

(2) Thereafter, no later than 12 months after the previous annual refresher training was completed.

(b) The refresher training must include instruction on changes at the mine that could adversely affect the miner's health or safety.

(c) Refresher training must also address other health and safety subjects that are relevant to mining operations at the mine. Recommended subjects include, but are not limited to: applicable health and safety requirements, including mandatory health and safety standards; information about the physical and health hazards of chemicals in the miner's work area, the protective measures a miner can take against these hazards, and the contents of the mine's HazCom program; transportation controls and communication systems; escape and emergency evacuation plans, firewarning and fire-fighting; ground conditions and control; traffic patterns and control; working in areas of highwalls; water hazards, pits, and spoil banks; illumination and night work; first aid; electrical hazards; prevention of accidents; health; explosives; and respiratory devices. Training is also recommended on the hazards associated with the equipment that has accounted for the most fatalities and serious injuries at the mines covered by this rule, including: mobile equipment (haulage and service trucks, front-end loaders and tractors); conveyor systems; cranes; crushers; excavators; and dredges. Other recommended subjects include: maintenance and repair (use of hand tools and welding equipment); material handling; fall prevention and protection; and working around moving objects (machine guarding).

[64 FR 53130, Sept. 30, 1999, as amended at 67 FR 42382, June 21, 2002]

§ 46.9 Records of training.

(a) You must record and certify on MSHA Form 5000-23, or on a form that contains the information listed in paragraph (b) of this section, that each miner has received training required under this part.

(b) The form must include:

(1) The printed full name of the person trained;

(2) The type of training, the duration of the training, the date the training was received, the name of the competent person who provided the training;

(3) The name of the mine or independent contractor, MSHA mine identification number or independent contractor identification number, and location of training (if an institution, the name and address of the institution).

(4) The statement, "False certification is punishable under §110(a) and (f) of the Federal Mine Safety and Health Act," printed in bold letters and in a conspicuous manner; and

(5) A statement signed by the person designated in the MSHA-approved training plan for the mine as responsible for health and safety training, that states "I certify that the above training has been completed."

(c) You must make a record of training under paragraphs (b)(1) through (b)(4) of this section—

(1) For new miner training under §46.5, no later than—

(i) when the miner begins work at the mine as required under §46.5(b);

(ii) 60 calendar days after the miner begins work at the mine as required under §46.5(c); and

(iii) 90 calendar days after the miner begins work at the mine as required under §46.5(d), if applicable.

(2) For newly hired experienced miner training under §46.6, no later than—

(i) when the miner begins work at the mine; and

(ii) 60 calendar days after the miner begins work at the mine.

(3) Upon completion of new task training under §46.7;

(4) After each session of annual refresher training under §46.8; and

(5) Upon completion by miners of site-specific hazard awareness training under §46.11.

(d) You must ensure that all records of training under paragraphs (c)(1) through (c)(5) of this section are certified under paragraph (b)(5) of this section and a copy provided to the miner—

(1) Upon completion of the 24 hours of new miner training;

(2) Upon completion of newly hired experienced miner training;

(3) At least once every 12 months for new task training, or upon request by the miner, if applicable;

(4) Upon completion of the 8 hours of annual refresher training; and

(5) Upon completion by miners of site-specific hazard awareness training.

(e) False certification that training was completed is punishable under § 110(a) and (f) of the Act.

(f) When a miner leaves your employ, you must provide each miner with a copy of his or her training records and certificates upon request.

(g) You must make available at the mine a copy of each miner's training records and certificates for inspection by us and for examination by miners and their representatives. If training certificates are not maintained at the mine, you must be able to provide the certificates upon request by us, miners, or their representatives.

(h) You must maintain copies of training certificates and training records for each currently employed miner during his or her employment, except records and certificates of annual refresher training under § 46.8, which you must maintain for only two years. You must maintain copies of training certificates and training records for at least 60 calendar days after a miner terminates employment.

(i) You are not required to make records under this section of site-specific hazard awareness training you provide under § 46.11 of this part to persons who are not miners under § 46.2. However, you must be able to provide evidence to us, upon request, that the training was provided, such as the training materials that are used; copies of written information distributed to persons upon their arrival at the mine; or visitor log books that indicate that training has been provided.

§ 46.10 Compensation for training.

(a) Training must be conducted during normal working hours. Persons required to receive training must be paid at a rate of pay that corresponds to the rate of pay they would have received had they been performing their normal work tasks.

(b) If training is given at a location other than the normal place of work, persons required to receive such train-

ing must be compensated for the additional costs, including mileage, meals, and lodging, they may incur in attending such training sessions.

§ 46.11 Site-specific hazard awareness training.

(a) You must provide site-specific hazard awareness training before any person specified under this section is exposed to mine hazards.

(b) You must provide site-specific hazard awareness training, as appropriate, to any person who is not a miner as defined by § 46.2 of this part but is present at a mine site, including:

(1) Office or staff personnel;

(2) Scientific workers;

(3) Delivery workers;

(4) Customers, including commercial over-the-road truck drivers;

(5) Construction workers or employees of independent contractors who are not miners under § 46.2 of this part;

(6) Maintenance or service workers who do not work at the mine site for frequent or extended periods; and

(7) Vendors or visitors.

(c) You must provide miners, such as drillers or blasters, who move from one mine to another mine while remaining employed by the same production-operator or independent contractor with site-specific hazard awareness training for each mine.

(d) Site-specific hazard awareness training is information or instructions on the hazards a person could be exposed to while at the mine, as well as applicable emergency procedures. The training must address site-specific health and safety risks, such as unique geologic or environmental conditions, recognition and avoidance of hazards such as electrical and powered-haulage hazards, traffic patterns and control, and restricted areas; and warning and evacuation signals, evacuation and emergency procedures, or other special safety procedures.

(e) You may provide site-specific hazard awareness training through the use of written hazard warnings, oral instruction, signs and posted warnings, walkaround training, or other appropriate means that alert persons to site-specific hazards at the mine.

(f) Site-specific hazard awareness training is not required for any person