

## Mine Safety and Health Admin., Labor

## § 46.4

mines where no miners' representative has been designated, you must post a copy of the plan at the mine or provide a copy to each miner at least 2 weeks before you implement the plan or submit it to the Regional Manager for approval.

(e) Within 2 weeks following the receipt or posting of the training plan under paragraph (d) of this section, miners or their representatives may submit written comments on the plan to you, or to the Regional Manager, as appropriate.

(f) The Regional Manager must notify you and miners or their representatives in writing of the approval, or status of the approval, of the training plan within 30 calendar days of the date we received the training plan for approval, or within 30 calendar days of the date we received the request by a miner or miners' representative that we approve your plan.

(g) You must provide the miners' representative, if any, with a copy of the approved plan within one week after approval. At mines where no miners' representative has been designated, you must post a copy of the plan at the mine or provide a copy to each miner within one week after approval.

(h) If you, miners, or miners' representatives wish to appeal a decision of the Regional Manager, you must send the appeal, in writing, to the Director for Educational Policy and Development, MSHA, 1100 Wilson Blvd., Room 2100, Arlington, Virginia 22209-3939, within 30 calendar days after notification of the Regional Manager's decision. The Director will issue a final decision of the Agency within 30 calendar days after receipt of the appeal.

(i) You must make available at the mine a copy of the current training plan for inspection by us and for examination by miners and their representatives. If the training plan is not maintained at the mine, you must have the capability to provide the plan within one business day upon request by us, miners, or their representatives.

(j) You must comply with the procedures for plan approval under this section whenever the plan undergoes revisions.

(k) The addresses for the EFS Regional Managers are as follows. Cur-

rent information on the EFS organization is available on MSHA's Internet Home Page at <http://www.msha.gov>.

### *Eastern Regional Manager*

Educational Field Services, National Mine Health and Safety Academy, 1301 Airport Road, Beaver, WV 25813-9426, Telephone: (304) 256-3223, FAX: (304) 256-3319, E-mail: [EFS\\_EAST@MSHA.GOV](mailto:EFS_EAST@MSHA.GOV)

### *Western Regional Manager*

Educational Field Services, P.O. Box 25367, Denver, CO 80225-0367, Telephone: (303) 231-5434, FAX: (304) 231-5474, E-mail: [EFS\\_WEST@MSHA.GOV](mailto:EFS_WEST@MSHA.GOV)

[64 FR 53130, Sept. 30, 1999, as amended at 67 FR 38384, June 4, 2002]

### **§ 46.4 Training plan implementation.**

(a) You must ensure that each program, course of instruction, or training session is:

(1) Conducted in accordance with the written training plan;

(2) Presented by a competent person; and

(3) Presented in language understood by the miners who are receiving the training.

(b) You may conduct your own training programs or may arrange for training to be conducted by: state or federal agencies; associations of production operators or independent contractors; miners' representatives; consultants; manufacturers' representatives; private associations; educational institutions; or other training providers.

(c) You may substitute, as applicable, health and safety training required by the Occupational Safety and Health Administration (OSHA), or other federal or state agencies to meet requirements under this part. This training must be relevant to training subjects required in this part. You must document the training in accordance with § 46.9 of this part.

(d) Training methods may consist of classroom instruction, instruction at the mine, interactive computer-based instruction or other innovative training methods, alternative training technologies, or any combination of training methods.

(e) Employee health and safety meetings, including informal health and safety talks and instruction, may be credited under this part toward either

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new miner training, newly hired experienced miner training, or annual refresher training requirements, as appropriate, provided that you document each training session in accordance with § 46.9 of this part. In recording the duration of training, you must include only the portion of the session actually spent in training.

**§ 46.5 New miner training.**

(a) Except as provided in paragraphs (f) and (g) of this section, you must provide each new miner with no less than 24 hours of training as prescribed by paragraphs (b), (c), and (d). Miners who have not yet received the full 24 hours of new miner training must work where an experienced miner can observe that the new miner is performing his or her work in a safe and healthful manner.

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| <p>(b) Before a new miner begins work at the mine—</p>                               | <p>You must provide the miner with no less than 4 hours of training in the following subjects, which must also address site-specific hazards:</p> <ol style="list-style-type: none"> <li>(1) An introduction to the work environment, including a visit and tour of the mine, or portions of the mine that are representative of the entire mine (walkaround training). The method of mining or operation utilized must be explained and observed;</li> <li>(2) Instruction on the recognition and avoidance of electrical hazards and other hazards present at the mine, such as traffic patterns and control, mobile equipment (e.g., haul trucks and front-end loaders), and loose or unstable ground conditions;</li> <li>(3) A review of the emergency medical procedures, escape and emergency evacuation plans, in effect at the mine, and instruction on the firewarning signals and firefighting procedures;</li> <li>(4) Instruction on the health and safety aspects of the tasks to be assigned, including the safe work procedures of such tasks, the mandatory health and safety standards pertinent to such tasks, 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;</li> <li>(5) Instruction on the statutory rights of miners and their representatives under the Act;</li> <li>(6) A review and description of the line of authority of supervisors and miners' representatives and the responsibilities of such supervisors and miners' representatives; and</li> <li>(7) An introduction to your rules and procedures for reporting hazards.</li> </ol> |
| <p>(c) No later than 60 calendar days after a new miner begins work at the mine—</p> | <p>You must provide the miner with training in the following subject:</p> <ol style="list-style-type: none"> <li>(1) Instruction and demonstration on the use, care, and maintenance of self-rescue and respiratory devices, if used at the mine; and</li> <li>(2) A review of first aid methods.</li> </ol>  |
| <p>(d) No later than 90 calendar days after a new miner begins work at the mine—</p> | <p>You must provide the miner with the balance, if any, of the 24 hours of training on any other subjects that promote occupational health and safety for miners at the mine.</p>   |

(e) Practice under the close observation of a competent person may be used to fulfill the requirement for training

on the health and safety aspects of an assigned task in paragraph (b)(4) of this section, if hazard recognition training