

FEDERAL MINE SAFETY AND HEALTH REVIEW COMMISSION

601 New Jersey Avenue NW., Suite 9500, Washington, DC 20001–2021
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The Federal Mine Safety and Health Review Commission ensures compliance with occupational safety and health standards in the Nation's surface and underground coal, metal, and nonmetal mines.

The Federal Mine Safety and Health Review Commission is an independent, adjudicative agency established by the Federal Mine Safety and Health Act of 1977 (30 U.S.C. 801 *et seq.*) that provides administrative trial and appellate review of legal disputes arising from enforcement actions taken by the Department of Labor.

The Commission consists of five members who are appointed by the President with the advice and consent of the Senate and who serve staggered 6-year terms. The Chairman is appointed from among the Commissioners by the President.

The Commission and its Office of Administrative Law Judges are charged with deciding cases brought pursuant to the act by the Mine Safety and Health Administration, mine operators, and miners or their representatives. These cases generally involve review of the Administration's enforcement actions including citations, mine closure orders, and proposals for civil penalties issued for violations of the act or the mandatory safety and health standards promulgated by the Secretary of Labor. The Commission also has jurisdiction over discrimination complaints filed by miners or their representatives in connection with their safety and health rights under the act, and over complaints for compensation filed on behalf of

miners idled as a result of mine closure orders issued by the Administration.

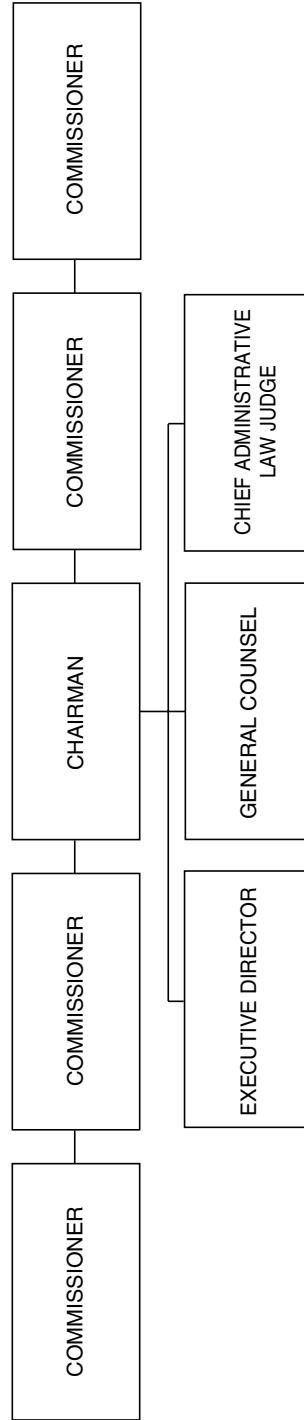
Activities

Cases brought before the Commission are assigned to the Office of Administrative Law Judges, and hearings are conducted pursuant to the requirements of the Administrative Procedure Act (5 U.S.C. 554, 556) and the Commission's procedural rules (29 CFR Part 2700).

A judge's decision becomes a final but nonprecedential order of the Commission 40 days after issuance unless the Commission has directed the case for review in response to a petition or on its own motion. If a review is conducted, a decision of the Commission becomes final 30 days after issuance unless a party adversely affected seeks review in the U.S. Circuit Court of Appeals for the District of Columbia or the Circuit within which the mine subject to the litigation is located.

As far as practicable, hearings are held at locations convenient to the affected mines. In addition to its Washington, DC, offices, the Office of Administrative Law Judges maintains an office in the Colonnade Center, Room 280, 1244 Speer Boulevard, Denver, CO 80204.

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Sources of Information

Commission decisions are published bimonthly and are available through the Superintendent of Documents, U.S.

Government Printing Office, Washington, DC 20402. The Commission's Web site includes recent decisions, a searchable database of previous decisions, procedural rules, audio recordings of recent public meetings, and other pertinent information.

Requests for Commission records should be submitted in accordance with the Commission's Freedom of Information Act regulations. Other information, including Commission rules of procedure

and brochures explaining the Commission's functions, is available from the Executive Director, Federal Mine Safety and Health Review Commission, 601 New Jersey Avenue NW., Suite 9500, Washington, DC 20001-2021. E-mail, info@fmshrc.gov.

For information on filing requirements, the status of cases before the Commission, or docket information, contact the Office of General Counsel or the Docket Office, Federal Mine Safety and Health Review Commission, 601 New Jersey Avenue, NW., Suite 9500, Washington, DC 20001. E-mail, docket@fmshrc.gov.

For further information, contact the Executive Director, Federal Mine Safety and Health Review Commission, 601 New Jersey Avenue NW., Suite 9500, Washington DC 20001-2021. Phone, 202-434-9905. Fax, 202-434-9906. Internet, www.fmshrc.gov. E-mail, info@fmshrc.gov.

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