branch mine disaster on April 5, 2010, which claimed the lives of 29 miners in Montcoal, West Virginia. Senator Joe Manchin cosponsored the legislation.

The Robert C. Byrd Mine and Workplace Safety and Health Act was first introduced in 2010, and again in 2011 and 2012.

“Since the terrible tragedy at Upper Big Branch more than three years ago, some crucial steps have been taken to improve mine safety, but we are long overdue to make an even bigger leap forward by passing comprehensive mine safety legislation,” **said Rockefeller**, who has made protecting coal miner health and safety one of his chief goals. “We owe it to families of the victims at Upper Big Branch, and to the miners of today and tomorrow, to pass mine safety legislation that moves us more strongly ahead. Coal miners’ loved ones give thanks for answered prayers every time they walk through the front door. We should be constantly vigilant for that safe return home. We cannot wait for another tragedy before we act. The time is now.”

“A strong mining industry begins with a strong commitment to our miners,” **Manchin said**. “For many West Virginia families, mining is a way of life and has been an important part of our state’s livelihood for decades. Every miner should wake up in the morning and expect to come home safely to their loved ones at night. That is why we need to continue to improve mine safety so that our miners’ lives are never in jeopardy. I look forward to working with my colleagues from both sides of the aisle on this important piece of legislation.”

In the three years since the Upper Big Branch tragedy, both Congress and the Administration have enacted some targeted laws and regulations to improve the health and safety of coal miners. However, comprehensive legislation still is needed to achieve important safety improvements, including those specifically recommended by West Virginia miners’ families and investigations into the Upper Big Branch disaster.

### **Progress Made on Mine Safety Since 2010**

Since the Upper Big Branch disaster, Congress has held nine hearings on mine safety, and five federal, state, and independent entities have conducted investigations into the cause of the tragedy and released recommendations to improve our mine safety laws and enforcement.

- **Holding Mining Companies Accountable for Their Safety Records.** The Wall Street reform law included Senator Rockefeller's language requiring publicly-traded mining companies to disclose serious safety violations to shareholders, the public, and the Securities and Exchange Commission (SEC). Mining companies that fail to properly disclose this information will face SEC penalties.
- **Increased Enforcement Against Repeat Offenders.** In January, MSHA issued a new rule -- using Senator Rockefeller's legislation as a framework -- to tighten standards when federal regulators cite a "pattern of violations" in mines that have been targeted for repeat safety violations. Upper Big Branch had been cited by MSHA for 639 violations in the 15 months leading up to the explosion.
- **Significant Reductions in Appeals Backlog.** At Senator Rockefeller's urging, Congress appropriated \$22 million through the Supplemental Appropriations Act for Fiscal Year 2010 to help reduce the backlog of appeals at the Federal Mine Safety and Health Review Commission. During the year that this funding was available, the Federal Mine Safety and Health Review Commission was able to hire six additional judges and support staff and, along with the Department of Labor, and was able to dispose of 11,643 cases, including 6,924 cases that had been specifically targeted for backlog reduction.
- **New Federal Rock Dusting Standards.** In June 2011, MSHA issued final regulations requiring mine operators to maintain incombustible content of combined dust of at least 80 percent in underground mines.
- **New Impact Inspections Targeting Unsafe Mines.** As of March 2013, MSHA has conducted 579 impact inspections, resulting in 10,036 citations, 946 orders, and 43 safeguards.

#### Details of the Mine Safety Bill:

The Robert C. Byrd Mine and Workplace Safety and Health Act specifically takes into account the investigations and reports on the Upper Big Branch tragedy, and incorporates provisions which families of the victims have said they are looking for. Among other things, the bill would:

- Strengthen whistleblower protections for miners who speak out about unsafe conditions;
- Increase maximum criminal penalties for those who knowingly violate mine safety standards;
- Give MSHA expanded authority to subpoena documents and testimony;
- Prohibit mine operators from keeping two sets of books;
- Limit miners' exposure to Black Lung disease; and

- Improve federal and state coordination to combat safety violations;
- Click [here](#) for more details of the key provisions in the mine safety bill.

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