On April 9, 2018, the federal Mine Safety and Health Administration (MSHA) released its final rule modifying workplace examination requirements for operators of surface and underground metal and nonmetal mines. 83 Fed. Reg. 15055. This presentation will give you an overview of the revised rule requirements and guidance on how to comply with this new rule at your work site.

The revised rule requires that:

- A competent person examine each working place for conditions that may adversely affect the safety or health of miners. The working place must be examined at least once each shift, before work begins or as miners begin work in that place.
- Promptly initiate appropriate corrective action when adverse conditions are found.
- Promptly notify miners in affected areas if adverse conditions are found and not corrected before miners are potentially exposed.
- Withdraw all persons from affected areas when alerted to any conditions that may present an imminent danger, until the danger is abated.
- Create an examination record before the end of each shift that includes:
  - The name of the person conducting the examination;
  - Date of the examination;
  - Location of all areas examined;
  - A description of each condition found that may adversely affect the safety or health of miners that is not promptly corrected; and
  - The date when the described condition is corrected.
- Make the examination record available to MSHA and miners’ representatives, with a copy provided upon request.

The rule takes effect on June 2, 2018, but MSHA has indicated it will generally refrain from issuing citations under the new requirements until October 1, 2018, but reserves the right to do so. In the interim, mine operators must continue to comply with the original rule’s requirements and can be cited for any deficiencies.