



June 2006

ALERT

MINE SAFETY LEGISLATION APPROVED BY CONGRESS

On Wednesday, June 7, Congress finalized and sent to the President the Mine Improvement and New Emergency Response (MINER) Act. Among its major provisions, the MINER Act requires that:

- Mine operators install wireless two-way communication equipment for locating trapped miners by 2009.
- Mine operators equip each miner with an electronic tracking device by 2009.
- MSHA set minimum fines for some safety violations and raise the maximum for others. The maximum civil penalty for flagrant safety violations would rise from \$60,000 to \$220,000. It also imposes minimum fines of \$2,000 for unwarrantable failure violations and \$4,000 for unwarrantable orders.
- Mine operators must provide two-hour emergency supplies of air to each miner.
- Mine operators must store extra breathing devices in the mines.
- Mine operators must notify authorities within 15 minutes of an accident.
- Rescue teams be located within an hour's drive.
- A mine safety research division be established inside NIOSH.

The MINER Act of 2006, which had passed the Senate unanimously, passed the House of Representatives on a 381-37 vote and, according to a White House spokesman, President Bush supports the bill.

For further information, please contact [Henry Chajet](mailto:hchajet@pattonboggs.com) in DC at (202) 457-6511 (hchajet@pattonboggs.com); [Mark Savit](mailto:msavit@pattonboggs.com) in Denver at (303) 894-6117 (msavit@pattonboggs.com); or Cass Weiland in Dallas at (214) 758-1504 (cweiland@pattonboggs.com); or visit our firm web site (www.pattonboggs.com) for additional group Alerts, Newsletters, and informational postings.

Important Note: This alert does not constitute legal advice and counsel should be consulted regarding specific factual situations which will determine the compliance advice applicable to any particular question regarding the subject matter. If you would like additional information or advice and counsel on training, compliance or audits, please let us know.

NOTE: You may receive this alert from other people, which often occurs. To **SUBSCRIBE**, change your address or to change your e-mail format, simply visit <http://www.pattonboggs.com/News/signup.aspx>. To **UNSUBSCRIBE** or OPT-OUT, simply e-mail INSIGHTS@pattonboggs.com with "UNSUBSCRIBE" in the subject line. To correspond with INSIGHTS, send your message to INSIGHTS@pattonboggs.com.