

2024 MSHA Breakdown: Navigating the Latest Regulations on Silica and Powered Haulage

Libby Pritchard

National Stone, Sand and Gravel Association (NSSGA)

VTCA Spring Conference, Hampton, VA

About NSSGA

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NATIONAL STONE, SAND
& GRAVEL ASSOCIATION

Primary federal trade association for aggregates & industrial sand



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Meetings & Events



Manufacturing & Services
(M&S)



Small Producers



Industrial Sand &
Pulverized Minerals



Sustainability

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Sustainability

First...



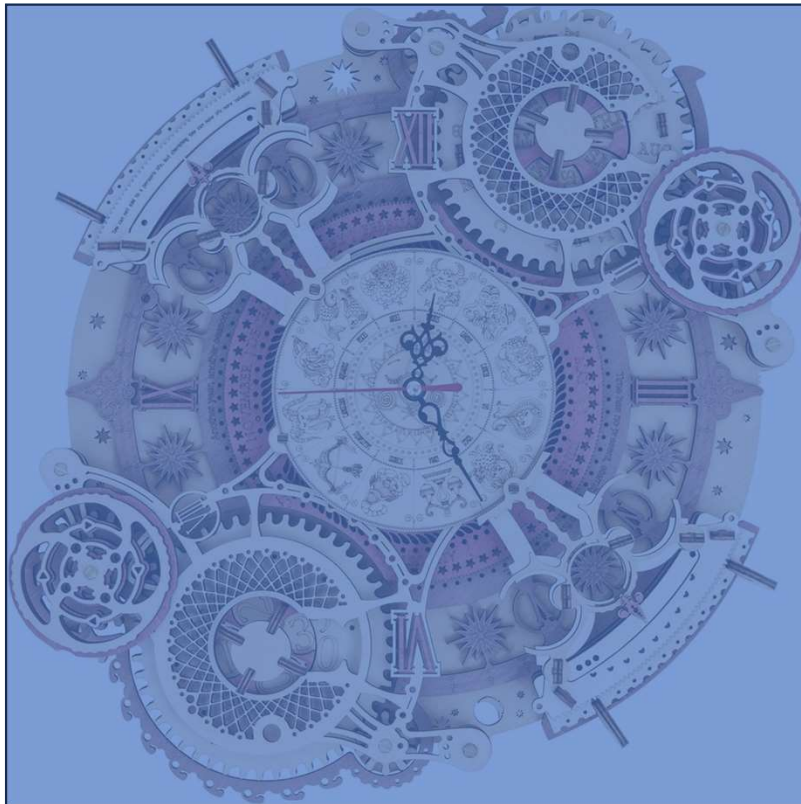
Second...



The Proposed Silica Rule



The Proposed Silica Rule



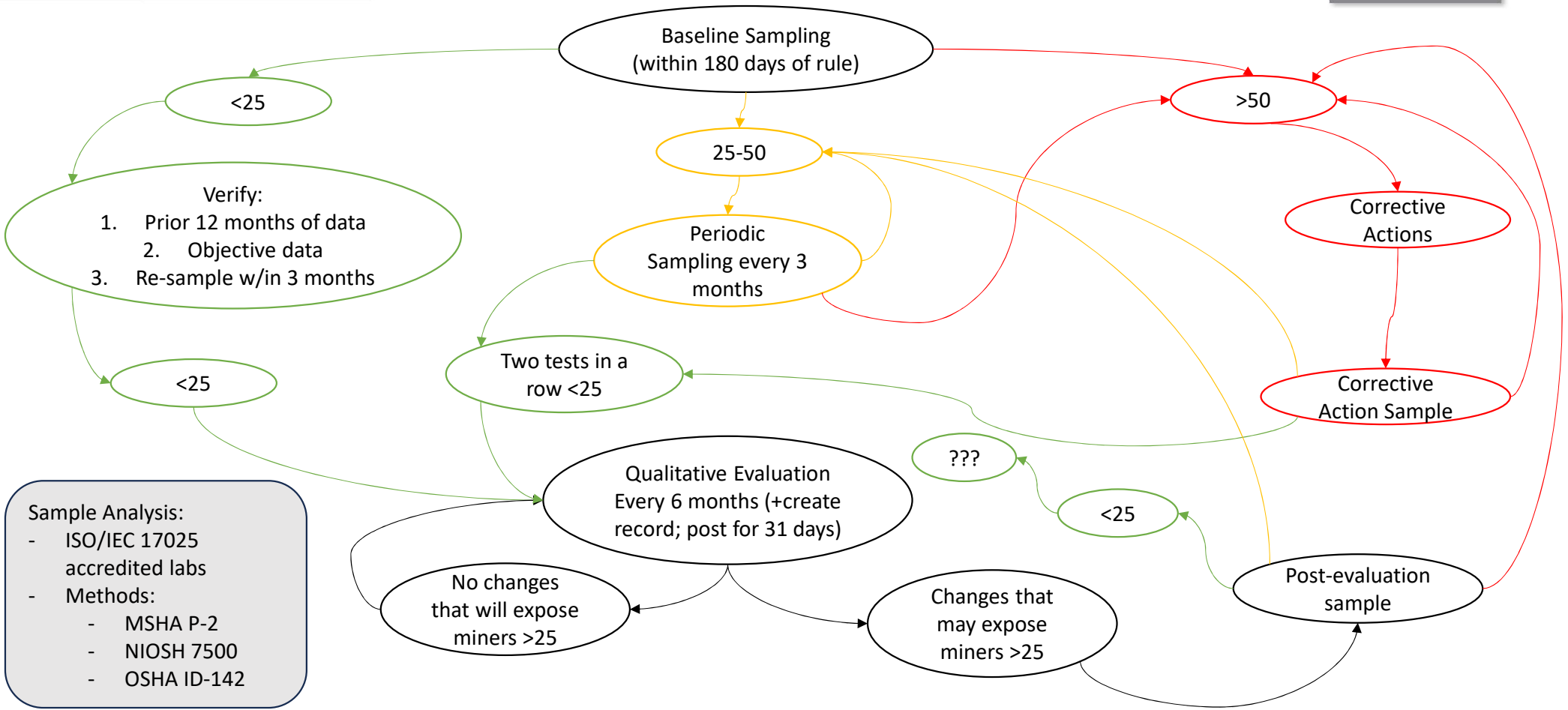
The Proposed Silica Rule

- PEL:
 - 100 micrograms → 50 micrograms
- Compliance:
 - Engineering > Administrative (No worker rotation)
- Medical Surveillance:
 - New to industry = mandatory
 - Already in industry = voluntary
- Sampling:
 - It's complicated...

SAMPLING REQUIREMENTS

- Sample during “typical mining activities”
- Representative sampling: 2+ miners doing same task, same shift, same work area

- Full-shift sample; time weighted average
- Breathing zone air samples
- Post sampling results 31 days; retain 2 years
- Available on request



Sample Analysis:

- ISO/IEC 17025 accredited labs
- Methods:
 - MSHA P-2
 - NIOSH 7500
 - OSHA ID-142

What's Next?



"SEE IF OUR TECHNICAL PEOPLE CAN GET THIS UP AND RUNNING."

What Now?

1. PREPARE FOR SAMPLING

- Train
- Consult with Industrial Hygienists
- Records
- Get Equipment



What Now?

2. PREPARE FOR MEDICAL SURVEILLANCE

- Learn about running a medical surveillance program
- Coordinate with testing service(s)
- Know what is offered (e.g., van services)
- **B-READERS – only 189 certified in the country**
 - Not all B-Readers are created equal

3. ENGINEERING CONTROLS

- You will not be able to rely on respirators
- Got problem areas?
 - Identify
 - Do sampling, hire consultants...
 - Plan
 - Capital expenses, supply chain, increased demand...

Powered Haulage

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Important Dates

- Effective: January 19, 2024
- Compliance Date: July 17, 2024

Scope

- Applies to all mines; no miner minimum
- Applies to surface equipment, not underground
 - Surface mines and surface areas of underground mines

Covered Equipment

YES

- Wheeled,
- Skid-mounted,
- Track-mounted,
- Rail-mounted equipment
- ...capable of moving or being moved,
- Any powered equipment that transports people, equipment, or materials.

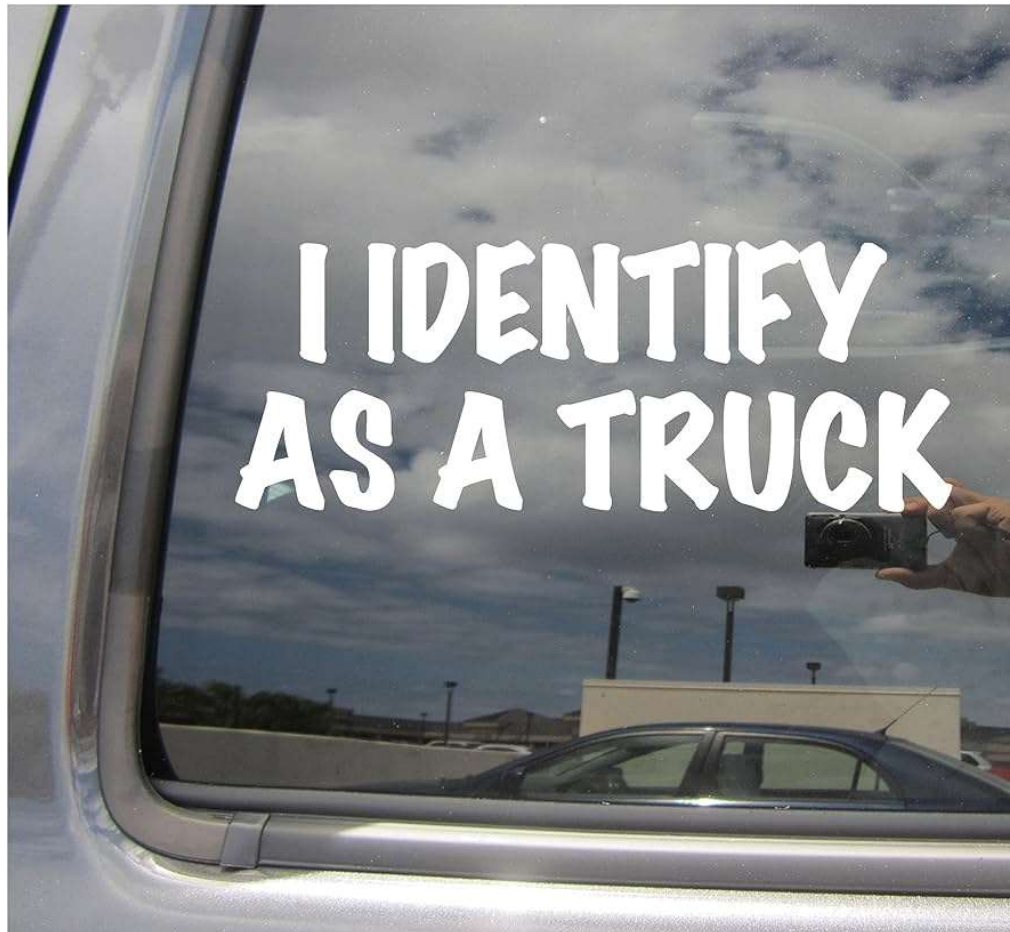
NO

- Belt conveyors
- Manually powered tools e.g.,
 - Wheelbarrows
 - Handcarts
 - Push carts
 - Welding carts
 - Dollies
 - Etc.

The Program

- Create your plan – follow your plan
- Five elements:
 1. Identify **EQUIPMENT** on site
 2. Identify and analyze **HAZARDS**; reduce risks
 2. Procedures & schedules for **MAINTENANCE** & repairs
 3. Identify and evaluate **TECHNOLOGIES**
 4. **TRAINING**

1. Identify Equipment On-Site



2. Identify & Address Hazards



2. Identify & Address Hazards



- What are the hazards at your site?
- How to identify hazards:
 - Data review
 - Review workplace exams
 - Review best practices
 - Consult miners/ reps
- What are you going to do?

2. Identify & Address Hazards



What are the hazards/risks?



What's your plan?

3. Maintenance & Repairs



3. Maintenance & Repairs

- Develop and maintain procedures and schedules for maintenance and repairs
- Routine & non-routine
- To follow the manufacturer, or not to follow the manufacturer?



4. Technology Assessment



4. Technology Assessment

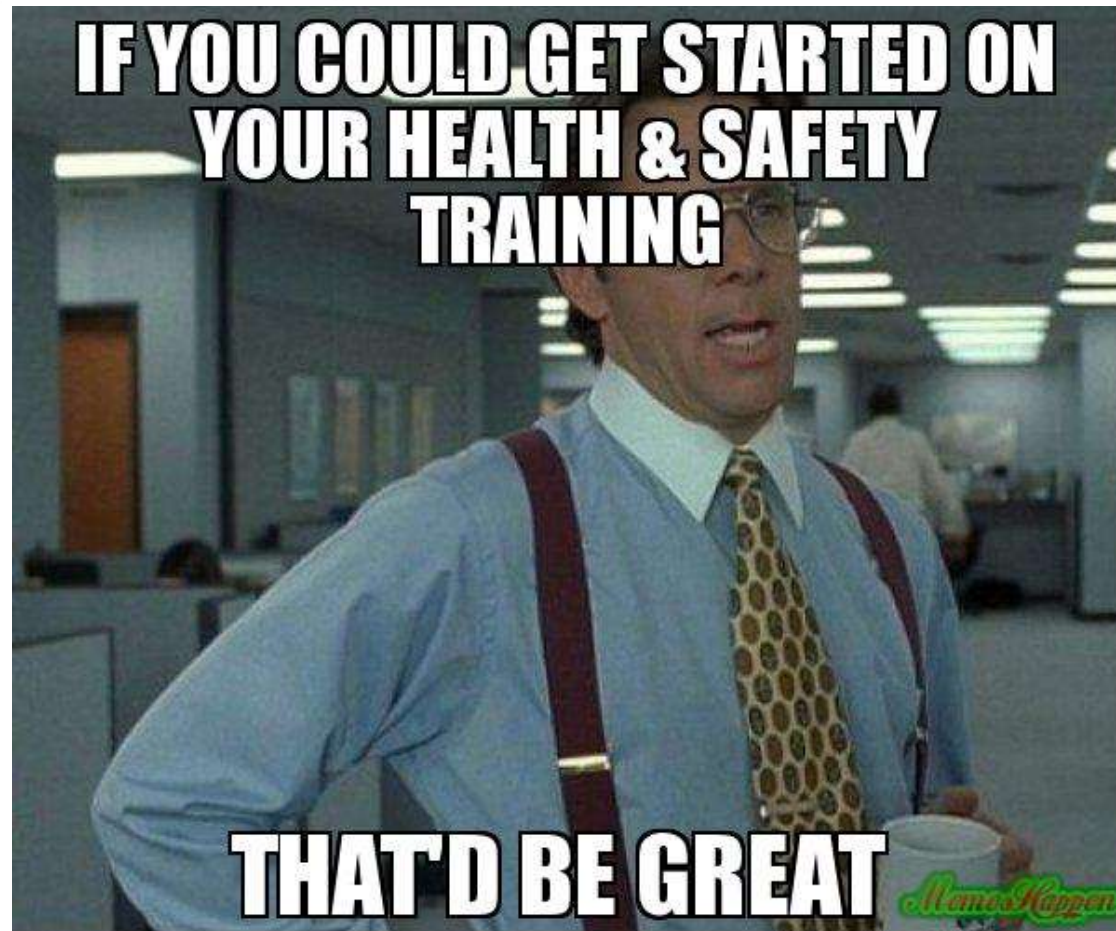


- **Identify** currently available and newly emerging powered haulage-related feasible technologies
- **Evaluate** whether to adopt them
- NOT required to purchase or install

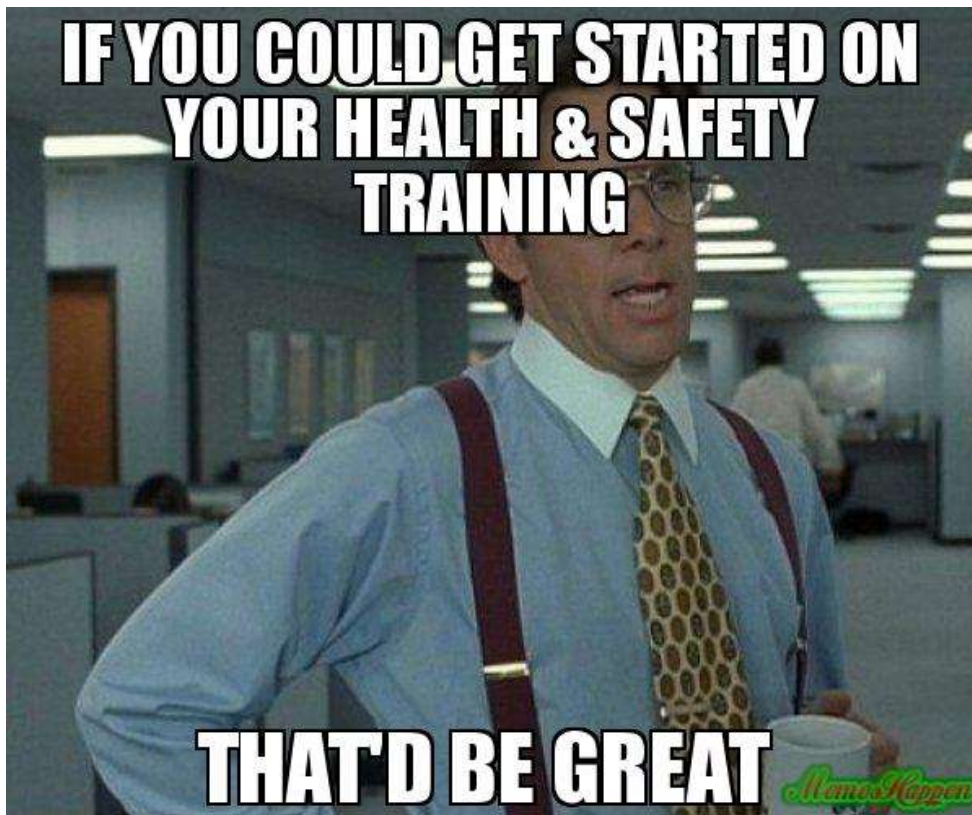
5. Training

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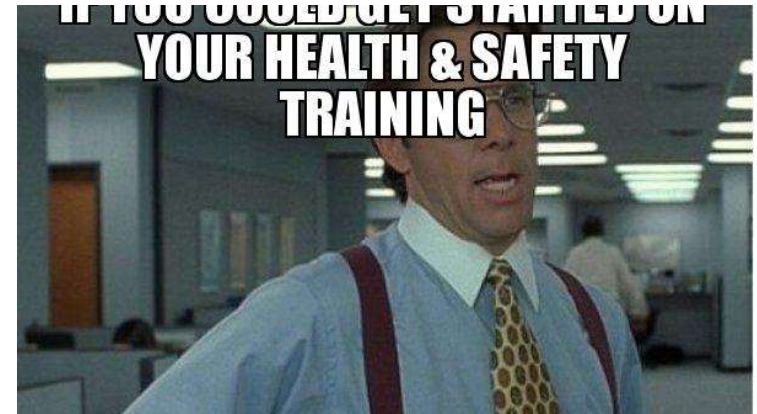
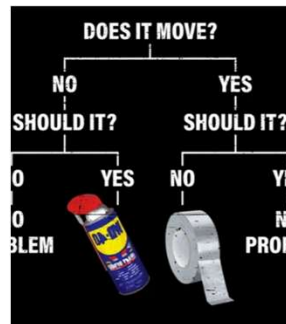
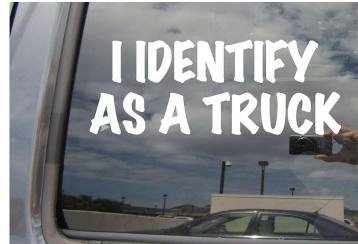
5. Training



- Miners & “other persons at the mine necessary to perform work”
- Training: *identifying & addressing and/or avoiding hazards*
- Integrate your Part 46
- Different degrees of training depending on person/role

The Plan Recap:

1. Identify equipment,
2. Identify hazards/risks and risk reduction,
3. Note maintenance and repairs,
4. Evaluate technology
5. Train



Program Updates

- Responsible person will evaluate/update:
 - At least annually OR as:
 - Conditions/practices change that may affect S&H
 - Accidents/injuries occur
 - Mobile equipment changes or is modified

Responsible Person

- Responsible person
 - “a person with authority and responsibility to evaluate and update a written safety program for surface mobile equipment.”
- At least one designated

Input from Miners & Reps

- “Must solicit input from miners & their representative in developing and updating the written safety program.”

Contractors

- Part 45 Independent Contractors
 - Will develop own program
 - Or integrate into operator's program

Records

- Program available to:
 - Miners
 - Miners reps
 - MSHA
- Provide copies on request
 - Electronic is okay

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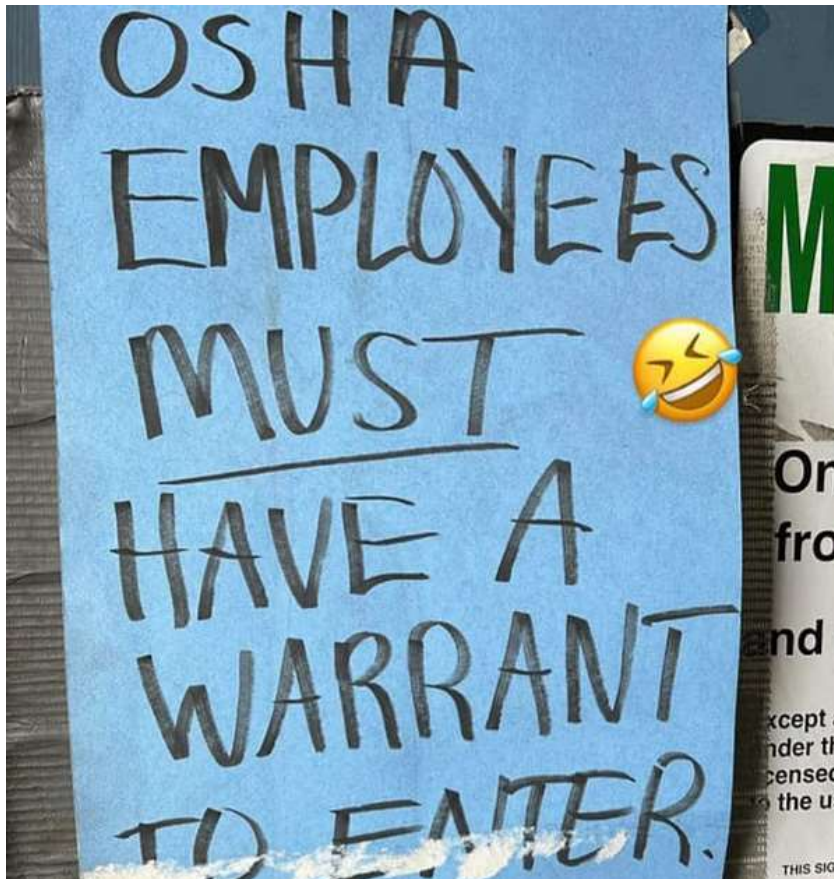
FAQs

- Leased equipment?
- Technologies and taking equipment out of service
- Boats and dredges – no
- Mobile conveyors/stacker conveyors?
- Manufacturer recommendations re: maintenance

- MSHA FAQs = “living” document

Templates

Enforcement July 17 - Keep in Touch



Thanks! Questions?

Libby Pritchard

lpritchard@nssga.org

703-678-9483



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