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ROCKEFELLER PRESSES WHITE HOUSE ON BLACK LUNG AND MINE SAFETY RULE DELAYS

In Letter to President Obama, Rockefeller Says Administration Should Act More Quickly in Finalizing Dust and Proximity Detector Rules

WASHINGTON, D.C. – Asking that the Administration do more to protect the health and well-being of coal miners, Senator Jay Rockefeller today wrote a letter to President Obama asking him to speed up issuing new regulations designed to reduce Black Lung and protect miners.

“No miner should have to face the destructive effects of black lung. This heart wrenching disease has hurt too many miners, their families, and communities,” Rockefeller wrote. “We must act now before we lose more West Virginia coal miners to this disease. I therefore urge your Administration to work with all involved stakeholders, especially representatives of our nation’s mineworkers, to finalize a rule that protects miners from this terrible, crippling disease.”

(Read the full letter to President Obama [here](#).)

Rockefeller’s letter highlights the need for the Administration to issue regulations protecting miners from respirable dust, a key component of legislation Rockefeller introduced last week as part of his longstanding commitment to protect miners from the debilitating and deadly disease. Also in the letter, Rockefeller expressed frustration at the delay of rules to regulate proximity detectors in coal mines, thereby limiting the risk of miners’ being crushed by equipment underground.

“I urge you in the strongest possible terms to direct your Administration to move forward as expeditiously as possible on all of these issues, and to reaffirm your Administration’s commitment to protect the health and safety of our nation’s coal miners,” Rockefeller wrote.

(Read more about [*The Black Lung Health Improvements Act of 2013*](#).)

Rockefeller’s efforts on Black Lung are third in a series of bills he has introduced this year on behalf of West Virginia’s coal miners. In March, Rockefeller introduced the *Coalfield Accountability and Retired Employee (CARE) Act*, that would protect benefits for thousands of retired miners whose livelihoods are in jeopardy as Patriot Coal tries to shed its pension and healthcare obligations in bankruptcy court. In April, Rockefeller re-introduced an updated version of his comprehensive mine safety legislation, the *Robert C. Byrd Mine and Workplace Safety and Health Act*, aimed at fixing the glaring safety problems revealed in the wake of the Upper Big Branch mine disaster.

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Background:

Rockefeller has long fought to reduce the incidents of black lung among coal miners, including by:

- **Working to limit miners' exposure to black lung disease.** In addition to the Black Lung-specific bill he's introducing today, earlier this year Rockefeller reintroduced his landmark comprehensive mine safety bill that included a new provision requiring MSHA to issue a rule within six months to reduce miners' exposure to respirable dust that causes Black Lung disease. The bill also directs MSHA to update those regulations every five years if instances of black lung disease do not decrease. Autopsies revealed that 71 percent of the victims of the Upper Big Branch disaster had black lung disease, including a 25 year old miner. The National Institute for Occupational Safety and Health (NIOSH) also found that the prevalence of black lung disease has increased since 2000, following a steady decline over the previous 30 years. NIOSH also identified severe cases of the disease in miners at younger ages.
- **Fighting back against those opposed to reducing cases of black lung disease.** In July, Rockefeller criticized Republicans on the House Appropriations Committee for inserting language into an appropriations bill that would prohibit MSHA from implementing new rules to reduce the rate of black lung disease.
- **Continuing to protect benefits for miners who have contracted black lung.** In May 2013, after learning that some people were not receiving their black lung benefits on time, Rockefeller reached out to the U.S. Department of the Treasury and the U.S. Department of Labor to help resolve the issue. He also supported a provision in the health care reform law that allows retired miners and their families to receive black lung benefits without re-filing claims or having to prove their spouse died as a result of black lung disease. In an effort to speed up compensation to those affected by black lung, Rockefeller introduced a bill that would have streamlined the benefits process for miners and their families under the Black Lung Trust Fund.