

Section 723, Pub. L. 89-577, §4, Sept. 16, 1966, 80 Stat. 773, related to investigations of metal and nonmetallic mines to obtain information relating to health and safety conditions. See section 811 of this title.

Section 724, Pub. L. 89-577, §5, Sept. 16, 1966, 80 Stat. 773, related to admission of investigators to mines. See section 813 of this title.

Section 725, Pub. L. 89-577, §6, Sept. 16, 1966, 80 Stat. 774, related to development of health and safety standards. See section 811 of this title.

Section 726, Pub. L. 89-577, §7, Sept. 16, 1966, 80 Stat. 775, related to advisory committees. See section 812 of this title.

Section 727, Pub. L. 89-577, §8, Sept. 16, 1966, 80 Stat. 775, related to findings and orders. See section 814 of this title.

Section 728, Pub. L. 89-577, §9, Sept. 16, 1966, 80 Stat. 777, related to review of orders by Secretary of the Interior. See section 815 of this title.

Section 729, Pub. L. 89-577, §10, Sept. 16, 1966, 80 Stat. 778, created Federal Metal and Nonmetallic Mine Safety Board of Review. See section 823 of this title.

Section 730, Pub. L. 89-577, §11, Sept. 16, 1966, 80 Stat. 779, related to review functions of Federal Metal and Nonmetallic Mine Safety Board of Review. See section 823 of this title.

Section 731, Pub. L. 89-577, §12, Sept. 16, 1966, 80 Stat. 781, related to judicial review of final orders of Federal Metal and Nonmetallic Mine Safety Board of Review. See section 816 of this title.

Section 732, Pub. L. 89-577, §13, Sept. 16, 1966, 80 Stat. 782, related to accident and related reports to Secretary of the Interior. See section 813 of this title.

Section 733, Pub. L. 89-577, §14, Sept. 16, 1966, 80 Stat. 782, related to penalties to be imposed for violations of the chapter. See section 820 of this title.

Section 734, Pub. L. 89-577, §15, Sept. 16, 1966, 80 Stat. 782, related to programs of education and training for employers and employees. See section 825 of this title.

Section 735, Pub. L. 89-577, §16, Sept. 16, 1966, 80 Stat. 782, related to State plans and cooperation with State agencies. See section 811 of this title.

Section 736, Pub. L. 89-577, §17, Sept. 16, 1966, 80 Stat. 783, related to administration of chapter by Bureau of Mines of Department of the Interior. See section 557a of Title 29, Labor.

Section 737, Pub. L. 89-577, §18, Sept. 16, 1966, 80 Stat. 784, related to non-applicability of Administrative Procedure Act to proceedings under chapter. See section 815 of this title.

Section 738, Pub. L. 89-577, §19, Sept. 16, 1966, 80 Stat. 784, related to effect of chapter on State laws. See section 811 of this title.

Section 739, Pub. L. 89-577, §20, Sept. 16, 1966, 80 Stat. 784, related to annual report of Secretary of the Interior to Congress. See section 557a of Title 29, Labor.

Section 740, Pub. L. 89-577, §21, Sept. 16, 1966, 80 Stat. 784, authorized appropriations necessary to carry out chapter. See section 824 of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective 120 days after Nov. 9, 1977, see section 307 of Pub. L. 95-164, set out as an Effective Date of 1977 Amendment note under section 801 of this title.

CHAPTER 22—MINE SAFETY AND HEALTH

Sec.
801. Congressional findings and declaration of purpose.
802. Definitions.
803. Mines subject to coverage.
804. Interim Compliance Panel.
(a) Establishment; composition.
(b) Compensation; travel and subsistence expenses.
(c) Cooperation of Federal agencies.
(d) Quorum; voting; selection of chairman.
(e) Appointment of administrative law judges; provisions applicable.

Sec.
(f) Functions; hearings; notice and review; termination; annual report.

SUBCHAPTER I—GENERAL

811. Mandatory safety and health standards.
(a) Development, promulgation, and revision.
(b) Emergency temporary mandatory standards.
(c) Modification of standards.
(d) Judicial review.
(e) Distribution of copies of proposed standards or regulations.

812. Advisory committees.
(a) Committee on coal or other mine safety research; establishment; membership; chairman; functions; conflicts of interest.
(b) Committee on coal or other mine health research; establishment; membership; chairman; functions; conflicts of interest.
(c) Additional advisory committees; chairman; conflicts of interest.
(d) Compensation; travel and subsistence expenses.

813. Inspections, investigations, and record-keeping.
(a) Purposes; advance notice; frequency; guidelines; right of access.
(b) Notice and hearing; subpoenas; witnesses; contempt.
(c) Records of employee exposure to toxic materials or harmful physical agents; undue exposure.
(d) Accident investigations; records.
(e) Collecting information without unreasonable burden on operators.
(f) Participation of representatives of operators and miners in inspections.
(g) Immediate inspection; notice of violation or danger; determination.
(h) Records and reports; compilation and publication; availability.
(i) Spot inspections.
(j) Accident notification; rescue and recovery activities.
(k) Safety orders; recovery plans.

814. Citations and orders.
(a) Issuance and form of citations; prompt issuance.
(b) Follow-up inspections; findings.
(c) Exempt persons.
(d) Findings of violations; withdrawal order.
(e) Pattern of violations; abatement; termination of pattern.
(f) Respirable dust concentrations; dust control person or team.
(g) Untrained miners.
(h) Duration of citations and orders.

815. Procedure for enforcement.
(a) Notification of civil penalty; contest.
(b) Failure of operator to correct violation; notification; contest; temporary relief.
(c) Discrimination or interference prohibited; complaint; investigation; determination; hearing.
(d) Contest proceedings; hearing; findings of fact; affirmance, modification, or vacatur of citation, order, or proposed penalty; procedure before Commission.

816. Judicial review of Commission orders.
(a) Petition by person adversely affected or aggrieved; temporary relief.
(b) Petition by Secretary for review or enforcement of final Commission orders.

- | | |
|--|---|
| <p>Sec.</p> <p>817. Procedures to counteract dangerous conditions.</p> <p>818. Injunctions.</p> <p>819. Posting of orders and decisions.</p> <p>820. Penalties.</p> <p>821. Entitlement of miners to full compensation.</p> <p>822. Representation of Secretary in civil litigation by Solicitor of Labor.</p> <p>823. Federal Mine Safety and Health Review Commission.</p> <p>823a. Principal office in District of Columbia; proceedings held elsewhere.</p> <p>824. Authorization of appropriations.</p> <p>825. Mandatory health and safety training.</p> <p>SUBCHAPTER II—INTERIM MANDATORY HEALTH STANDARDS</p> <p>841. Mandatory health standards for underground mines; enforcement; review; purpose.</p> <p>842. Dust concentration and respiratory equipment.</p> | <p>Sec.</p> <p>(c) Stay of order or decision of Commission or Panel.</p> <p>(a) Withdrawal orders.</p> <p>(b) Notice to mine operators; further investigation; findings and decision by Secretary.</p> <p>(c) Form and content of orders.</p> <p>(d) Findings; duration of orders.</p> <p>(e) Reinstatement, modification, and vacatur of orders.</p> <p>(a) Civil action by Secretary.</p> <p>(b) Jurisdiction; relief; findings of Commission or Secretary.</p> <p>(a) Mine office; bulletin board.</p> <p>(b) Distribution of orders, citations, notices, and decisions.</p> <p>(c) Compliance.</p> <p>(d) Filing; designation of health and safety officers.</p> <p>(a) Civil penalty for violation of mandatory health or safety standards.</p> <p>(b) Civil penalty for failure to correct violation for which citation has been issued.</p> <p>(c) Liability of corporate directors, officers, and agents.</p> <p>(d) Criminal penalties.</p> <p>(e) Unauthorized advance notice of inspections.</p> <p>(f) False statements, representations, or certifications.</p> <p>(g) Violation by miners of safety standards relating to smoking.</p> <p>(h) Equipment falsely represented as complying with statute, specification, or regulations.</p> <p>(i) Authority to assess civil penalties.</p> <p>(j) Payment of penalties; interest.</p> <p>(k) Compromise, mitigation, and settlement of penalty.</p> <p>(l) Inapplicability to black lung benefit provisions.</p> <p>(a) Establishment; membership; chairman.</p> <p>(b) Terms; personnel; administrative law judges.</p> <p>(c) Delegation of powers.</p> <p>(d) Proceedings before administrative law judge; administrative review.</p> <p>(e) Witnesses and evidence; subpoenas; contempt.</p> <p>(a) Approved program; regulations.</p> <p>(b) Training compensation.</p> <p>(c) Certificate.</p> <p>(d) Standards.</p> <p>(e) Proposed regulations.</p> <p>SUBCHAPTER III—INTERIM MANDATORY SAFETY STANDARDS FOR UNDERGROUND COAL MINES</p> <p>843. Medical examinations.</p> <p>844. Rock dust and gas hazards; controls.</p> <p>845. Dust standards in presence of quartz.</p> <p>846. Noise standards; promulgation of new standards; tests; procedures; protective devices.</p> <p>861. Mandatory safety standards for underground mines.</p> <p>862. Roof support.</p> <p>863. Ventilation.</p> <p>(b) Standards; noncompliance permit; renewal; procedures; limitations; extension period.</p> <p>(c) Applications for noncompliance; contents.</p> <p>(d) Promulgation of new standards; procedures.</p> <p>(e) Concentration of respirable dust.</p> <p>(f) Average concentration.</p> <p>(g) Compliance inspections.</p> <p>(h) Maintenance of respiratory equipment; substitutes for environmental controls.</p> <p>(a) Chest roentgenogram; availability; periodic intervals; other tests; transmittal of results; advice of rights.</p> <p>(b) Evidence of pneumoconiosis; option to transfer; wages.</p> <p>(c) Costs of examinations and tests.</p> <p>(d) Autopsies.</p> <p>(a) Coverage; enforcement; review.</p> <p>(b) Purpose; initiation of studies and research.</p> <p>(a) Roof control plan; contents; review; availability.</p> <p>(b) Creation of dangers by roof falls.</p> <p>(c) Location and supply of roof support material; safety devices for roof work.</p> <p>(d) Roof bolts.</p> <p>(e) Recovery of roof bolts.</p> <p>(f) Safety inspections; correction of dangerous conditions.</p> <p>(a) Equipment; approval; daily examinations.</p> <p>(b) Standards for air in work areas.</p> <p>(c) Line brattice; functions; exceptions; repairs; flame resistant material.</p> <p>(d) Pre-shift examinations and tests; scope; violations of mandatory standards; notification; posting of "DANGER" signs; restriction of entry; records; re-entry.</p> <p>(e) Daily examinations and tests; scope; imminent danger; withdrawal of persons; abatement of danger.</p> <p>(f) Weekly examination for hazardous conditions; scope; notification; repairs; imminent danger; withdrawal of persons; abatement; records.</p> <p>(g) Weekly ventilation examinations; scope; records.</p> <p>(h) Methane examinations at working place; periodic intervals; standards; procedures for different air contents of methane.</p> <p>(i) Methane examination of air returning from working section; periodic intervals; standards; procedures for different air contents; virgin territory.</p> <p>(j) Abandoned area air; pre-shift examination.</p> <p>(k) Abandoned area air; inaccessible or unsafe for inspection; air from where pillars have been removed.</p> |
|--|---|

- | | | | |
|------|--|------|--|
| Sec. | <ul style="list-style-type: none"> (l) Methane monitors; required equipment; maintenance; warnings; deenergizing of equipment. (m) Idle area inspections; authorized inspectors. (n) Intentional roof falls; prior inspections; safeguards. (o) Methane and dust control plans; contents. (p) Devices for detection of methane and oxygen deficiency; maintenance. (q) Pillar recovery; areas without bleeder systems. (r) Overcast and undercast intake air split requirements; time extension. (s) Blasting; prior and subsequent examinations for methane. (t) Mine fan stop plans; requisites. (u) Modifications affecting main air current or any split; withdrawal of personnel; removal of power. (v) Reading and countersigning of daily and weekly reports; foreman; superintendent. (w) Daily mine condition reports; requisites; signatures. (x) Reopening of abandoned or declared inactive mine; notification; inspection. (y) Separation of intake and return aircourses from belt haulage entries; standards. (z) Pillar extractions; bleeder systems and sealing requirements; standards. | Sec. | <ul style="list-style-type: none"> (a) Requirements established for flame resistant cables. (b) Circuit breakers; markings and visual observation of position of disconnection devices. (c) Distribution center junctions; safety connections. (d) Temporary splices; usable period; exceptions; quality. (e) Permanent splices; quality. (f) Clamping of cables. (g) Making and breaking of connections to junction boxes. |
| | <ul style="list-style-type: none"> (r) Overcast and undercast intake air split requirements; time extension. (s) Blasting; prior and subsequent examinations for methane. (t) Mine fan stop plans; requisites. (u) Modifications affecting main air current or any split; withdrawal of personnel; removal of power. (v) Reading and countersigning of daily and weekly reports; foreman; superintendent. (w) Daily mine condition reports; requisites; signatures. (x) Reopening of abandoned or declared inactive mine; notification; inspection. (y) Separation of intake and return aircourses from belt haulage entries; standards. (z) Pillar extractions; bleeder systems and sealing requirements; standards. | | <ul style="list-style-type: none"> (a) Metallic enclosed power conductors; metallic frames and other equipment; methods. (b) Frames of offtrack direct current machines; enclosures of related detached components. (c) Stationary high-voltage equipment powered by underground delta systems. (d) Repairs of high-voltage lines; exceptions. (e) Deenergizing of underground power circuits on idle days; exceptions. |
| 864. | <ul style="list-style-type: none"> Combustible materials and rock dusting. <ul style="list-style-type: none"> (a) Accumulations; maintenance. (b) Abatement of hazards in active working areas. (c) Rock dusting of all areas of underground mines; exceptions. (d) Distribution of rock dust; places, quantities. (e) Limitation of applicability. | 867. | <ul style="list-style-type: none"> Grounding of equipment. <ul style="list-style-type: none"> (a) Metallic enclosed power conductors; metallic frames and other equipment; methods. (b) Frames of offtrack direct current machines; enclosures of related detached components. (c) Stationary high-voltage equipment powered by underground delta systems. (d) Repairs of high-voltage lines; exceptions. (e) Deenergizing of underground power circuits on idle days; exceptions. |
| 865. | <ul style="list-style-type: none"> Electrical equipment. <ul style="list-style-type: none"> (a) Allowable equipment; replacements; maintenance; permits for non-compliance; renewals; limitations; list of electric face equipment; survey of new and rebuilt equipment; publication of results. (b) Notification of permits. (c) Gassy mines; maintenance of equipment. (d) Location of nonpermissible power connection units. (e) Mine map; contents; modifications. (f) Repairs; deenergizing of equipment; authorized personnel; locking out of disconnection devices. (g) Periodic examinations; maintenance; records; accessibility. (h) Electrical conductors. (i) Electrical connections. (j) Cables and wires; entry through metal frames. (k) Support of power wires. (l) Insulation of power wires; exceptions. (m) Circuit breakers; overload protection for three-phase motors. (n) Disconnecting switches for main power circuits; location and installation. (o) Switches. (p) Lightning arresters. (q) Nonapproved devices. (r) Deenergizing of electric face equipment. | 868. | <ul style="list-style-type: none"> Underground high-voltage distribution. <ul style="list-style-type: none"> (a) Circuits entering underground areas of mines; circuit breakers. (b) Circuits extending underground and supplying equipment; direct neutral grounds; ground conductors for frames, exceptions; location of disconnection devices, exceptions. (c) Grounding resistors. (d) Inclusion of fail safe ground check circuits in resistance grounded systems; operative functions; time extension. (e) Underground cables used in resistance grounded systems; metallic shields for power conductors; standards; splices. (f) Couplers for power circuits; guidelines for construction. (g) Connections of single-phase loads. (h) Installation of underground transmission cables. (i) Disconnection devices; location; visual observation of position of switch. (j) Circuit breakers and disconnection devices; markings. (k) Splices in cables used as trailing cables; terminations and splices in other cables. (l) Grounding of frames of underground equipment. (m) Moving of power centers, transformers, and cables; deenergizing; exceptions; safety guidelines; record of examinations. |
| 866. | <ul style="list-style-type: none"> Trailing cables. | 869. | <ul style="list-style-type: none"> Underground low- and medium-voltage alternating current circuits. <ul style="list-style-type: none"> (a) Circuits providing power for three-phase equipment; circuit breakers. (b) Circuits used underground; direct neutral grounds; ground conductors for frames; exceptions; grounding resistors. (c) Inclusion of fail safe ground check circuits in resistance ground systems; operative functions; time extension; couplers for power circuits; guidelines for construction. (d) Disconnecting devices installed in conjunction with circuit breakers; purpose; trailing cables for mobile equipment; guidelines for construction; time extension; splices. |

- | | | | |
|------|--|------|--|
| Sec. | <ul style="list-style-type: none"> (e) Connections of single phase loads. (f) Circuit breakers; markings. (g) Trailing cables for medium voltage circuits; guidelines for construction. | Sec. | <ul style="list-style-type: none"> (f) Automatic couplers for haulage equipment. |
| 870. | <p>Trolley wires and trolley feeder wires.</p> <ul style="list-style-type: none"> (a) Intervals for cutoff switches. (b) Overcurrent protection devices. (c) Location of wires. (d) Adequate insulation and guard devices; promulgation of safety guidelines. | 875. | <p>Emergency shelters; construction; contents; implementation plans.</p> |
| 871. | <p>Fire protection.</p> <ul style="list-style-type: none"> (a) Firefighting equipment; promulgation of minimum requirements for equipment; existing requirements; examinations after blasting. (b) Underground storage areas for lubricating oils and greases; construction; exceptions. (c) Housing of underground structures, stations, shops, and pumps; construction; ventilation. (d) Use of arc or flame in underground mines; fireproof enclosures; operations outside fireproof enclosures; procedures; standards. (e) Installation of fire suppression devices on unattended underground equipment; flame-resistant hydraulic fluids. (f) Deluge-type water sprays at main and secondary drives. (g) Installation of slippage and sequence switches on belt conveyors; fire suppression devices on belt haulageways. (h) Flame-resistant conveyor belt. | 876. | <p>Communication facilities; locations.</p> |
| 872. | <p>Maps.</p> <ul style="list-style-type: none"> (a) Fireproof repository; contents; certification. (b) Availability for inspection; confidential copies. (c) Notification of mine closures; filing of revised and supplemental map; certification. | 877. | <p>General safety provisions.</p> <ul style="list-style-type: none"> (a) Location of oil and gas wells; establishment and maintenance of barriers; minimum requisites; exceptions. (b) Boreholes in advance of work face; distance in advance of work face; distance between boreholes. (c) Prohibition against smoking; implementation programs. (d) Portable electric lamps; exceptions. (e) Promulgation of lighting standards. (f) Escapeways; ventilation; maintenance; tests of passageways; protection of entrance; connection between mine openings. (g) Erection of fireproof structures; prior existing structures; fire doors; monthly tests; records; availability. (h) Prevention of accumulations of coal dust and methane gas; surface coal-handling facilities; air-intake openings. (i) Training programs. (j) Electric face equipment; installation of canopies. (k) Mine entrances; sealing; prevention of entry by unauthorized personnel. (l) Facilities for changing and storing clothes; toilet and bathing facilities. (m) Emergency medical assistance preparations; locations for medical equipment; filing of implementation plans. (n) Self-rescue device; training of personnel. (o) Methods of eliminating oxygen deficiencies. (p) Identification check system; records. (q) Installation of devices to prevent and suppress ignition on electric cutting face equipment. (r) Tunnelling under water; permits; contents; necessity; safety zones; restrictions. (s) Drinking water. (t) Standards for prevention of explosions from nonmethane gases and for testing for accumulations. |
| 873. | <p>Blasting and explosives.</p> <ul style="list-style-type: none"> (a) Limitations on storage and use of black powder and mudcaps. (b) Storage of explosives and detonators; mudcaps in anthracite mines; restrictions; tests. (c) Permissible explosives, detonators, and devices; firing; stem boreholes; nonpermissible explosives; compressed air blasting. (d) Container construction for carrying explosives or detonators in underground mines. (e) Transportation of explosives or detonators in underground mines. (f) Storage of explosives and detonators in working sections of underground mines; containers; locations. (g) Location of explosive and detonator containers in working places of underground mines. | 878. | <p>Definitions.</p> <p style="text-align: center;">SUBCHAPTER IV—BLACK LUNG BENEFITS</p> <p style="text-align: center;">PART A—GENERAL PROVISIONS</p> |
| 874. | <p>Hoisting and mantrips.</p> <ul style="list-style-type: none"> (a) Transporting of persons; required equipment and capabilities; safety catches; daily examinations; operators. (b) Promulgation of other safeguards. (c) Rated capacities; indicator for position of cage. (d) Methods for signaling between shaft stations and hoist rooms. (e) Braking equipment for haulage cars used in underground mines. | 901. | <p>Congressional findings and declaration of purpose; short title.</p> |
| | | 902. | <p>Definitions.</p> |
| | | 903. | <p>Field offices.</p> |
| | | 904. | <p>Repealed.</p> <p style="text-align: center;">PART B—CLAIMS FOR BENEFITS FILED ON OR BEFORE DECEMBER 31, 1973</p> |
| | | 921. | <p>Regulations and presumptions.</p> <ul style="list-style-type: none"> (a) Promulgation; payment of benefits. (b) Promulgation of standards determining total disability. (c) Presumptions. (d) Applicability of presumptions. |
| | | 922. | <p>Payment of benefits.</p> <ul style="list-style-type: none"> (a) Schedules. (b) Reduction of benefits. (c) Reporting of income. |
| | | 923. | <p>Filing of notice of claim.</p> |