

## SME Statement

Employee safety and health is of paramount importance for SME and its members. Many SME members work daily in our Nation's mines or have a direct impact on others that work in the mines.

SME supports the mission and purpose of the U.S. Mine Safety and Health Administration (MSHA), which is to prevent all injuries and disease from mining and to promote safe and healthful workplaces for the Nation's miners.

SME supports the National Institute for Occupational Safety and Health and university research geared toward prevention of all occupational injuries and illnesses.

SME maintains that laws and regulations governing the mining industry need to be based on sound scientific principles to ensure that workplace solutions can be readily implemented and that solutions to safety and health problems are fully realized.

## Issue

- Year-over-year record improvements in safety performance were tragically interrupted in 2006 (Figure 1) and again in 2010.
- If increasing minerals prices lead to an increase in employment in the mining industry and less experienced miners enter the workforce, it is most important to provide resources and training in mine safety and health.
- Congress is considering supplemental mine safety legislation to the Mine Improvement and New Emergency Response (MINER) Act.
- The mining industry has recommended full implementation of the MINER Act prior to supplemental legislation.
- MSHA should work collaboratively with industry to create a safe and healthy workplace, including enhanced training and education, and not rely on the promulgation and enforcement of regulations where the technologies are not demonstrated.

## Background

Passage of the Coal Mine Health and Safety Act of 1969 was the genesis of a new regulatory era for mining in the U.S. and resulted in a strong downward trend in mining fatalities.

The Federal Mine Safety and Health Act, passed in 1977, requires regular inspections of all surface mines, mandatory training, creation of rescue teams for all underground mines, and involvement of mine employees and their representatives in safety and health.

MSHA, a division of the U.S. Department of Labor that promulgates rules and regulations, conducts inspections and investigations at mine sites to ensure compliance with mine safety and health laws and regulations. MSHA regulates mining through: observing violations and issuing citations and corrective orders; investigating mine accidents, complaints of discrimination related to employee health and safety rights, reports of hazardous conditions, and criminal violations; issuing safety and health standards; reviewing operators' mine plans; conducting safety and health training; and leading outreach programs via its Technical Support division.

The MINER Act, passed in 2006 with strong industry and labor support, has contributed to improved mine safety and emergency preparedness. Mine operators have made considerable progress in adding self-contained self rescuers, improving and increasing safety training for miners, developing post accident communication systems, increasing the strength of mine seals, installing survival chambers, and in increasing the number of mine rescue teams.

According to National Mining Association estimates, the mining industry has invested over \$1 billion in complying with the MINER Act's mandates, more than six times the Congressional Budget Office's estimates of the cost of compliance.

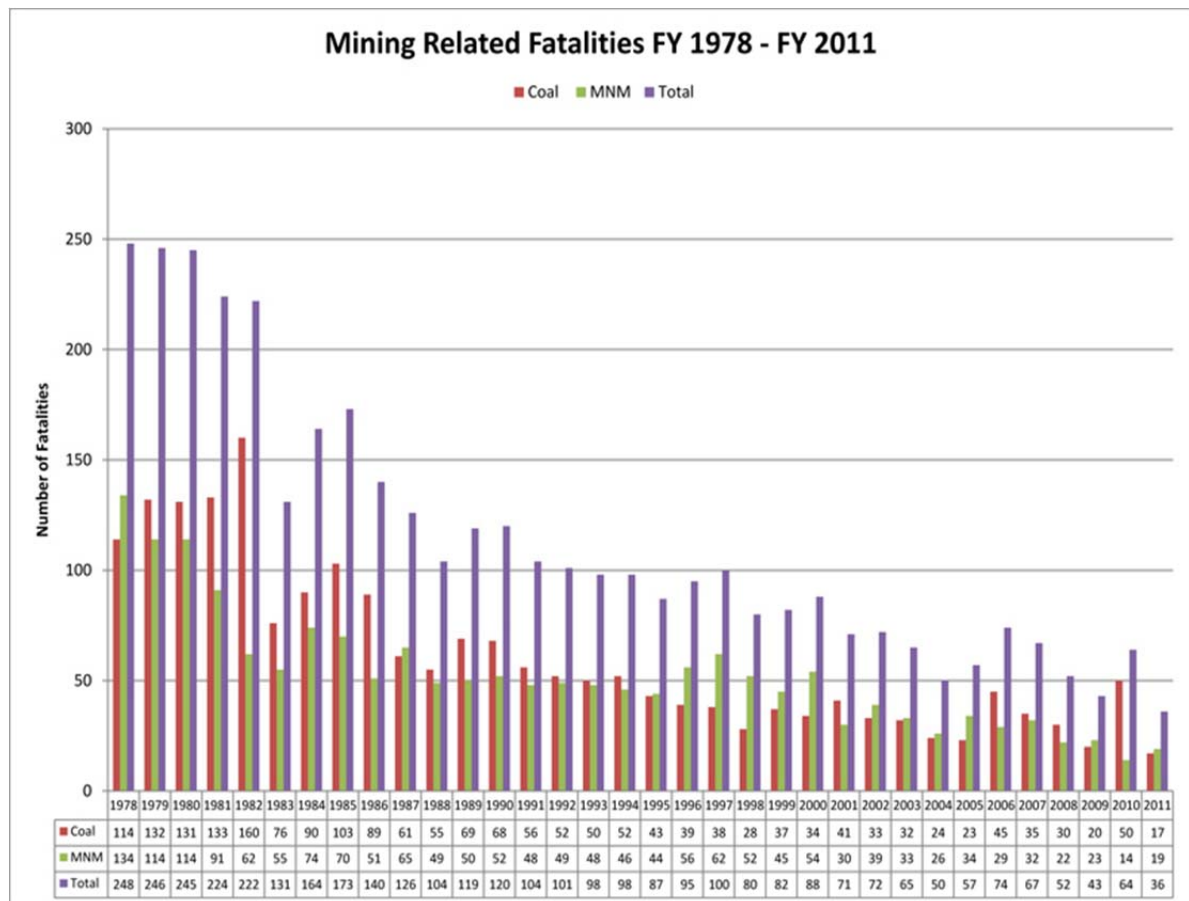


Figure 1 – MSHA, 2011

## SME Statement Of Technical Position

- SME is committed to improving the safety and health of the mining industry's workforce.
- SME encourages mining companies to consider implementing a proactive occupational health program and a safety management system.
- The Mine Safety Technology and Training Commission, an independent panel of technical experts, was convened to thoroughly examine the mechanics of mine operations and provide recommendations to improve mine safety. Many of these recommendations go above and beyond the requirements of the MINER Act.
- Full implementation of the MINER Act must remain the highest priority of the industry and should precede consideration of any new legislation or regulatory mandates.
- Congress should evaluate the level of funding that would be commensurate with the need to support research and development, cultivation of additional safety and technical professionals, and address the serious shortage of miners and mine supervisors for this industry.
- SME is committed to making available expertise to enhance workplace safety and health. Further, SME is prepared to facilitate discussions among policymakers, regulators, operators, miners or their representatives, researchers, and independent health and safety specialists to reach the mutual goal of improved workplace safety and health in America's mines and processing facilities.