

# Part 46

## Reference Guide

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# INTRODUCTION

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This book was designed to assist mining operations who are regulated by MSHA's Part 46 regulations. This book provides regulations, policy, and frequently asked questions and answers. It includes a blank training plan, sample lesson plans, and training records.

In the regulation and policy section, information from MSHA's Program Policy Manual (PPM) has been integrated, so it corresponds directly with the listed regulation. This is followed by the Compliance Guide which is a list of frequently asked questions and answers.

While teaching, you are expected to use your MSHA Approved Training Plan as a guide. The training plan is a general overview of what and how you plan to teach each program. It is recommended that you develop individual lesson plans for each subject/course you will be teaching. Lesson plans are detailed outlines indicating how you plan to teach and evaluate each particular subject within the training program.

The sample lesson plans included in this book provide an example of things you may teach for certain subjects. **These lesson plans are not complete.** Use these examples as a guide to aid you in developing your site-specific lesson plans.

As with the training plan, you can copy and use the blank training records that are provided or develop your own which must include all the required information listed in Part 46.9. You will also find examples of properly completed training records.

Remember, MSHA's Educational Field and Small Mine Services (EFSMS) have training specialists available to assist you. We encourage you to contact them when you have questions regarding training plans, training, or anything concerning Part 46 regulations.



# REGULATION AND POLICY

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## Part 46

Part 46 regulates the training and retraining of miners engaged in shell dredging or employed at sand, gravel, surface stone, surface clay, colloidal phosphate, surface limestone, marble, granite, sandstone, slate, shale, traprock, kaolin, cement, feldspar, and lime mines.

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## **30 CFR 46.1 - Scope.**

The provisions of this Part set forth the mandatory requirements for training and retraining miners and other persons at shell dredging, sand, gravel, surface stone, surface clay, colloidal phosphate, and surface limestone mines.

### **PPM: General**

Section 115 of the Federal Mine Safety and Health Act of 1977 (Mine Act) and 30 CFR Part 46 require operators to have an approved training plan under which miners are provided training. Part 46 training plans are considered "approved" if they contain, at a minimum, the information listed in § 46.3(b). Plans that do not contain the minimum information listed in § 46.3(b) must be submitted to MSHA for approval.

### **Compliance Responsibility**

Each mine operator is responsible for complying with all applicable provisions of Part 46. Therefore, operators are required to provide all required miner training.

Independent contractors working on mine property must comply with the requirements of Part 46 (see "§ 46.12 Responsibility for Independent Contractor Training"). This includes developing their own training plan that meets the minimum requirements of Part 46 and providing appropriate training.

### **Industries Affected by Part 46**

Part 46 applies to miners working at **surface shell dredging, sand, gravel, surface stone, surface clay, colloidal phosphate, surface limestone, marble, granite, sandstone, slate, shale, traprock, kaolin, cement, feldspar, and lime mines.**

### **Surface Areas of Underground Mines**

Underground mines and their surface areas are covered by Part 48. The Part 46 regulations do not apply to training for miners who work at surface areas of underground mines. Miners who work in such areas must continue to receive training that complies with the Part 48 training regulations.

### **Government Officials on Part 46 Properties**

Government officials visiting a mine site are not required to receive Part 46 training. However, MSHA expects those government agencies whose personnel visit mine sites will ensure that their employees are provided with appropriate personal protective equipment, and receive adequate instruction and training. Where training is not provided, such government officials should be accompanied by an experienced miner.

### **Satisfying both Part 46 and Part 48 requirements**

MSHA will allow independent contractors who work at both Part 46 and Part 48 surface mining operations to comply with the training requirements of Part 48, instead of complying with both training rules. This will eliminate the need for developing two training plans and complying with two record-keeping requirements. These contractors may choose to comply with the New Miner, Experienced Miner, Task, and Annual Refresher Training programs of Part 48 to satisfy the training requirements for both regulations. Independent contractors who choose to follow this policy must have their own Part 48 training plan approved by MSHA.

Part 46 defines construction workers who are exposed to hazards of mining operations as miners. Independent contractors that perform construction work on Part 46 properties may train under their own approved Part 48 training plan to satisfy the Part 46 requirement for training construction workers who are exposed to hazards of mining operations.

Operators, at Part 46 operations, remain responsible for ensuring that Site-specific Hazard Awareness Training (§ 46.11) is provided to these contractors.

### **30 CFR 46.2 – Definitions.**

The following definitions apply in this Part:

- (a) Act means the Federal Mine Safety and Health Act of 1977.
- (b) Competent person means a person designated by the production-operator or independent contractor who has the ability, training, knowledge, or experience to provide training to miners in his or her area of expertise. The competent person must be able both to effectively communicate the training subject to miners and to evaluate whether the training given to miners is effective.

**PPM: "Competent Person"** – Part 46 does not require that "competent persons" be approved by MSHA. A "competent person," is a person who is designated by the production-operator or independent contractor who has the ability, training, knowledge, or experience to provide training to miners in his or her area of expertise. The competent person must be able to effectively communicate the training subject to miners, and evaluate whether the training given to miners is effective.

A competent person may be credited for receiving any training they provide toward their own training requirements.

- (c) Equivalent experience means work experience where the person performed duties similar to duties performed in mining operations at surface mines. Such experience may include, but is not limited to, work as a heavy equipment operator, truck driver, skilled craftsman, or plant operator.

**PPM: "Equivalent Experience"** is defined in Part 46 as work experience where the person performed duties similar to duties performed in mining operations at surface mines. "Equivalent experience" includes such things as working at a construction site or other types of jobs where the miner has duties similar to the duties at the mine. These duties could include working as a heavy equipment operator, truck driver on a highway construction site, skilled craftsman, or plant operator. To determine equivalent experience, production-operators and independent contractors must evaluate the work history of newly-hired employees in determining whether the employees are "experienced" miners. This determination is subject to review by MSHA as part of our verification that production-operators and independent contractors have complied with the training requirements of Part 46.

- (d)(1) Experienced miner means:

- (i) A person who is employed as a miner on April 14, 1999;
- (ii) A person who has at least 12 months of cumulative surface mining or equivalent experience on or before October 2, 2000;
- (iii) A person who began employment as a miner after April 14, 1999, but before October 2, 2000, and who has received new miner training under Section 48.25 of this title or under proposed requirements published April 14, 1999, which are available from the Office of Standards, Regulations and Variances, MSHA, 201 12th Street South, Arlington, VA 22202; or
- (iv) A person employed as a miner on or after October 2, 2000, who has completed 24 hours of new miner training under Section 46.5 of this

Part or under Section 48.25 of this title and who has at least 12 cumulative months of surface mining or equivalent experience.

**PPM:** Part 46 lists four ways to become an experienced miner.

1. Employed as a miner on April 14, 1999; or
2. Twelve months of cumulative surface mining or equivalent experience on or before October 2, 2000; or
3. Began employment as a miner after April 14, 1999, but before October 2, 2000, and who has received new miner training under § 48.25 or under the proposed requirements published April 14, 1999; or
4. Employed as a miner on or after October 2, 2000, and completed 24 hours of new miner training under § 46.5 or under § 48.25 and has at least 12 cumulative months of surface mining or equivalent experience.

Once a miner has received new miner training under Part 46 or Part 48 and has accumulated 12 months of mining experience within 36 months of receiving new miner training, MSHA considers that miner to be experienced for life for training purposes at all Part 46 mines.

- (d)(2) Once a miner is an experienced miner under this Section, the miner will retain that status permanently.
- (e) Independent contractor means any person, partnership, corporation, subsidiary of a corporation, firm, association, or other organization that contracts to perform services at a mine under this Part.
- (f) Mine site means an area of the mine where mining operations occur.
- (g)(1) Miner means:
- (i) Any person, including any operator or supervisor, who works at a mine and who is engaged in mining operations. This definition includes independent contractors and employees of independent contractors who are engaged in mining operations; and
  - (ii) Any construction worker who is exposed to hazards of mining operations.

(g)(2) The definition of "miner" does not include scientific workers; delivery workers; customers (including commercial over-the-road truck drivers); vendors; or visitors. This definition also does not include maintenance or service workers who do not work at a mine site for frequent or extended periods.

**PPM:** A miner is a person, including any operator or supervisor, who works at a mine and who is engaged in mining operations. This definition includes independent contractors and employees of independent contractors who are engaged in mining operations; and construction workers who are exposed to hazards of mining operations for frequent or extended periods.

The definition of "**miner**" does not include scientific workers; delivery workers; customers (including commercial over-the-road truck drivers); vendors; or visitors.

Commercial over the road truck drivers are required to have Site-Specific Hazard Awareness Training. Part 46 affords operators the discretion to tailor Site-specific Hazard Awareness Training to the unique operations and conditions at their mines. However, the training must in all cases be sufficient to alert affected persons to site-specific hazards. Under Part 46, Hazard Awareness training is intended to be appropriate for the individual who is receiving it and that the breadth and depth of training vary depending on the skills, background, and job duties of the recipient.

This definition of "**miner**" also does not include maintenance or service workers who do not work at a mine site for frequent or extended periods.

"**Frequent**" exposure is defined as a pattern of exposure to hazards at mining operations occurring intermittently and repeatedly over time.

"**Extended**" exposure means exposure to hazards at mining operations of more than five consecutive work days.

(h) Mining operations means mine development, drilling, blasting, extraction, milling, crushing, screening, or sizing of minerals at a mine; maintenance and repair of mining equipment; and associated haulage of materials within the mine from these activities.

**PPM:** Mining operations means mine development, drilling, blasting, extraction, milling, crushing, screening, or sizing of minerals at a mine; maintenance and repair of mining equipment; and associated haulage of materials within the mine from these activities.

- (i) New miner means a person who is beginning employment as a miner with a production-operator or independent contractor and who is not an experienced miner.
- (j) Newly hired experienced miner means an experienced miner who is beginning employment with a production-operator or independent contractor. Experienced miners who move from one mine to another, such as drillers and blasters, but who remain employed by the same production-operator or independent contractor are not considered newly hired experienced miners.
- (k) Normal working hours means a period of time during which a miner is otherwise scheduled to work, including the sixth or seventh working day if such a work schedule has been established for a sufficient period of time to be accepted as the common practice of the production-operator or independent contractor, as applicable.

**PPM:** For example, if miners on occasion work on Saturday, they can be trained on Saturday. Part 46 also requires that miners who are being trained be paid at a rate of pay they would have received had they been performing their normal work tasks.

- (l) Operator means any production-operator or any independent contractor whose employees perform services at a mine.
- (m) Production-operator means any owner, lessee, or other person who operates, controls, or supervises a mine under this Part.
- (n) Task means a work assignment or component of a job that requires specific job knowledge or experience.
- (o) We or us means the Mine Safety and Health Administration (MSHA).
- (p) You means production-operators and independent contractors.

### 30 CFR 46.3 - Training Plans.

- (a) You must develop and implement a written plan, approved by us under either paragraph (b) or (c) of this Section that contains effective programs for training new miners and newly hired experienced miners, training miners for new tasks, annual refresher training, and site-specific hazard awareness training.

**PPM:** All mining operations which fall under Part 46 must develop and implement a written training plan. Independent contractors who employ "miners" are also primarily responsible for providing comprehensive training to their employees. This requires independent contractors to develop a training plan containing effective programs for providing this training. If arrangements are made to receive training from the production-operator, it must be indicated in the independent contractor's training plan.

A training plan can be used for more than one mine. The plan must list all mine names and MSHA mine identification numbers and must cover all the appropriate training requirements, including Site-specific Hazard Awareness Training, at each mine listed on the plan.

- (b) A training plan is considered approved by us if it contains, at a minimum, the following information:

- (1) The name of the production-operator or independent contractor, mine name(s), and MSHA mine identification number(s) or independent contractor identification number(s);

**PPM:** MSHA does not require independent contractors to get an MSHA identification number for purposes of Part 46.

However, if an independent contractor wants to obtain an MSHA identification number:

- please contact the local MSHA district office, or
- to file online go to the MSHA Home Page ([www.MSHA.gov](http://www.MSHA.gov)) and click on the tab titled "Forms & Online Filings."

(b)(2) The name and position of the person designated by you who is responsible for the health and safety training at the mine. This person may be the production-operator or independent contractor;

**PPM:** Some operators, particularly those that operate large facilities, may want the flexibility of having more than one person who can certify that training has been completed. These operators may list more than one person as being responsible for training.

(b)(3) A general description of the teaching methods and the course materials that are to be used in the training program, including the subject areas to be covered and the approximate time or range of time to be spent on each subject area.

**PPM:** "**Approximate time**" means the operator's reasonable estimate of the amount of time that will be spent on a particular subject. For example, the time listed for a particular subject may be "approximately 3 hours," recognizing that when the training is actually given it may require more or less time than is indicated in the training plan. This flexibility allows for adjustments based on changing mine conditions or operations, including the needs and experience of the individuals who receive the training.

When a range of time is used for each subject, the maximum times listed for each subject must be equal to or exceed the required hours for new miner (24) and annual refresher (8) training as required by the regulation. When stating a range it cannot start with a zero.

**Remember:** In all cases a miner must receive no less than 24 hours of new miner training and 8 hours of annual refresher training annually.

(b)(4) A list of the persons and/or organizations who will provide the training, and the subject areas in which each person and/or organization is competent to instruct; and

**PPM:** The training plan must include all "competent persons" who will instruct in all subjects, including the name of the person who will provide only one type of task training. It is acceptable to indicate the names of several potential instructors for one subject or course, where the operator may call on one of several competent persons to provide the training. While it is acceptable to list the organizations who will instruct on the training plan, the certificates of training must list the specific competent person's name who provides the training.



(b)(5) The evaluation procedures used to determine the effectiveness of training.

**PPM:** Part 46 does not require a specific evaluation method. Instead the rule allows you to select the method that will best determine if training has been effective. Possible evaluation methods include administering written or oral tests, or a demonstration by the miner that he or she can perform all required duties or tasks in a safe and healthful manner.

In addition, periodic work observations can be used to identify areas where additional training may be needed and such observations, along with feedback from the miners, could be used to modify and enhance the training program.

(c) A plan that does not include the minimum information specified in paragraphs (b)(1) through (b)(5) of this Section must be submitted to and approved by the Regional Manager, Educational Field and Small Mines Services Division, or designee, for the region in which the mine is located. You also may voluntarily submit a plan for Regional Manager approval. You must notify miners or their representatives when you submit a plan for Regional Manager approval. Within two weeks of receipt or posting of the plan, miners and their representatives may also request review and approval of the plan by the Regional Manager and must notify the production-operator or independent contractor of such request.

(d) You must provide the miners' representative, if any, with a copy of the plan at least 2 weeks before the plan is implemented or, if you request MSHA approval of your plan, at least two weeks before you submit the plan to the Regional Manager for approval. At mines where no miners' representative has been designated, you must post a copy of the plan at the mine or provide a copy to each miner at least 2 weeks before you implement the plan or submit it to the Regional Manager for approval.

**PPM:** If the competent person listed in the approved training plan cannot provide the training, and the training is scheduled within 2 weeks, the operator may substitute an unlisted competent person for the listed competent person without the 2 week advance notice, provided that the operator informs all miners to be trained and their representatives prior to substituting the competent person, and provided that no miners or their representatives object to the substitution.

(e) Within 2 weeks following the receipt or posting of the training plan under paragraph (d) of this Section, miners or their representatives may submit written comments on the plan to you, or to the Regional Manager, as appropriate.

- (f) The Regional Manager must notify you and miners or their representatives in writing of the approval, or status of the approval, of the training plan within 30 calendar days of the date we received the training plan for approval, or within 30 calendar days of the date we received the request by a miner or miners' representative that we approve your plan.
- (g) You must provide the miners' representative, if any, with a copy of the approved plan within one week after approval. At mines where no miners' representative has been designated, you must post a copy of the plan at the mine or provide a copy to each miner within one week after approval.
- (h) If you, miners, or miners' representatives wish to appeal a decision of the Regional Manager, you must send the appeal, in writing, to the Director for Educational Policy and Development, MSHA, 201 12th Street South, Arlington, VA 22202, within 30 calendar days after notification of the Regional Manager's decision. The Director will issue a final decision of the Agency within 30 calendar days after receipt of the appeal.
- (i) You must make available at the mine a copy of the current training plan for inspection by us and for examination by miners and their representatives. If the training plan is not maintained at the mine, you must have the capability to provide the plan within one business day upon request by us, miners, or their representatives.

**PPM: Availability of Training Plan**

Section 46.3(i) requires a copy of the training plan to be produced within one business day of a request by MSHA or the miners or their representatives. The following example explains our policy for one business day.

If MSHA requests that an operator produce a training plan for examination on Tuesday at 1:00 p.m., the deadline for producing the plan would be 1:00 p.m. on Wednesday. If MSHA requests that an operator produce a plan at 2:00 p.m. on Friday at a mine that does not operate over the weekend, the deadline for producing the plan would be 2:00 p.m. on Monday.

- (j) You must comply with the procedures for plan approval under this Section whenever the plan undergoes revisions.

**PPM:** If MSHA discovers that a plan does not meet the minimum requirements of Part 46 one of two actions must be taken.

- 1) The operator can amend the plan to comply with the requirements of Part 46.3(b) or

- 2) If you want to conduct training in accordance with the plan that does not meet the minimum information specified in § 46.3(b), the plan must be submitted and approved by the Regional Manager, Educational Field and Small Mine Services Division, for the region in which the mine is located. Until the plan is approved no training can be conducted under the plan. Their addresses are:

**Eastern Regional Manager**

Educational Field and Small Mine Services (EFSMS)  
National Mine Health and Safety Academy  
1301 Airport Road  
Beaver, WV 25813-9426  
Telephone: (304) 256-3223  
FAX: (304) 256-3319  
E-mail: [zzMSHA-EPD - EFSMS Beckley Region](mailto:zzMSHA-EPD - EFSMS Beckley Region)

**Western Regional Manager**

Educational Field and Small Mine Services (EFSMS)  
P.O. Box 25367  
Denver, CO 80225-0367  
Telephone: (303) 231-5434  
FAX: (304) 231-5474  
E-mail: [zzMSHA-EPD - EFSMS Denver Region](mailto:zzMSHA-EPD - EFSMS Denver Region)

A plan may also be voluntarily submitted to one of the Regional Managers for approval. MSHA has developed an online program to assist in developing a Part 46 training plan. The following link will open up the MSHA online advisor: [http://webapps.dol.gov/elaws/msha\\_train.htm](http://webapps.dol.gov/elaws/msha_train.htm).

- (k) The addresses for the EFSMS Regional Managers are as follows. Current information on the EFSMS organization is available on MSHA's Internet Home Page at <http://www.msha.gov>.

Eastern Regional Manager  
Educational Field and Small Mine Services (EFSMS)  
National Mine Health and Safety Academy  
1301 Airport Road  
Beaver, WV 25813-9426  
Telephone: (304) 256-3223  
FAX: (304) 256-3319  
E-mail: [zzMSHA-EPD - EFSMS Beckley Region](mailto:zzMSHA-EPD - EFSMS Beckley Region)

Western Regional Manager  
Educational Field and Small Mine Services (EFSMS)  
P.O. Box 25367  
Denver, CO 80225-0367  
Telephone: (303) 231-5434  
FAX: (304) 231-5474  
E-mail: [zzMSHA-EPD - EFSMS Denver Region](mailto:zzMSHA-EPD - EFSMS Denver Region)

### **30 CFR 46.4 - Training Plan Implementation.**

- (a) You must ensure that each program, course of instruction, or training session is: (1) Conducted in accordance with the written training plan; (2) Presented by a competent person; and (3) Presented in language understood by the miners who are receiving the training.

#### **PPM: "Presented in Language Understood by the Miners"**

Training received by miners in Part 46 must be presented in a language they understand. In addition, if warning signs at the mine serve as a component of the Site-Specific Hazard Awareness Training, the signs must be in a language or languages that are understood by the persons who come onto the mine site.

If a competent person is providing training to a group, and some individuals are not fluent in English, it is permissible to use a person who is not a competent person as a translator. When using a translator, the operator or contractor should ensure the translator has the ability to translate the information accurately and completely. Further, the translator should be familiar with the subject and terminology in the language being translated, not just in English.

- (b) You may conduct your own training programs or may arrange for training to be conducted by: state or federal agencies; associations of production-operators or independent contractors; miners' representatives; consultants; manufacturers' representatives; private associations; educational institutions; or other training providers.
- (c) You may substitute, as applicable, health and safety training required by the Occupational Safety and Health Administration (OSHA), or other federal or state agencies to meet requirements under this Part. This training must be relevant to training subjects required in this Part. You must document the training in accordance with Section 46.9 of this Part.

- (d) Training methods may consist of classroom instruction, instruction at the mine, interactive computer-based instruction or other innovative training methods, alternative training technologies, or any combination of training methods.

**PPM:** MSHA considers computer based or other interactive training technologies to be training "methods," to be used by a competent person effectively and appropriately. This would not necessarily require that the competent person be in the room at all times; however, the competent person must be available to evaluate the trainee's progress, and answer questions as they arise.

- (e) Employee health and safety meetings, including informal health and safety talks and instruction, may be credited under this Part toward either new miner training, newly hired experienced miner training, or annual refresher training requirements, as appropriate, provided that you document each training session in accordance with Section 46.9 of this Part. In recording the duration of training, you must include only the portion of the session actually spent in training.

### **30 CFR 46.5 - New Miner Training.**

- (a) Except as provided in paragraphs (f) and (g) of this Section, you must provide each new miner with no less than 24 hours of training as prescribed by paragraphs (b), (c), and (d). Miners who have not yet received the full 24 hours of new miner training must work where an experienced miner can observe that the new miner is performing his or her work in a safe and healthful manner.

**PPM:** A person who is beginning employment as a miner with a production-operator or independent contractor **and** who is not an experienced miner as defined in definitions under "Experienced Miner," is a new miner for training purposes.

#### **Close Observation**

Section 46.5(e) requires that new miners be under the "close observation" of a competent person when practicing as part of the health and safety aspects of an assigned task. "**Close observation**" means that the competent person must have the ability to observe a new miner's work practices during task training ensuring the miner is not jeopardizing his or her own health and safety or that of others. This does not mean that the competent person must completely abandon his or her normal duties, as long as the competent person can adequately monitor the work practice. However, in some situations, the competent person may

have to cease normal work duties to ensure that this performance-based standard is met.

If the training for a specific task is completed, the miner no longer needs to be under the close observation of a competent person. However, since the miner has not completed the 24 hours of "New Miner Training," the miner is required to work where an experienced miner can observe his or her work practices until the 24 hours of training is completed.

A competent person may not be able in some instances to ride on a piece of mobile equipment with the trainee. When available, the passenger seat is the best location for a competent person providing training to a miner in safe operation of the equipment. However, when a passenger seat is not available, the competent person should be positioned in a safe location in close proximity to the equipment being operated. The competent person should closely observe and monitor the miner's actions from that location.

(b) Before a new miner begins work at the mine -

You must provide the miner with no less than 4 hours of training in the following subjects, which must also address site-specific hazards:

- (1) An introduction to the work environment, including a visit and tour of the mine, or portions of the mine that are representative of the entire mine (walkaround training). The method of mining or operation utilized must be explained and observed;
- (2) Instruction on the recognition and avoidance of electrical hazards and other hazards present at the mine, such as traffic patterns and control, mobile equipment (e.g., haul trucks and front-end loaders), and loose or unstable ground conditions;
- (3) A review of the emergency medical procedures, escape and emergency evacuation plans, in effect at the mine, and instruction on the firewarning signals and firefighting procedures;
- (4) Instruction on the health and safety aspects of the tasks to be assigned, including the safe work procedures of such tasks, the mandatory health and safety standards pertinent to such tasks, information about the physical and health hazards of chemicals in the miner's work area, the protective measures a miner can take against these hazards, and the contents of the mine's HazCom program;

- (5) Instruction on the statutory rights of miners and their representatives under the Act;
  - (6) A review and description of the line of authority of supervisors and miners' representatives and the responsibilities of such supervisors and miners' representatives; and
  - (7) An introduction to your rules and procedures for reporting hazards.
- (c) No later than 60 calendar days after a new miner begins work at the mine -

You must provide the miner with training in the following subject:

- (1) Instruction and demonstration on the use, care, and maintenance of self-rescue and respiratory devices, if used at the mine; and
  - (2) A review of first aid methods.
- (d) No later than 90 calendar days after a new miner begins work at the mine -

You must provide the miner with the balance, if any, of the 24 hours of training on any other subjects that promote occupational health and safety for miners at the mine.

- (e) Practice under the close observation of a competent person may be used to fulfill the requirement for training on the health and safety aspects of an assigned task in paragraph (b)(4) of this Section, if hazard recognition training specific to the assigned task is given before the miner performs the task.

**PPM: Hands-On Training**

Hands-on training can be counted toward the training required for miners under § 46.5 and § 46.6. Part 46 allows practice under the "close observation of a competent person" to be used to fulfill the requirements for training on the health and safety aspects of assigned tasks required for new miners under § 46.5(b)(4) and newly hired experienced miners under § 46.6(b)(4). The time spent in training may be used to fulfill the training requirements as outlined in the training plan.

**Location of Independent Contractor Training**

Independent contractors with employees that are required to have 24 hours of new miner training under Part 46 are not required to provide this training on the mine property where their employees will be working. However, when an employee of an independent contractor

goes to a mine site, he or she must receive appropriate Site-specific Hazard Awareness Training applicable to the miner's exposure to mine hazards (remember, independent contractors who have received New Miner Training, must also be current with their Annual Refresher Training requirements before working on a mine property).

This Site-Specific Hazard Awareness Training could include site-specific health and safety risks, such as geologic or environmental conditions, recognition and avoidance of hazards such as electrical and powered haulage hazards, traffic patterns and control, and restricted areas; and warning and evacuation signals, evacuation and emergency procedures, or other special safety procedures.

- (f) A new miner who has less than 12 cumulative months of surface mining or equivalent experience and has completed new miner training under this Section or under Section 48.25 of this title within 36 months before beginning work at the mine does not have to repeat new miner training. However, you must provide the miner with training specified in paragraph (b) of this Section before the miner begins work at the mine.

**PPM:** A miner who has less than 12 cumulative months of surface mining or equivalent experience who has completed New Miner Training under Part 46 or Part 48 Subpart B, within 36 months before beginning work at a mine does not have to repeat new miner training (§ 46.5(f)). However, this miner must receive 4 hours of training covering the 7 initial subjects listed in § 46.5(b).

For example, a miner completes 24 hours of New Miner Training and leaves the mine after working 6 months. The miner then begins work at another mine 6 months later or 12 months since receiving New Miner Training. Since the miner has not fulfilled the 12 months of mining or equivalent experience and begins work at another mine within 36 months, the miner must receive 4 hours of training in the 7 initial subjects listed in § 46.5(b) before going to work.

- (g) A new miner training course completed under Section 48.5 or 48.25 of this title may be used to satisfy the requirements of paragraphs (a), (b), and (c) of this Section, if the course was completed by the miner within 36 months before beginning work at the mine; and the course is relevant to the subjects specified in paragraphs (b) and (c) of this Section.



### **30 CFR 46.6 - Newly Hired Experienced Miner Training.**

- (a) Except as provided in paragraph (f) of this Section, you must provide each newly hired experienced miner with training as prescribed by paragraphs (b) and (c).
- (b) Before a newly hired experienced miner begins work at the mine -

You must provide the miner with training in the following subjects, which must also address site-specific hazards:

- (1) An introduction to the work environment, including a visit and tour of the mine, or portions of the mine that are representative of the entire mine (walk around training). The method of mining or operation utilized must be explained and observed;
- (2) Instruction on the recognition and avoidance of electrical hazards and other hazards present at the mine, such as traffic patterns and control, mobile equipment (e.g., haul trucks and front-end loaders), and loose or unstable ground conditions;
- (3) A review of the emergency medical procedures, escape and emergency evacuation plans, in effect at the mine, and instruction on the firewarning signals and firefighting procedures;
- (4) Instruction on the health and safety aspects of the tasks to be assigned, including the safe work procedures of such tasks, the mandatory health and safety standards pertinent to such tasks, information about the physical and health hazards of chemicals in the miner's work area, the protective measures a miner can take against these hazards, and the contents of the mine's HazCom program;
- (5) Instruction on the statutory rights of miners and their representatives under the Act;
- (6) A review and description of the line of authority of supervisors and miners' representatives and the responsibilities of such supervisors and miners' representatives; and
- (7) An introduction to your rules and procedures for reporting hazards.

- (c) No later than 60 calendar days after a newly hired experienced miner begins work at the mine -

You must provide the miner with an instruction and demonstration on the use, care, and maintenance of self-rescue and respiratory devices, if used at the mine.

- (d) Practice under the close observation of a competent person may be used to fulfill the requirement for training on the health and safety aspects of an assigned task in paragraph (b)(4) of this Section, if hazard recognition training specific to the assigned task is given before the miner performs the task.
- (e) In addition to subjects specified in paragraphs (b) and (c) of this Section, you may provide training on any other subjects that promote occupational health and safety for miners.
- (f) You are not required to provide a newly hired experienced miner who returns to the same mine, following an absence of 12 months or less, with the training specified in paragraphs (b) and (c) of this Section. Instead you must provide such miner with training on any changes at the mine that occurred during the miner's absence that could adversely affect the miner's health or safety. This training must be given before the miner begins work at the mine. If the miner missed any part of annual refresher training under Section 46.8 of this Part during the absence, you must provide the miner with the missed training no later than 90 calendar days after the miner begins work at the mine.

**PPM:** Part 46 does not specify a minimum length of time that must be devoted to this training. The duration of the training needed by a newly hired experienced miner depends on the occupational experience of the miner, the work duties that the miner will perform, and the methods of mining and workplace conditions at the mine where the miner will be working. Except as explained below, the seven subjects listed in § 46.6(b) must be covered before assigning the miner to work.

A newly hired experienced miner who returns to the same mine, following an absence of 12 months or less, is not required to receive the Experienced Miner Training under § 46(b) and (c). Instead the miner must be provided with training on any changes at the mine that occurred during the miner's absence that could adversely affect the miner's health or safety. This training must be given before the miner begins work at the mine. If the miner missed any part of annual refresher training under § 46.8 during the absence, the miner must be provided the missed training no later than 90 calendar days after the returning miner begins work at the mine.

There are no specific requirements for tracking, recording or verifying the accumulation of experience. It is the operator's responsibility to determine the miner's experience based on the miner's work and training history.

When hiring a new experienced miner, Part 46 does not require any specific proof of experience or documentation. However, a reasonable effort should be made to justify previous experience. This may include talking to previous employers, reviewing a resume, pay records, training records, etc.

Experienced miners, who are current with their annual refresher training and the appropriate task training and who move from one mine site to another but remain employed by the same production-operator or independent contractor, are required to receive Site-specific Hazard Awareness Training at each mine where they work.

### **30 CFR 46.7 - New Task Training.**

- (a) You must provide any miner who is reassigned to a new task in which he or she has no previous work experience with training in the health and safety aspects of the task to be assigned, including the safe work procedures of such task, information about the physical and health hazards of chemicals in the miner's work area, the protective measures a miner can take against these hazards, and the contents of the mine's HazCom program. This training must be provided before the miner performs the new task.
- (b) If a change occurs in a miner's assigned task that affects the health and safety risks encountered by the miner, you must provide the miner with training under paragraph (a) of this Section that addresses the change.
- (c) You are not required to provide new task training under paragraphs (a) and (b) of this Section to miners who have received training in a similar task or who have previous work experience in the task, and who can demonstrate the necessary skills to perform the task in a safe and healthful manner. To determine whether task training under this Section is required, you must observe that the miner can perform the task in a safe and healthful manner.
- (d) Practice under the close observation of a competent person may be used to fulfill the requirement for task training under this Section, if hazard recognition training specific to the assigned task is given before the miner performs the task.

- (e) Training provided under this Section may be credited toward new miner training, as appropriate.

**PPM:** Part 46 does not specify the amount of time that must be spent on task training. The performance-oriented approach of Part 46 allows for the needs of individual miners to be taken into account when determining the amount of time. A reasonable amount of time must be allotted for training in each task, based on the individual needs of the miner and the complexity of the assigned task.

If an experienced miner is trained on a specific piece of equipment and is then assigned to operate a similar piece of equipment that is a different model or made by a different manufacturer, that miner is required to receive new task training on the new piece of equipment. Although there may be similarities among different types of equipment, each type of equipment has unique operational characteristics. Miners must be trained on the unique characteristics of each piece of equipment that they are assigned to operate.

Under Part 46 the written training plan must address each task for which training will be conducted. The training plan must include a general description of the teaching methods, course materials, evaluation methods and competent person(s) who will conduct the training. Additionally, the plan must list the approximate time or range of time to be spent on each task training.

The time spent conducting each type of task training must be recorded and listed on the certificate of training form. A "record" of task training must be made at the completion of new task training. New task training records must be "certified" at least once every 12 months or upon request by the miner.

Task training can be a part of new miner training. Although it has a slightly different name, new miners must receive instruction on the health and safety aspects of the tasks to be assigned, including the safe work procedures of such tasks, and the mandatory health and safety standards pertinent to such tasks.

Hands-on training can be used to complete task training. The regulation provides that; "practice under the close observation of a competent person may be used to fulfill the requirement for task training." While training under close observation may be done in a production mode, emphasis should be placed on the training and not the production.

### 30 CFR 46.8 - Annual Refresher Training.

- (a) You must provide each miner with no less than 8 hours of annual refresher training—
  - (1) No later than 12 months after the miner begins work at the mine, or no later than March 30, 2001, whichever is later; and
  - (2) Thereafter, no later than 12 months after the previous annual refresher training was completed.
- (b) The refresher training must include instruction on changes at the mine that could adversely affect the miner's health or safety.
- (c) Refresher training must also address other health and safety subjects that are relevant to mining operations at the mine.

Recommended subjects include, but are not limited to: applicable health and safety requirements, including mandatory health and safety standards; information about the physical and health hazards of chemicals in the miner's work area, the protective measures a miner can take against these hazards, and the contents of the mine's HazCom program; transportation controls and communication systems; escape and emergency evacuation plans, firewarning and firefighting; ground conditions and control; traffic patterns and control; working in areas of highwalls; water hazards, pits, and spoil banks; illumination and night work; first aid; electrical hazards; prevention of accidents; health; explosives; and respiratory devices.

Training is also recommended on the hazards associated with the equipment that has accounted for the most fatalities and serious injuries at the mines covered by this rule, including: mobile equipment (haulage and service trucks, front-end loaders and tractors); conveyor systems; cranes; crushers; excavators; and dredges.

Other recommended subjects include: maintenance and repair (use of hand tools and welding equipment); material handling; fall prevention and protection; and working around moving objects (machine guarding).

**PPM:** Section 46.8 requires that annual refresher training include instruction on changes at the mine that could adversely affect the miners' health or safety. In addition, refresher training must also address other health and safety subjects that are relevant to mining operations at the mine. Section 46.8 includes an extensive list of recommended subjects for refresher training. The flexibility of the performance-based approach of

Part 46 allows production-operators and independent contractors to determine the subjects to be covered in annual refresher training based on the needs of their workforce and their operations.

In the regulation, the section on annual refresher training lists recommended subjects that could be included in the training. It is not acceptable to list all these subjects on the training plan and choose different subjects from year-to-year. The training plan needs to accurately represent each subject which you plan to cover during annual refresher training.

As a reminder, if this list is modified, the miners' representative, if any, must be provided with a copy of the plan at least 2 weeks before the plan is implemented. If no miners' representative has been designated, post a copy of the plan at the mine or provide a copy to each miner at least 2 weeks before the plan is implemented.

#### **Annual Refresher Training Anniversary Dates**

Annual refresher training anniversary dates are tracked monthly. For example, if a miner completed annual refresher training some time in February, the next annual refresher training must be completed by the end of the following February.

#### **30 CFR 46.9 - Records of Training.**

- (a) You must record and certify on [MSHA Form 5000-23](#), or on a form that contains the information listed in paragraph (b) of this Section, that each miner has received training required under this Part.
- (b) The form must include:
  - (1) The printed full name of the person trained;
  - (2) The type of training, the duration of the training, the date the training was received, the name of the competent person who provided the training;
  - (3) The name of the mine or independent contractor, MSHA mine identification number or independent contractor identification number, and location of training (if an institution, the name and address of the institution).

- (4) The statement, "False certification is punishable under Section 110(a) and (f) of the Federal Mine Safety and Health Act," printed in bold letters and in a conspicuous manner; and
  - (5) A statement signed by the person designated in the MSHA-approved training plan for the mine as responsible for health and safety training that states, "I certify that the above training has been completed."
- (c) You must make a record of training under paragraphs (b)(1) through (b)(4) of this Section.
- (1) For new miner training under 30 CFR 46.5, no later than -
    - (i) when the miner begins work at the mine as required under Section 46.5(b);
    - (ii) 60 calendar days after the miner begins work at the mine as required under Section 46.5(c); and
    - (iii) 90 calendar days after the miner begins work at the mine as required under Section 46.5(d), if applicable.
  - (2) For newly hired experienced miner training under Section 46.6, no later than -
    - (i) when the miner begins work at the mine; and
    - (ii) 60 calendar days after the miner begins work at the mine.
  - (3) Upon completion of new task training under Section 46.7;
  - (4) After each session of annual refresher training under Section 46.8; and
  - (5) Upon completion by miners of site-specific hazard awareness training under Section 46.11.
- (d) You must ensure that all records of training under paragraphs (c)(1) through (c)(5) of this Section are certified under paragraph (b)(5) of this Section and a copy provided to the miner -
- (1) Upon completion of the 24 hours of new miner training;
  - (2) Upon completion of newly hired experienced miner training;

- (3) At least once every 12 months for new task training, or upon request by the miner, if applicable;
  - (4) Upon completion of the 8 hours of annual refresher training; and
  - (5) Upon completion by miners of site-specific hazard awareness training.
- (e) False certification that training was completed is punishable under Section 110(a) and (f) of the Act.
  - (f) When a miner leaves your employ, you must provide each miner with a copy of his or her training records and certificates upon request.
  - (g) You must make available at the mine a copy of each miner's training records and certificates for inspection by us and for examination by miners and their representatives. If training certificates are not maintained at the mine, you must be able to provide the certificates upon request by us, miners, or their representatives.

**PPM: Making Records Available to MSHA**

A copy of each miner's training records and certificates must be made available for inspection by MSHA and for examination by miners and their representatives. This includes both certified training records and records that have not yet been certified.

- (h) You must maintain copies of training certificates and training records for each currently employed miner during his or her employment, except records and certificates of annual refresher training under Section 46.8, which you must maintain for only two years. You must maintain copies of training certificates and training records for at least 60 calendar days after a miner terminates employment.

**PPM: Maintaining Training Plans and Records**

Operators and contractors must make available for inspection by MSHA and by miners and their representatives training plans, training records and certificates (§ 46.9 (g)). If the training plan, training records or certificates are not physically kept at the mine site, they must be "produced upon request;" such as by having them sent from another location via fax machine or computer. Training plans must be made available within one business day, but training records, and certificates with the signature of the person responsible for health and safety training must be made available before inspection activity at the mine concludes for the day. The reason for the difference is a matter of



urgency. If a miner is untrained or improperly trained, it is a hazard to the miner and to other miners.

Training records and certificates must be made available to the inspector at the mine site. The inspector may choose, as a matter of convenience, to inspect the records at the office or location where the records are maintained or have them faxed to an MSHA office for his or her inspection that day.

- (i) You are not required to make records under this Section of site-specific hazard awareness training you provide under Section 46.11 of this Part to persons who are not miners under Section 46.2. However, you must be able to provide evidence to us, upon request, that the training was provided, such as the training materials that are used; copies of written information distributed to persons upon their arrival at the mine; or visitor log books that indicate that training has been provided.

**PPM:** Part 46 requires that operators record and certify the training that miners receive. Recording means creating a written record of the training. The record must include:

- The full name of the person trained;
- The type of training;
- Duration of training;
- The date the training was received;
- The name of the competent person who provided the training;
- Name of mine or independent contractor;
- MSHA mine identification or independent contractor number (if applicable); and
- Location of training (if an institution, the name and address of institution).

Certifying means verifying, by signature, that the training listed on the written record was completed as indicated on the form. Part 46 requires that this certification be done by the person who has been designated by the operator as responsible for health and safety training at the mine and whose name appears on the training plan. Certifying is required at the completion of training, such as at the end of the 24 hours of new miner training.

Training records must be certified at:

- The completion of new miner training;
- The completion of newly hired experienced miner training;

- The completion of the 8 hours of annual refresher training;
- Least once every 12 months for new task training or upon request by the miner; and
- The completion of Site-specific Hazard Awareness Training for miners.

A training record or certificate may be maintained in any format, provided that it contains information listed in § 46.9(b). A "Certificate of Training Form" (MSHA Form 5000-23) may also be used.

If an MSHA Form 5000-23 is used, it must list the competent instructor(s) who conducted the training, the duration of the training and that the training is for Part 46.

MSHA has developed a sample form which can be used. Both the sample form and the MSHA Form 5000-23 are available from MSHA's Internet Home Page ([www.msha.gov](http://www.msha.gov)), from MSHA's Educational Field and Small Mine Services, or from MSHA District and Field offices.

Under § 46.9(b), the records of training must include the name of the competent person who provided the training. If more than one competent person provided the training, the names of all persons must be included.

It is acceptable to list more than one miner on a record or certificate of training. Part 46 allows operators flexibility in choosing the appropriate form for records of training, provided that the form used includes the minimum information specified in § 46.9(b)(1) through (b)(5).

The person who has been designated by the operator or independent contractor as responsible for health and safety training is required to certify, by signature, that training has been completed. This should not be confused with the "competent person" who conducts the training. For example, a state, vocational school or cooperative instructor listed in a training plan may conduct the training and be recorded as the competent person for each subject they teach. The person, who is designated as the person responsible for Part 46 as indicated on the training plan, must certify that the training was completed.

#### **Training Certificates for People who are not Considered Miners**

A record of training is not required for Site-specific Hazard Awareness Training for persons who are not miners under § 46.2. However, operators must be able to provide evidence to us, upon request, that the training, when applicable, was provided. This evidence may include the

training materials used, including appropriate warning signs, written information distributed to persons, or a visitor log book that reflects that Site-specific Hazard Awareness Training has been given.

### **30 CFR 46.10 - Compensation for Training.**

- (a) Training must be conducted during normal working hours. Persons required to receive training must be paid at a rate of pay that corresponds to the rate of pay they would have received had they been performing their normal work tasks.
- (b) If training is given at a location other than the normal place of work, persons required to receive such training must be compensated for the additional costs, including mileage, meals, and lodging, they may incur in attending such training sessions.

**PPM:** Training under Part 46 must be conducted during normal working hours, and the miner must receive the same rate of pay he or she would have received if performing normal tasks at that time. For example, if a miner is paid at time and a half for working on Saturday, the miner must be paid at that same rate for receiving training on Saturday.

### **30 CFR 46.11 - Site-Specific Hazard Awareness Training.**

- (a) You must provide site-specific hazard awareness training before any person specified under this Section is exposed to mine hazards.
- (b) You must provide site-specific hazard awareness training, as appropriate, to any person who is not a miner as defined by Section 46.2 of this Part but is present at a mine site, including:
  - (1) Office or staff personnel;
  - (2) Scientific workers;
  - (3) Delivery workers;
  - (4) Customers, including commercial over-the-road truck drivers;
  - (5) Construction workers or employees of independent contractors who are not miners under Section 46.2 of this Part;

- (6) Maintenance or service workers who do not work at the mine site for frequent or extended periods; and
  - (7) Vendors or visitors.
- (c) You must provide miners, such as drillers or blasters, who move from one mine to another mine while remaining employed by the same production-operator or independent contractor with site-specific hazard awareness training for each mine.
  - (d) Site-specific hazard awareness training is information or instructions on the hazards a person could be exposed to while at the mine, as well as applicable emergency procedures. The training must address site-specific health and safety risks, such as unique geologic or environmental conditions, recognition and avoidance of hazards such as electrical and powered-haulage hazards, traffic patterns and control, and restricted areas; and warning and evacuation signals, evacuation and emergency procedures, or other special safety procedures.
  - (e) You may provide site-specific hazard awareness training through the use of written hazard warnings, oral instruction, signs and posted warnings, walk around training, or other appropriate means that alert persons to site-specific hazards at the mine.
  - (f) Site-specific hazard awareness training is not required for any person who is accompanied at all times by an experienced miner who is familiar with hazards specific to the mine site.

**PPM:** Part 46 provides that Site-specific hazard awareness training may be provided through the use of written hazard warnings, oral instruction, signs and posted warnings, walkaround training, or other appropriate means that alert affected persons to site-specific hazards at the mine. Part 46 allows the flexibility to tailor hazard awareness training to the specific conditions and practices at the mine. In many cases, an effective Site-specific Hazard Awareness Training program will include a combination of different types of training. The training must be sufficient to alert affected persons to site-specific hazards.

Site-specific Hazard Awareness Training is not required for any person who is accompanied at all times by an experienced miner who is familiar with hazards specific to the mine site.

### 30 CFR 46.12 - Responsibility for Independent Contractor Training.

- (a)(1) Each production-operator has primary responsibility for ensuring that site-specific hazard awareness training is given to employees of independent contractors who are required to receive such training under Section 46.11 of this Part.
- (a)(2) Each production-operator must provide information to each independent contractor who employs a person at the mine on site-specific mine hazards and the obligation of the contractor to comply with our regulations, including the requirements of this Part.
- (b)(1) Each independent contractor who employs a miner, as defined in Section 46.2, at the mine has primary responsibility for complying with Section 46.3 through 46.10 of this Part, including providing new miner training, newly hired experienced miner training, new task training, and annual refresher training.
- (b)(2) The independent contractor must inform the production-operator of any hazards of which the contractor is aware that may be created by the performance of the contractor's work at the mine.

**PPM:** Section 46.12(a)(1) establishes that the production-operator has primary responsibility for ensuring that Site-specific Hazard Awareness Training is given to employees of independent contractors, while § 46.12(b)(1) establishes that each independent contractor who employs a miner under this Part has primary responsibility for complying with other required training. MSHA views § 46.12 as a regulatory indication of whom the agency will cite for training violations under ordinary circumstances. Both the production-operator and the independent contractor share the responsibility that all miners receive all required training, and in extraordinary circumstances, MSHA may determine that both the production-operator and the independent contractor should be held liable for training violations.

Even though the production-operator has primary responsibility for ensuring that Site-specific Hazard Awareness Training is provided, there may be times where it is more practical for the independent contractor to provide the training. Production-operators may provide independent contractors with site-specific hazard awareness information or training materials and arrange for the independent contractors to provide the training to the contractors' employees. Where this arrangement is made, the production-operator must list the independent contractor by name and document in their training plan that the independent contractor

identified will be providing Site-specific Hazard Awareness Training. Even under this arrangement, the production-operator is still responsible for ensuring that the appropriate training is provided.

**Independent Contractor Training Records**

Independent contractors who are miners as defined by Part 46, must make available at the mine site where they are working, a copy of each miner's training certificate for inspection.

# Part 46 COMPLIANCE GUIDE

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**Version 3 - Published May 28, 2001**

## **Training and Retraining of Miners Engaged in Shell Dredging or Employed at Sand, Gravel, Surface Stone, Surface Clay, Colloidal Phosphate, or Surface Limestone Mines.**

We (MSHA) developed this compliance guide to provide information to the surface nonmetal mining community about the new Part 46 training regulations. This is the second edition of this Compliance Guide. We have added additional questions and answers based on questions we have received since the release of the first guide.

We also wrote this guide in the more personal style advocated by the President's executive order on "Plain Language." In this guide "you" refers to the mine operator and independent contractor, and "we" and "us" refer to MSHA.

Part 46 is a performance-oriented rule and many of the requirements allow you to decide how and when your training will be conducted, select the topics appropriate for your mining operations, and choose the instructor(s). With a performance-oriented rule, like Part 46, there is more than one way to meet its requirements, and the way you comply may differ from another mining operation.

Although we believe that Part 46 is clearly written and easy to understand, we developed this compliance guide to answer typical questions about the rule. As we continue to work with mine operators and miners, we will learn from our experience and share this information with you through updates to this guide. We recognize that the safety and health hazards associated with mining are site-specific and mine operators need flexibility to achieve the new regulation's objectives. Part 46 was written with this in mind.

Please contact your local MSHA office if you have any questions about the applicability of Part 46 requirements at your operation.

**The compliance guide was published in 2001. For clarification purposes, additional information has been provided in green text.**





## General Section

**1. Are other commodities not listed in the title to this regulation covered under Part 46?**

Yes. Part 46 also covers surface mining operations at the following commodities: marble, granite, sandstone, slate, shale, traprock, kaolin, cement, feldspar, and lime.

**2. Which training regulations apply — Part 48 or Part 46 — to miners who are employed in the surface area of an underground mine, e.g., the surface area of an underground limestone mine?**

Surface areas of underground mines are and have been covered by Part 48. The Part 46 regulations therefore do not apply to training for miners who work in those areas. Miners who work in such areas must continue to receive training that complies with the Part 48 training regulations.

**3. Are state and federal personnel who visit a mine covered by the Part 46 training requirements?**

No. Government officials visiting a mine site are not required to receive Part 46 training. However, we expect those government agencies whose personnel visit mine sites will ensure that their employees are provided with appropriate personal protective equipment, and receive adequate instruction and training. Where training is not provided, such government officials should be accompanied by an experienced miner.

**4. When will MSHA begin to enforce the provisions of the Part 46 training rules?**

The Part 46 training rules become effective October 2, 2000, and will then be subject to enforcement.

**5. Do I have any responsibilities or obligations under Part 46 training rules between October 1999 and October 2, 2000?**

The regulations will become effective on October 2, 2000. At that time, you must have a training plan developed and in place. In addition, beginning at that time, you must: train any new miners who have never worked at a mining operation before, and make sure that your “experienced” miners are on schedule to receive their annual refresher training, and make sure all miners are experienced based on one of the criteria listed in the regulation for becoming an experienced miner, and make sure all people requiring site-specific hazard training are receiving this training.

**6. Are there any “key” dates in the rule that I should know about?**

The key dates to keep in mind are October 2, 2000, when you must have a training plan in place, that is being implemented, and March 30, 2001, when all of your experienced miners, who were employed before March 30, 2000, must receive annual refresher training (unless you’ve been providing annual refresher training all along, in which case you may continue using the 12 month schedule already established).

**7. If a crusher that typically operates at mines that fall under the Part 46 regulations is moved onto a mine site where Part 48 regulations apply, what set of regulations would apply?**

If the crusher is being operated at a mine site where the Part 48 regulations apply, the workers who operate the crusher are required to receive Part 48 training. MSHA’s Educational Policy and Development group has anticipated such an overlap between Parts 46 and 48 and are available to assist with training plans to minimize any unnecessary redundancy in complying with both training rules.

**8. What type of training is required for commercial over-the-road truck drivers, including customers who drive onto mine property and have their trucks loaded, and then deliver their load off the mine property?**

Commercial over-the-road truck drivers are required to have Site-Specific Hazard Awareness training. Part 46 affords operators the discretion to tailor site-specific hazard awareness training to the unique operations and conditions at their mines. However, the training must in all cases be sufficient to alert affected persons to site-specific hazards. We intend that hazard awareness training be appropriate for the individual who is receiving it and that the breadth and depth of training vary depending on the skills, background, and job duties of the recipient.

**46.2 Definitions - General**

**9. Are construction workers required to be trained before working on mine property?**

Yes. Construction workers must receive comprehensive training if they are exposed to mine hazards at mining operations for “frequent or extended periods.” Comprehensive training includes new miner training or newly hired experienced miner training, as appropriate, annual refresher training and training in new tasks. If they are not at mine sites for frequent or extended periods, they are required to receive site-specific hazard awareness training appropriate for the hazards they are exposed to while at the mine.

## **Competent Person**

### **10. Is a competent person an Agent of the company?**

A person who is designated by the production-operator or the independent contractor as a competent person who is qualified to instruct miners and evaluate whether training is effective does not become an agent of the operator under Sections 110(c) and 110(d) of the Mine Act solely because of that assignment. Section 46.9(b)(5) requires that the person designated by the operator in the MSHA-approved training plan as responsible for health and safety training must certify that each miner has completed the required training. If the competent person and the designated person are the same, then that person could be liable as an agent of a corporate operator for knowingly permitting miners to work who have not received applicable Part 46 training.

### **11. What are the criteria for becoming a competent person?**

A competent person is a person who is designated by the production operator or independent contractor who has the ability, training, knowledge, or experience to provide training to miners in his or her area of expertise. The competent person must be able to effectively communicate the training subject to miners, and evaluate whether the training given to miners is effective.

### **12. Are persons who provide instruction to miners in mining subjects required to be approved by MSHA?**

No. Part 46 does not require that instructors be approved by us. Under Section 46.4(a)(2), training must be provided by a “competent person.”

Section 46.2(b) defines “competent person” as a person designated by the production-operator or independent contractor who has the ability, training, knowledge, or experience to provide training to miners in his or her area of expertise.

The competent person must be able both to effectively communicate the training subjects to miners and to evaluate whether the training is effective. Production-operators and independent contractors are responsible for determining who is competent to instruct in the subjects listed in the training plan.

### **13. Can a "competent person" who provides training to miners be credited with the training they provide?**

Yes. A competent person may be credited for receiving any training provided toward their own training requirements.

- 14. The definition of “competent person” does not specifically require the person to be experienced in a task. Does this mean a task training instructor is not required to be a “competent person?”**

No. A person who provides task training must be a “competent person,” which means that the person must have the ability, training, knowledge, or experience to provide training in his or her area of expertise. To provide miners with training in a particular task, the person must have the necessary expertise. In most cases, the person will acquire this expertise through experience in the task, but the necessary expertise may be acquired in other ways. For example, a person who receives formal training as an equipment operator may acquire enough knowledge to be competent to train miners in the operation of the equipment. The “competent person” must also be able to effectively communicate the information and be capable of evaluating whether the training is effective.

- 15. Must a person have worked in all areas of a mine before he or she can be designated as a "competent person"?**

No. Under Part 46, a person may be a "competent person" and allowed to provide training to miners, even if the person has knowledge or experience in a limited subject area. However, the competent person can only provide training in these areas.

- 16. Can the list of “competent persons” in the training plan include a training institution or state grantee? Can the institution conduct the site-specific portions of the training?**

Yes. Under Section 46.4(b), you may arrange with an organization to provide all or part of your training, including site-specific hazard awareness training, if the organization has access to the site and is knowledgeable about the site-specific hazards at the mine.

Some portions of Part 46 training are more site-specific than others. As an example, a training institution or state grantee will not usually have the necessary information to conduct task or site-specific hazard awareness training. Section 46.3(b) specifically provides that you must indicate in your training plan the organization and/or competent person(s) who will provide the training.

- 17. If I arrange with an outside organization, such as a state grantee, to provide training to my miners, does the record of training need to indicate the competent person who provided the training for each subject?**

Yes. Even though operators may indicate in their training plan the organization that will provide training rather than the individual competent person, the record of training must list the specific competent person who conducted the training.

- 18. Can I list more than one "competent person" as the instructor for a specific subject on my training plan?**

Yes. You may choose to identify more than one "competent person" as an instructor in a specific subject, and Part 46 allows this practice. You should be aware, that Section 46.9 requires the record of training to include the identity of the competent person who actually provided the training.

- 19. May an operator add additional "competent persons" to the training plan at any time?**

Yes. You can make revisions to your training plan at any time, as long as the procedures set forth in Section 46.3 are followed.

- 20. Will the operator have to document the background of the "competent person" or explain the rationale for designating the individual as a "competent person"?**

Part 46 does not require operators to document the background of the competent person. In cases where we have reasonable concerns that an individual who is designated as a "competent person" does not have the necessary expertise to instruct or to evaluate the effectiveness of the training, we may question the operator about the basis for this designation.

- 21. If I choose to designate someone to only conduct one portion of site-specific hazard awareness training, such as electrical hazards, do I need to list this limitation in the training plan?**

Yes. If a competent person is limited to conducting only a portion of site-specific hazard awareness training, such as electrical hazards, the training plan needs to identify that limitation. If there are no limitations, only the name of the competent person needs to be listed for conducting site-specific hazard awareness training.

## Equivalent Experience

### **22. What is equivalent experience?**

“Equivalent experience” is defined in Part 46 as work experience where the person performed duties similar to duties performed in mining operations at surface mines. This could include working as a heavy equipment operator, truck driver, skilled craftsman, or plant operator. “Equivalent experience” includes such things as working at a construction site or other types of jobs where the miner has duties similar to the duties at the mine where he or she is employed in a work environment outside the mining industry.

### **23. Who decides what constitutes “equivalent experience”?**

Production-operators and independent contractors must evaluate the work history of newly-hired employees in determining whether the employees are “experienced” miners. This determination is subject to review by us as part of the verification that production-operators and independent contractors have complied with the training requirements of Part 46.

### **24. Does a miner need to have accrued experience within a certain time frame in order for the experience to be counted as “equivalent experience”?**

No. Part 46 does not require a miner to accrue experience within a certain time frame, whether it is mining experience or equivalent experience.

## Experienced Miner

### **25. Are the miners working at my mine now considered experienced miners?**

An experienced miner is a person who:

- (1) Is employed as a miner on April 14, 1999; or
- (2) Has at least 12 months of cumulative surface mining or equivalent experience on or before October 2, 2000; or
- (3) Began employment as a miner after April 14, 1999, but before October 2, 2000, and who has received new miner training under Section 48.25 or under the proposed requirements published April 14, 1999; or
- (4) Is employed as a miner on or after October 2, 2000, who has completed 24 hours of new miner training under Section 46.5 of this Part or under

Section 48.25 of this title and who has at least 12 cumulative months of surface mining or equivalent experience.

**26. I hired a new inexperienced miner in May, 2000. This person had no previous training or equivalent work experience. What training is required?**

Since this person does not have the necessary 12 months of mining or equivalent experience, or new miner training, this person is required to receive new miner training by October 2, 2000.

**27. An individual worked as a surface miner five years ago and has accrued 12 months or more of mining experience. Will this person be considered an "experienced miner" under Part 46?**

Yes. An individual who has accrued at least 12 months of surface mining experience by October 2, 2000, is an "experienced miner."

**28. Who is responsible for providing new miner training or newly hired experienced miner training to construction workers who are employees of an independent contractor?**

Under Section 46.12, the employers of construction workers are primarily responsible for providing comprehensive training to their employees who are "miners" under Part 46. This does not prevent the independent contractor from arranging with the production-operator to provide the training to the contractor's employees. Production-operators retain the same responsibility for ensuring that everyone who comes onto mine sites has received the necessary site-specific hazard awareness training.

**29. What type of training must be provided to maintenance or service employees of an independent contractor who come to the mine site to provide service on mining equipment?**

If these employees maintain and/or repair mining equipment at mine sites for "frequent" or "extended" periods, they are engaged in "mining operations" under Part 46, and are considered miners for training purposes. However, if these employees are not at mine sites for "frequent" or "extended" periods, they will not be considered miners for training purposes and must receive site-specific hazard awareness training at each mine.

"Frequent" exposure is defined as a pattern of exposure to hazards at mining operations occurring intermittently and repeatedly over time.

"Extended" exposure means exposure to hazards at mining operations of more than five consecutive work days.

**30. Once a miner has become an "experienced miner" under the Part 46 regulations, would that individual also be considered an "experienced miner" under the Part 48 regulations?**

Not necessarily. Although it is possible for a miner to be considered an "experienced miner" under both regulations, it is not automatic. A miner must satisfy one of the definitions of "experienced miner" in Part 48 in order to be considered experienced under that rule. Also, the training would have to be conducted according to an MSHA - approved Part 48 training plan by an MSHA approved instructor.

**31. If a miner becomes an "experienced miner" under Part 46, is that status good at other mines where the miner may work?**

Once a miner becomes an "experienced miner" under Part 46, the miner is considered an "experienced miner" at any mine where Part 46 applies.

**32. Once a person becomes an "experienced miner," what type of training is required?**

An experienced miner hired by a mine operator must receive newly-hired experienced miner training prior to beginning work at any different mine, training for any new tasks assigned, and at least 8 hours of annual refresher training every 12 months.

If the experienced miner is an independent contractor, site-specific hazard awareness training is required at each mine. Also, the independent contractor must receive training for any new tasks and at least 8 hours of annual refresher training every 12 months.

**33. What kind of documentation is needed to establish a miner's 12 cumulative months of surface mining or equivalent experience.**

Part 46 does not impose any specific requirements for tracking or recording the accumulated experience. It is the responsibility of production-operators and independent contractors to determine the miner's experience, based on the miner's work and training history.



## Mining Operations

- 34. What training is required for an independent contractor performing maintenance and repair on mining equipment that is shutdown, and not in close proximity to active mining operations?**

If the work performed is on a frequent or extended basis, the independent contractor will be considered a miner and require comprehensive training. "Frequent" exposure is a pattern of exposure to hazards at mining operations occurring intermittently and repeatedly over time. "Extended" exposure means, exposure to hazards at mining operations of more than five consecutive work days. Even though the mining equipment may be shutdown and the work performed away from mining activities, the rule includes maintenance and repair of mining equipment as part of the "mining operations." These activities are a routine part of mining activities and expose repair and maintenance people to many of the same hazards as other miners.

## Newly Hired Experienced Miner

- 35. What training is required for experienced miners who move from one mine to another, such as drillers and blasters, but who remain employed by the same production-operator or independent contractor?**

Miners who move from one mine site to another, but remain employed by the same employer are required to receive site-specific hazard awareness training at each mine where they work.

- 36. What training is required for experienced miners who are permanently transferred from one mine to another, but who remain employed by the same production-operator?**

Miners who are permanently transferred from one mine to another, but remain employed by the same employer are not considered "newly hired experienced miners" and are required to receive site-specific hazard awareness training at the mine where they are transferred.

- 37. I am an independent contractor who employs miners who, as a regular part of their job, work at multiple mine sites. What type of training do these miners need?**

Miners must receive new miner or newly hired experienced miner training when they are initially hired, appropriate task training, and no less than 8 hours of refresher training every 12 months. Additionally, miners who move from one

mine to another mine while remaining employed by the same production-operator or independent contractor must receive site-specific hazard awareness training for each mine where they work.

### **Normal Working Hours**

#### **38. What are normal working hours?**

Section 46.10 provides that training must be conducted during "normal working hours," which is defined in Section 46.2(k) as "a period of time during which a miner is otherwise scheduled to work."

#### **39. Does Part 46 allow training to be conducted on a Saturday, provided that the miners are paid?**

Training given under Part 46 must be provided during "normal working hours." For example, if miners usually work on Saturday, they can be trained on Saturday. Part 46 also requires that miners who are being trained be paid at a rate of pay they would have received had they been performing their normal work tasks.

### **Section 46.3 Training Plans**

#### **40. Where can I get a copy of a sample training plan?**

Sample plans are available on our Internet Home Page at [www.msha.gov](http://www.msha.gov), and can be obtained from MSHA's Educational Field and Small Mine Services, MSHA's National Mine Health and Safety Academy in Beckley, West Virginia, your local MSHA office, and most states participating in the MSHA State Grants Program. These sample plans can be used by operators and independent contractors as a basis for developing their own mine-specific plans.

#### **41. If a mine operator must revise a plan immediately prior to training, must he go through the 2-week review before giving the training?**

Section 46.3(b)(4) requires that the production-operator and the independent contractor include in their approved training plan a list of persons who will provide the training, and the subject areas in which each person and/or organization is competent to instruct. Section 46.3(j) requires mine operators to comply with the procedures for plan approval under this Section whenever the plan undergoes revision. This includes sharing the revised plan with miners or their representatives before implementing it.

If the mine operator has miners gathered for training and the competent person listed in the approved training plan cannot provide the training, the mine operator may substitute an unlisted competent person for the listed competent person without the 2-week advance notice as required in 30 CFR 46.3(d), provided that the operator informs all miners to be trained and their representatives prior to substituting the competent person, and provided that no miners or their representatives object to the substitution. This allows greater flexibility in the standard and upholds the spirit of the regulation.

**42. I am an independent contractor who provides training to my employees under Part 48. Is there anything else I need to do before my employees work at mine sites where the Part 46 regulations apply?**

It is possible for an operator to develop a training program that complies with both sets of regulations. An operator can easily adjust a training plan developed under Part 48 to address the new Part 46 training requirements, by making the following changes:

Designate and list in the plan a competent person who will teach each subject, including task training; list the approximate time or range of time that will be spent on each subject area listed on the training plan; and describe the evaluation procedures used to determine the effectiveness of all required safety and health training.

**43. In Section 46.3(b)(1), the regulation requires an independent contractor to list the MSHA independent contractor number on the training plan. As an independent contractor, do I need to have an MSHA independent contractor number in order to have an approved training plan?**

If you have or get an MSHA independent contractor number, you must put it on your training plan. Unless required for other purposes under Title 30 CFR, MSHA does not require an independent contractor to get an MSHA contractor ID number for the purpose of having an approved Part 46 training plan.

**44. Is every independent contractor who employs miners required to develop and implement a training plan?**

Yes. Independent contractors who employ “miners” are primarily responsible for providing comprehensive training to their employees. This requires them to develop a training plan containing effective programs for providing this training. If arrangements are made to receive training from the production-operator, it must be indicated in the independent contractor's training plan.

**45. Can an independent contractor use a production-operator's training plan when the contractor's employees are required to have newly hired experienced miner training?**

Yes. There is nothing in Part 46 that would prevent an independent contractor from arranging with the production-operator to have the production-operator provide training to the independent contractor's employees. However, the independent contractor's plan should clearly indicate that the training for the independent contractor's employees will be conducted by the production-operator. Further, the independent contractor must ensure that the plan approval requirements are followed with respect to his or her employees.

For example, the independent contractor must provide the miners or their representative with a copy of the plan at least 2 weeks before the plan is implemented.

**46. Can more than one person be designated by the operator in the training plan as responsible for health and safety training at the mine?**

Yes. We recognize that some operators, particularly those who operate large facilities, may want the flexibility of having more than one person who can certify that training has been given under Section 46.3(b)(5). There is nothing in the Part 46 regulations that would prevent an operator from giving this responsibility to more than one person.

**47. If a production-operator has multiple mining operations that are several miles apart, is it acceptable under Part 46 to have only one person designated as the person responsible for miner health and safety training at all of the operator's mines?**

Part 46 allows the operator flexibility in making these designations. For example, it is acceptable if the operator designates only one person as the person responsible for training at all mines. On the other hand, the operator may choose to designate a responsible person at each individual mine. In either case, this person is responsible at each individual mine for ensuring that training is effective and provided according to the training plan.

**48. Can I have one plan that covers multiple mines?**

Yes. A training plan can be used for more than one mine. The plan would need to cover all the appropriate training requirements, including site-specific hazard awareness training, at each mine listed on the plan.

**49. Must the person who is designated as responsible for health and safety training at the mine also be listed as a "competent person" on the training plan?**

No. Part 46 does not require that the person who is designated as responsible for training also be a "competent person" for training purposes.

**50. Is the person who is designated as responsible for training at the mine required to be a supervisor or manager?**

No. However, mine operators and independent contractors must choose someone who has the authority to verify and certify that the training was effective and done in accordance with the training plan and the regulations.

**51. Must the person who is designated as responsible for training actually observe the training before he or she certifies the record?**

No. However, this person must understand what training is being given, since this person is ultimately responsible for certifying that the training was completed. Further, this person is certifying to the fact that the training indicated on the certification was conducted in accordance with the training plan.

**52. Section 46.3(b)(3) requires that the training plan indicate the subject areas to be covered in the training and the approximate time to be spent on each subject area. What does "approximate time" mean?**

"Approximate time" means the operator's reasonable estimate of the amount of time that will be spent on a particular subject. For example, the training plan could indicate that the course will last over a specified range of time, such as from one to two hours. The plan could also indicate that training in a particular subject may last "approximately 3 hours," recognizing that when the training is actually given it may require more or less time than is indicated in the training plan. This flexibility allows for adjustments based on changing mine conditions or operations, including the needs and experience of the individuals who receive the training.

**53. In the regulation, the Section on annual refresher training lists recommended subjects that could be included in the training. Can I list all of these subjects in my training plan and select different subjects from this list each year?**

No. The training plan needs to accurately represent each subject which you plan to cover during annual refresher training. As a reminder, if you modify this list, you must provide the miners' representative, if any, with a copy of the plan at least 2 weeks before the plan is implemented. If no miners' representative has been designated, you must post a copy of the plan at the mine or provide a copy to each miner at least 2 weeks before you implement the training.

**54. How should a mine operator evaluate the effectiveness of training?**

The rule allows the mine operator to select the method that they will use to decide if training has been effective. Possible evaluation methods include administering written or oral tests, or a demonstration by the miner that he or she can perform all required duties or tasks in a safe and healthful manner.

In addition, periodic work observations can be used to identify areas where additional training may be needed and such observations, along with feedback from the miners, could be used to modify and enhance the training program.

**55. If MSHA reviews a plan for approval, what are the guidelines for the appropriate amount of time that should be devoted to each subject?**

Part 46 takes a performance-oriented approach to training and provides operators with flexibility to design training programs that are appropriate for their workforce and operations. For these reasons, there are no specific requirements as far as how much time should be spent on training in certain subjects. However, Section 46.3(a) requires that the plan contain “effective” programs for training, and the time devoted to each subject should be adequate to cover the necessary subject area. Where the times allotted do not appear to be appropriate for the subjects listed, we will ask for additional information on the justification for the time specified. Where the time allotted is clearly inadequate, we will ask for additional time to be provided.

**56. If our plan has been submitted to and approved by MSHA, do we need to send our plan to MSHA for approval of any subsequent revisions to the plan?**

No. Obtaining traditional MSHA approval of your plan does not lock you into traditional approval procedures thereafter. You may follow the informal plan approval procedures in Section 46.3(b) rather than request traditional MSHA approval under Section 46.3(c), even if MSHA has formally approved previous versions of your training plan.

**57. Can miners and miners' representatives simply request that MSHA review an operator's training plan, or must they give a reason for requesting the review?**

Part 46 does not require that miners or their representatives provide a reason before they request MSHA review of an operator's plan.

**58. What do the regulations require in an approved training plan?**

A training plan must address all the elements of training that miners must receive. This includes new miner training, newly hired experienced miner training, annual refresher training, new task training, and site-specific hazard awareness training for those persons coming onto your site. The plan must also include the following:

1. The name of your operation, and the mine ID number or independent contractor ID number (if the contractor has an ID number);
2. The name of the person and position of the person who is responsible for the health and safety training at the mine;
3. A general description of the teaching methods and course materials that will be used in each training program, including the subjects and the approximate time to be spent on each subject;
4. A list of the persons and/or organizations who will be providing the training and the subjects that they can teach; and
5. The evaluation procedures used to determine the effectiveness of training.

**59. Is the training plan required to list the name of a person who will provide only one type of task training — as an example, someone who only provides task training for a dozer operator?**

Yes. The training plan must include the “competent person” who will instruct in **all** subjects, including the name of the person who will provide only one type of task training. It is acceptable to indicate the names of several potential instructors for one subject or course, where the operator may call on one of several competent persons to provide the training.

**60. When is a training plan required to be revised?**

Part 46 does not set a specific time period for plan revision. However, the training plan must provide accurate and up-to-date information about the details of an operator’s training programs.

For example, if you add a new task, add a new competent person, or change some of the subjects in annual refresher training, then your training plan must be revised. Additionally, Section 46.3(j) requires operators to comply with the Part 46 plan approval procedures, including sharing the plan with miners or their representatives, whenever the training plan undergoes revisions.

- 61. Section 46.3(i) requires a copy of the training plan to be produced within one business day of a request by us or the miners or their representatives. How long is “one business day”?**

If we request that an operator produce a training plan for examination on Tuesday at 1:00 p.m., the deadline for producing the plan would be 1:00 p.m. on Wednesday. If we request that an operator produce a plan at 2:00 p.m. on Friday at a mine that does not operate over the weekend, the deadline for producing the plan would be 2:00 p.m. on Monday.

#### **Section 46.4 Training Plan Implementation**

- 62. Do informal safety and health meetings have to last a certain length of time before they can be credited toward new miner training, newly hired experienced miner training, or annual refresher training?**

No. Part 46 does not impose a minimum duration for training sessions. However, Part 46 training must be documented in accordance with the requirements of Section 46.9 for records of training. This Section requires a record showing the printed full name of the person trained; the type of training; the duration of training; the date the training was received; and the name of the competent person who provided the training. Only the portion of the session actually spent in training can be included when indicating the duration of the training.

For example, when 10 minutes of a work crew’s normal 15-minute weekly safety meeting is devoted to training, the 10 minutes can be recorded and credited toward required training. You cannot count the time spent before a training session begins when the miners are assembling and socializing.

- 63. Can miners at similar mining operations receive their mandatory training together?**

Yes. The requirements of Part 46 would not prohibit miners at similar mining operations from receiving training at the same time, so long as the training complies with all applicable requirements of Part 46.

Many subjects, such as miners’ rights, recognition and avoidance of electrical hazards, and first aid, are common to different operations. Other subjects, such as introduction to the work environment, traffic patterns and controls, task training, escape and emergency evacuation plans, are specific to each mine site and would have to be addressed separately.



**64. My mine is very small, and I just don't have the personnel to conduct the training. Are there other organizations that I can go to?**

Yes. There are many organizations capable of providing training. Forty-four states and the Navajo Nation receive grants from us and have been providing training to small mine operators for many years. These grant programs are a resource for training and can help in developing your plans. A list of the grantees can be found through our homepage at [www.msha.gov](http://www.msha.gov). Click on the tab on the right side of the screen for "Education & Training Resources," and then click on "State Grant Program." However, these organizations do not generally provide "site-specific" or "task" training. An operator or contractor must still develop or adopt a plan that addresses the hazards at the mine and fits the needs of their miners.

**65. Can training that is given to satisfy OSHA requirements, such as hazard communication training, be credited as part of the annual refresher training under Section 46.8?**

You may substitute health and safety training required by OSHA or other federal or state agencies to meet Part 46 requirements. The training must be relevant to the subjects required under Part 46, and documented accordingly.

**66. Section 46.4(a)(3) requires that training be presented in a language understood by the miners who are receiving the training. Does this mean that if you have an employee who speaks and understands little or no English, the training must be presented in a language the employee can understand?**

Yes. If the employee is not fluent in English, training must be given in a language the employee understands. Our concern is that employees who are not sufficiently fluent in English will not be effectively trained if the training is in English.

**67. Does the requirement that training be presented in a language understood by the miners who are receiving the training apply to site-specific hazard awareness training?**

Yes. In addition, if warning signs at the mine serve as a component of the site-specific hazard awareness training, the signs must be in a language or languages that are understood by the persons who come onto the mine site.

- 68. If a competent person is providing training to a group, and some individuals are not fluent in English, is it permissible to use a person who is not a competent person as a translator?**

Yes. The translator would not need to be a "competent person" under the Part 46 definition. However, when using a translator, the operator or contractor should ensure the translator has the ability to translate the information accurately and completely. Further, the translator should be familiar with the subject and terminology in the language being translated, not just in English.

- 69. If a company uses a computer-based training (CBT) program for their Part 46 training, who is considered the competent person?**

While we encourage the use of innovative training methods, Part 46 requires that a "competent person" oversee the training. This would not necessarily require that the competent person be in the room at all times, but would require monitoring the student's progress to ensure the training was effective and completed.

- 70. If a company uses a computer-based training (CBT) program for their Part 46 training, what are the monitoring requirements of the competent person?**

We consider computer-based or other interactive training technologies to be training "methods," to be used by a competent person effectively and appropriately. This would not necessarily require that the competent person be in the room at all times; however, the competent person must be available to evaluate the trainees' progress and answer questions as they arise.

### **Section 46.5 New Miner Training**

- 71. What training is required for a person who has only received the initial 4 hours of new miner training, does not have the required 12 months of mining or equivalent experience, and goes to work at another mine?**

To be considered an experienced miner under Part 46, a person must have completed 24 hours of new miner training and have a total of 12 months of mining or equivalent experience. A person who only received the initial 4 hours of training as defined in Section 46.5(b), must receive new miner training at subsequent mines.

As an example, a person receiving the initial 4 hours of training at a mine, and who works for 3 weeks, is not considered an experienced miner. Since this person only has 3 weeks of mining or equivalent experience and 4 hours of training, this

person must receive the initial 4 hours of training at the next mine where he or she is employed. As a reminder, you may use relevant training under Part 48 standards, the Occupational Safety and Health Administration (OSHA), or other federal or state agencies to meet the training requirements of Part 46.

## **72. What courses are mandatory in new miner training?**

There are 9 mandatory subjects. Before a new miner begins work, he or she must receive a minimum of 4 hours of training in the following 7 subjects, which must also address site-specific hazards:

1. An introduction to the work environment, including a visit and tour of the mine, or portions of the mine that are representative of the entire mine (walk around training). The method of mining or operation utilized must be explained and observed;
2. Instruction on the recognition and avoidance of electrical hazards and other hazards present at the mine, such as traffic patterns and control, mobile equipment (e.g., haul trucks and front-end loaders), and loose or unstable ground conditions;
3. A review of the emergency medical procedures, escape and emergency evacuation plans in effect at the mine, and instruction on the firewarning signals and firefighting procedures;
4. Instruction on the health and safety aspects of the tasks to be assigned, including the safe work procedures of such tasks, and the mandatory health and safety standards pertinent to such tasks;
5. Instruction on the statutory rights of miners and their representatives under the Act;
6. A review and description of the line of authority of supervisors and miners' representatives and the responsibilities of such supervisors and miners' representatives; and
7. An introduction to your rules and procedures for reporting hazards.

A new miner must receive instruction in the following subjects, no later than 60 days after beginning work —

8. Instruction and demonstration on the use, care, and maintenance of self-rescue and respiratory devices, if used at the mine; and
9. A review of first aid methods.

- 73. Section 46.5 requires new miners to receive training in specific subjects within 60 days of beginning work, and also requires that new miners receive all 24 hours of the required training within 90 days. Are these deadlines measured in calendar days or working days?**

Both the 60-day and 90-day periods prescribed by Part 46 are calendar days.

- 74. How much of new miner training must be in a classroom environment?**

Part 46 does not specifically require that any portion of new miner training be presented in a classroom environment. Section 46.4(d) provides that training methods may consist of classroom instruction, instruction at the mine, interactive computer-based instruction or other innovative training methods, alternative training technologies, or any combination of training methods. The most effective training will probably include a variety of methods.

- 75. How much of the 24 hours of new miner training can be devoted to training on the health and safety aspects of new tasks?**

Part 46 leaves discretion to the production-operator and independent contractor to determine the appropriate amount of time to be spent on this aspect of training. Although Part 46 does not specify the amount of time that must be devoted to particular subjects, all required subjects must be adequately covered. In some cases, a substantial amount of time may be devoted to training a new miner in the health and safety aspects of new tasks, if he or she has little or no previous experience. In other cases, the time spent on health or safety aspects of new tasks may be less.

- 76. Miners who have not completed the 24 hours of new miner training must work where an experienced miner can observe that the new miner is performing his or her work in a safe and healthful manner. Does this mean one-on-one?**

No. However, the experienced miner needs to be in a position to be able to appropriately observe the new miner's job performance. In some cases, the experienced miner may also be the "competent person" designated to conduct the training.

- 77. Section 46.5(e) requires that new miners be under the “close observation” of a competent person when practicing as part of the health and safety aspects of an assigned task. What does “close observation” mean?**

“Close observation” means that the competent person must have the ability to observe a new miner’s work practices during task training ensuring the miner is not jeopardizing his or her own health and safety or the health and safety of others. We do not mean that the competent person must completely abandon his or her normal duties, as long as the competent person can adequately monitor the work practice. However, in some situations, the competent person may have to cease normal work duties to ensure that this performance-based standard is met.

- 78. Is a new miner, who has not completed 24 hours of training, required to work under the close observation of a competent person after receiving training on a specific task?**

No. If the training is completed for the specific task, the miner no longer needs to be under the close observation of a **competent person**. However, since the miner has not completed the 24 hours of “New Miner Training,” the miner is required to work where an **experienced miner** can observe his or her work practices until the 24 hours of training is completed.

- 79. We have pieces of mobile equipment that only have a place for the equipment operator, and no space for a passenger. How can a competent person “closely observe” a miner who is being trained in the health and safety aspects of operating that piece of equipment?**

When available, the passenger seat is the best location for a competent person providing training to a miner in safe operation of the equipment. However, when a passenger seat is not available, the competent person should be positioned in a safe location in close proximity to the equipment being operated. The competent person should closely observe and monitor the miner's actions from that location.

- 80. If new miners receive hands-on training in the jobs they will be performing, can the time spent on this training be counted toward the 24 hours of training required for new miners under Section 46.5?**

Yes. Part 46 allows practice under the “close observation of a competent person” to be used to fulfill the requirements for training on the health and safety aspects of assigned tasks required for new miners under Section 46.5(b)(4). Hazard recognition training specific to the assigned task must be given before the miner performs the task. The time spent in training may be credited toward the 24 hours of required new miner training.

**81. Am I required to use an approved/certified first aid instructor to teach a review of first aid methods under Section 46.5(b)?**

No. The review of first aid methods for new miners under Part 46 does not require comprehensive first aid training; however, the training must be conducted by a competent person.

**82. What constitutes a “review of first aid methods?” What must this review include to comply with the requirement?**

Consistent with the performance-oriented approach taken in the rule, Part 46 does not specify what areas must be covered as part of this review. However, it would be appropriate to address basic first aid techniques as part of the review. Compliance with this requirement does not require you to hire an approved first aid instructor or obtain first aid teaching equipment. This review is not a substitute for the first aid requirements in 56.18010 “first-aid.”

**83. I am an independent contractor with employees who are required to have 24 hours of new miner training under Part 46. Is it acceptable for me to provide the 24 hours of training at my own facility, or must I provide some of the training on a mine property where my employees will be working?**

Part 46 does not require an independent contractor to provide its employees with any of the 24 hours of new miner training on mine property. However, when an employee of an independent contractor goes to a mine site, he or she must receive appropriate site-specific hazard awareness training applicable to the miner’s exposure to mine hazards. This site-specific hazard awareness training could include site-specific health and safety risks, such as geologic or environmental conditions, recognition and avoidance of hazards such as electrical and powered-haulage hazards, traffic patterns and control, and restricted areas; and warning and evacuation signals, evacuation and emergency procedures, or other special safety procedures.

**Section 46.6 Newly Hired Experienced Miner Training**

**84. Who is an experienced miner under Part 46?**

The definition of “experienced miner” under Section 46.2 includes —

1. A person who is employed as a miner on April 14, 1999; or
2. A person who has at least 12 months of cumulative surface mining or equivalent experience on or before October 2, 2000; or

3. A person who began employment as a miner after April 14, 1999, but before October 2, 2000, and who has received new surface miner training under Part 48 or new miner training under the Part 46 proposed requirements; or
4. A person who began employment as a miner on or after October 2, 2000, who has completed new miner training under Part 46 or new surface miner training under Part 48, and who also has at least 12 months of cumulative mining or equivalent experience.

**85. What subjects are required for newly hired experienced miner training?**

Section 46.6(b) requires that newly hired experienced miners receive training in the following 7 subjects before the miner begins work at the mine —

1. An introduction to the work environment, including a visit and tour of the mine, or portions of the mine that are representative of the entire mine (walk around training). The method of mining or operation utilized must be explained and observed;
2. Instruction on the recognition and avoidance of electrical hazards and other hazards present at the mine, such as traffic patterns and control, mobile equipment (e.g., haul trucks and front-end loaders), and loose or unstable ground conditions;
3. A review of the emergency medical procedures, escape and emergency evacuation plans, in effect at the mine, and instruction on the firewarning signals and firefighting procedures;
4. Instruction on the health and safety aspects of the tasks to be assigned, including the safe work procedures of such tasks, and the mandatory health and safety standards pertinent to such tasks;
5. Instruction on the statutory rights of miners and their representatives under the Act;
6. A review and description of the line of authority of supervisors and miners' representatives and the responsibilities of such supervisors and miners' representatives; and
7. An introduction to your rules and procedures for reporting hazards.

No later than 60 days after the miner begins work:

8. You must also provide the miner with an instruction and demonstration on the use, care, and maintenance of self-rescue and respiratory devices, if used at the mine,

**86. How much time do I need to spend training a newly hired experienced miner?**

Part 46 does not specify a minimum length of time that must be devoted to this training. The duration of the training needed by a newly hired experienced miner depends on the occupational experience of the miner, the work duties that the miner will perform, and the methods of mining and workplace conditions at the mine where the miner will be working. In all cases, the 7 subjects listed in Part 46.6(b) must be covered before assigning the miner to work.

**87. If I hire a person, what kind of proof is necessary to determine if that person is an experienced miner?**

We do not require documentation. However, you need to make a reasonable effort to justify previous experience. This may include talking to previous employers, reviewing a resume', pay records, certificate of training records, etc.

**Section 46.7 New Task Training**

**88. How much time is required to train a miner in a new task?**

Part 46 does not specify the amount of time that must be spent on specific areas of training. The performance-oriented approach of Part 46 allows for the needs of individual miners to be taken into account when determining the amount of time for particular aspects of training, including new task training. A reasonable amount of time must be allotted for training in each task, based on the individual needs of the miner and the complexity of the assigned task.

**89. If an experienced miner was trained on a Caterpillar D8, and is then assigned to operate a similar piece of equipment made by Komatsu, is he or she required to receive new task training on the new piece of equipment?**

Yes. Although there may be similarities among different types of equipment, each type of equipment has unique operational characteristics. Miners must be trained on the unique characteristics of each piece of equipment that they are assigned to operate.



**90. Under Part 46 must the written plan address each specific task training subject?**

Section 46.3 requires that the training plan include a list of the tasks, general description of the teaching methods and course materials that are to be used in the training program, and the approximate time or range of time to be spent on each subject area. Additionally, the plan must also contain a description of the evaluation procedures used to determine the effectiveness of the training.

**91. Do I need to list the time spent conducting task training on the certificate of training form?**

Yes. Section 46.9(b)(3) requires the duration of training be listed on the certificate of training form for each type of training.

**92. Can task training be a part of new miner training?**

Yes, although it has a slightly different name. New miners must receive instruction on the health and safety aspects of the tasks to be assigned, including the safe work procedures of such tasks, and the mandatory health and safety standards pertinent to such tasks. The training should be recorded appropriately at the completion of training.

**93. Can hands-on training be used to complete task training?**

The regulation provides that; “practice under the close observation of a competent person may be used to fulfill the requirement for task training.” While training under close observation may be done in a production mode, emphasis should be placed on the training and not the production.

**94. Does task training have to be recorded and certified each time you train an employee in a specific task?**

A “record” of task training must be made at the completion of each task training. The training must be “certified” at least once every 12 months, or upon request by the trained miner. [46.9(c)(3) & 46.9(d)(3)]

**Section 46.8 Annual Refresher Training**

**95. I understand that I must provide my current workers with annual refresher training; do I have until October 2001 to complete that training?**

No. Any of your miners who have not been receiving regular refresher training must receive 8 hours of annual refresher training by March 30, 2001 or no later

than 12 months after the miner begins work at the mine, whichever is later. Thereafter, no later than 12 months after the previous annual refresher training was completed. [46.8(a)(1-2)]

**96. How much refresher training must I give my employees each year?**

Part 46 specifies a minimum of 8 hours each year. The subjects to be addressed and the length of each session is up to you, as long as you address any changes, such as new procedures, new mining equipment, or new health hazards that could affect the health and safety of the miners. If you want to provide the annual training in a single 8-hour session every year, that is acceptable. If you would rather provide your miners' refresher training in smaller blocks of time, such as weekly toolbox talks that is acceptable, too. The total training time must add up to at least 8 hours.

**97. What subjects must be covered as part of annual refresher training?**

Section 46.8 requires that annual refresher training include instruction on changes at the mine that could adversely affect the miners' health or safety. In addition, refresher training must also address other health and safety subjects that are relevant to mining operations at the mine. Section 46.8 includes an extensive list of recommended subjects for refresher training. The flexibility of the performance-based approach of Part 46 allows production-operators and independent contractors to determine the subjects to be covered in annual refresher training based on the needs of their workforce and their operations.

**98. Must the subjects that will be covered in annual refresher training be included in the training plan?**

Yes. The training plan must identify the subject areas to be covered and the approximate time to be spent on each subject area.

**99. Is it possible to provide annual refresher training that satisfies both Part 46 and Part 48 requirements?**

Yes. You can design your annual refresher training program to satisfy the requirements of both Part 48 and Part 46. You should be aware that there are several differences in refresher training requirements for these two regulations.

For example, Part 48 requires that training sessions last a minimum of 30 minutes; Part 46 does not. Part 48 specifies a number of required subjects. Finally, Part 48 requires that training be conducted by MSHA-approved instructors. Part 46 does not require an MSHA-approved instructor to provide training, but rather provides that training must be given by a competent person,

who has been designated by the production-operator or independent contractor.

**100. Are training anniversary dates for annual refresher training tracked by the day the training is completed or by the month?**

By the month. For example, if a miner completed annual refresher training some time in February, the next annual refresher training must be completed by the end of the following February.

**Section 46.9 Records of Training**

**101. Part 46 requires that operators record and certify the training that miners receive. What does this mean?**

Recording means creating a written record of the training. The record must include:

1. Full name of the person trained;
2. Type of training;
3. Duration of training;
4. Date the training was received;
5. Name of the competent person who provided the training;
6. Name of mine or independent contractor;
7. MSHA mine identification or independent contractor number (if applicable); and
8. Location of training (if an institution, the name and address of institution).

**For clarification purposes, the following additional information has been provided. As per 46.9 (b)(5) and (e) and the Program Policy Letter No. P16-III-1, the following is also required:**

9. **The statement “False certification is punishable under Section 110 (a) and (f) of the Federal Mine Safety and Health Act,” printed in bold letters and in a conspicuous manner; and**
10. **A statement signed by the person designated in the MSHA-approved training plan for the mine as responsible for health and safety training, that states “I certify that the above training has been completed.”**

Certifying means verifying, by signature, that the training listed on the written record was completed as indicated on the form. Part 46 requires that this certification be done by the person who has been designated by the operator as responsible for health and safety training at the mine and whose name appears

on the training plan. Certifying is required at the completion of training, such as at the end of the 24 hours of new miner training.

**102. When do training records need to be certified?**

Training records must be certified at the completion of new miner training; the completion of newly hired experienced miner training; the completion of 8 hours of annual refresher training; and least once every 12 months for new task training or upon request by the miner; and the completion of site-specific hazard awareness training for miners.

**103. Do the records of training have to be kept on a Certificate of Training Form (MSHA Form 5000-23)?**

No. Training records and certificates may be maintained in any format that you choose, provided that it contains the information listed in Section 46.9(b). We have developed a sample form which you may use. You may also use a "Certificate of Training Form" (MSHA Form 5000-23) if you wish. Use of either of these forms is voluntary. Both of these (5000-23, sample forms) are available from MSHA's Internet Home Page ([www.msha.gov](http://www.msha.gov)), from MSHA's Educational Field Services Division, or from MSHA District and Field offices.

**104. If I provide my employees with both Part 46 and Part 48 annual refresher training at the same time, do I have to keep two sets of training records?**

Part 46 allows the use of the MSHA Certificate of Training form (Form 5000-23), which is used to document and certify training conducted under Part 48. However, Part 46 requires additional information not collected on Form 5000-23: 1) the duration of the training; 2) the name of the competent person who provided the training; and 3) indicate it is Part 46 training. Part 46 also requires that the person designated to be responsible for the health and safety training at the mine, as listed on the Part 46 training plan, sign certifying the certificate. If you wish to keep one set of training records to comply with both sets of regulations, you should use Form 5000-23, and include the additional information required by Part 46 on the form.

**105. If one competent person conducted training in one subject and another conducted training in another subject (e.g., first aid), are the names of each subject and competent person required to be recorded?**

Yes. Under Section 46.9(b), the records of training must include the name of the competent person who provided the training. If more than one competent person provided the training, the names of all persons must be included.

**106. Is it acceptable to list more than one miner on a record or certificate of training?**

Yes. Part 46 allows operators flexibility in choosing the appropriate form for records of training, provided that the form used includes the minimum information specified in Section 46.9(b)(1) through (b)(5).

**107. Section 46.9(b) requires that the training certificate indicate the "location of training." What does "location of training" mean?**

"Location of training" means the site where the training was provided. If training was given at the mine site, the record should indicate this. If training was given at a local community college, the training record should list the name and address of the community college.

**108. Who is responsible for certifying that training has been completed?**

The person who has been designated by the operator or independent contractor as responsible for health and safety training is required to certify, by signature, that training has been completed. This should not be confused with the "competent person" who conducts the training. For example, a state, vocational school, or cooperative instructor, listed in a training plan, may conduct the training and be recorded as the competent person for each subject they teach. The person who is designated as the person responsible for Part 46, as indicated on the training plan, must certify that the training was completed.

**109. Are these records required to be made available to MSHA?**

Yes. You must make available at the mine a copy of each miner's training records and certificates for inspection by us and for examination by miners and their representatives. This includes both certified training records and records that have not yet been certified.

**110. Are training records required to be maintained on the mine site?**

Part 46 requires that training records and certificates be "available" for inspection by MSHA and by miners and their representatives. This means that if you do not physically keep these records at the mine site, you must be able to quickly produce them upon request, such as by having them sent from another location via fax machine or computer. Records that are certified need to be presented with a signature of the person responsible for health and safety training.

**111. Why is there a difference in the time required to make a training plan available for inspection and the time required to make training certificates available for inspection?**

Training plans must be made available within one business day, but training records, and certificates with the signature of the person responsible for health and safety training must be made available before inspection activity at the mine concludes for the day. The reason for the difference is a matter of urgency. If a miner is untrained or improperly trained, it is a hazard to the miner and to other miners. You must make the training records and certificates available to the inspector at the mine site. The inspector may choose, as a matter of convenience, to inspect the records at the office or location where the records are maintained or have them faxed to an MSHA office for his or her inspection that day.

**112. Are new miners required to keep copies of their training certificates on their person for inspection by MSHA personnel?**

No. Production-operators and independent contractors, not miners, are responsible for making and maintaining required miner training records and certificates, and producing the records and certificates upon request by MSHA or by miners or their representatives.

**113. Are training certificates required for people who are not considered miners under Part 46?**

No. You are not required to make records of site-specific hazard awareness training for persons who are not miners under Section 46.2. However, you must be able to provide evidence to us, upon request, that the training was provided. This evidence may include the training materials used, including appropriate warning signs, written information distributed to persons, or a visitor log book that reflects that site-specific hazard awareness training has been given.

**Section 46.10 Compensation for Training**

**114. How much must miners be compensated while they take training?**

Training under Part 46 must be conducted during normal working hours, and the miner must receive the same rate of pay he or she would have received if performing normal tasks at that time/day.

**115. If a miner works 5 days and is paid an overtime rate on Saturday, does Part 46 require the miner to be paid an overtime rate for training that takes place on Saturday?**

Yes. The miner must receive his or her normal rate of pay for time spent receiving training. This means that if a miner is paid at time and a half for working on Saturday, the miner must be paid at that same rate for receiving training on Saturday.

**Section 46.11 Site-Specific Hazard Awareness Training**

**116. What options do I have in delivering site-specific hazard awareness training?**

Part 46 provides that site-specific hazard awareness training may be provided through the use of written hazard warnings, oral instruction, signs and posted warnings, walkaround training, or other appropriate means that alert affected persons to site-specific hazards at the mine. Part 46 allows you the flexibility to tailor your hazard awareness training to the specific conditions and practices at your mine. In many cases, an effective site-specific hazard awareness training program will include a combination of different types of training. The training must be sufficient to alert affected persons to site-specific hazards.

**117. Is the requirement to "ensure" independent contractors receive site-specific hazard awareness training a strict liability standard?**

Yes. Section 46.12(a)(1) establishes that the production-operator has primary responsibility for ensuring that Site-Specific Hazard Awareness training is given to employees of independent contractors, while Section 46.12(b)(1) establishes that each independent contractor who employs a miner under this Part has primary responsibility for complying with other required training. MSHA views Section 46.12 as a regulatory indication of whom the agency will cite for training violations under ordinary circumstances. Both the production-operator and the independent contractor share the responsibility that all miners receive all required training, and in extraordinary circumstances, MSHA may determine that both the production-operator and the independent contractor should be held liable for training violations.

**118. Who is responsible for providing required site-specific hazard awareness training to employees of independent contractors?**

Each production-operator is primarily responsible for ensuring that employees of independent contractors receive site-specific hazard awareness training. This means that production-operators must ensure that the training has been given,

although they do not need to provide the training themselves. Production-operators may provide independent contractors with site-specific hazard awareness information or training materials and arrange for the independent contractors to provide the training to the contractors' employees.

**119. How often must a person receive site-specific hazard awareness training? Annually? Once every 2 years?**

A person requiring site-specific hazard training must receive this training prior to going on the mine property. Beyond that, Part 46 does not require that a person receive site-specific hazard awareness training at specific intervals. Part 46 requires that the training be sufficient to alert persons to the hazards they will encounter at the mine. This means that there may be cases where a person should receive additional site-specific hazard awareness training.

For example, if a person is away from the mine site for a period of time, it would be prudent to provide that person with refresher site-specific training. Additionally, if conditions at the mine undergo some change, some form of site-specific hazard awareness training must be given to alert persons of these changes.

**120. Is a record of training required for a non-miner who receives site-specific hazard awareness training?**

No. A training record is not required for non-miners who receive site-specific hazard awareness training. However, you must be able to provide evidence to MSHA, upon request, that the training was provided, such as by indicating the training materials that are used; providing copies of written information distributed to persons upon their arrival at the mine; or providing visitor log books that indicate that training has been provided.

**121. If warning signs are used to provide site-specific hazard awareness training, is the training required to be recorded for each person the sign is intended for?**

No. Section 46.9(i) provides that records of site-specific hazard awareness training are not required for persons who are not “miners” under Section 46.2. However, you must be able to provide evidence to MSHA, upon request, that the training was provided. This evidence could include training materials that are used; copies of written information distributed to persons upon their arrival at the mine; appropriate warning signs; or visitor log books that indicate that training was provided.



- 122. Section 46.11(b)(6) provides that maintenance and service workers who do not work at a mine site for “frequent and extended periods” are required to receive site-specific hazard awareness training. What constitutes “frequent or extended periods”?**

“Frequent” exposure is a pattern of exposure to hazards at mining operations occurring intermittently and repeatedly over time. “Extended” exposure means exposure to hazards at mining operations of more than five consecutive work days.

- 123. What type of training is required for independent contractors who perform construction work on a mine property, but who are not actively engaged in mining operations?**

Construction workers who are not exposed to hazards of mining operations as defined in Section 46.2(h) are required to receive site-specific hazard awareness training.

#### **Section 46.12 Responsibility for Independent Contractor Training**

- 124. Can a production-operator require an independent contractor to conduct site-specific hazard awareness training?**

Under Section 46.12, production-operators have the primary responsibility to ensure that site-specific hazard awareness training has been given. Consistent with Section 46.4, production-operators may provide independent contractors with site-specific hazard awareness information or training materials and arrange for the contractors to provide the training to the contractors’ employees. However, production-operators retain the primary responsibility of ensuring that everyone who comes onto mine sites has received the necessary site-specific hazard awareness training.

- 125. Are production-operators responsible for looking at contractor plans to see if they are ok?**

No. As it applies to independent contractors, production - operators are not responsible for looking at an independent contractor’s training plan.

**126. As a contractor, do I have to carry records and certificates of all employees when, for instance, we are called out on an emergency belt replacement?**

Yes. Independent contractors who are miners as defined by Part 46 must make available at the mine site where they are working a copy of each miner's training certificate for inspection.

# TRAINING PLAN

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MSHA's Part 46.3 requires that you (production-operators and independent contractors) develop and implement a written training plan. The training plan must include everything listed in 46.3(b) and (c). There are five training programs that must be addressed in your training plan.

1. New Miner Training (46.5)
2. Newly Hired Experienced Miner Training (46.6)
3. New Task Training (46.7)
4. Annual Refresher Training (46.8)
5. Site-Specific Hazard Awareness Training (46.11)

A blank sample plan has been included. You can also obtain blank plans and guidance from your EFSMS training specialist, or complete one using the Forms and Online Filing link on the [www.msha.gov](http://www.msha.gov) website.



**Part 46 Training Plan****Date:** \_\_\_\_\_

*If your company operates more than one mine, there must be one plan for each mine and mine ID number. Independent contractors should list their three-digit contractor ID number if they have one. Independent contractors do not need a contractor ID number in order for their plan to be approved.*

**Company and Mine names** [[Section 46.3\(b\)\(1\)](#)]**MSHA ID #** [ \_\_\_\_\_ ] **or** [ \_\_\_\_\_ ]**Company Name:** [ \_\_\_\_\_ ]**Address:** [ \_\_\_\_\_ ]**Address:** [ \_\_\_\_\_ ]**City, State & Code:** [ \_\_\_\_\_ ]**Mine Name:** [ \_\_\_\_\_ ]

*The individual responsible for safety and health training at the mine is the person MSHA should contact regarding training related matters.*

**Person responsible for health and safety training at the mine (Name and Position)**[[Section 46.3\(b\)\(2\)](#)]**Name:** [ \_\_\_\_\_ ]**Position/Title:** [ \_\_\_\_\_ ]**Phone Number:** [ \_\_\_\_\_ ]**E-Mail:** [ \_\_\_\_\_ ]**Optional:  
2<sup>nd</sup> Name:** [ \_\_\_\_\_ ]**Position/Title:** [ \_\_\_\_\_ ]**Phone Number:** [ \_\_\_\_\_ ]**E-Mail:** [ \_\_\_\_\_ ]

Each training plan must list at least one competent person or organization. The competent person may work for the company, may be employed by an independent training service, or may be an instructor for a State Grants Program. If you employ a training organization, you may list the organization name and not the names of each individual person or instructor. When an organization is listed, all instructors of that organization will be included by reference and will change as the organization's staffing changes. For each person or organization, list the subject areas in which they are competent to instruct.

**Competent persons or organizations and subject areas each is competent to instruct**  
[Section 46.3(b)(4)]:

Name(s)	Subject(s)/Area(s)
[ _____ ]	[ _____ ]
[ _____ ]	[ _____ ]
[ _____ ]	[ _____ ]
[ _____ ]	[ _____ ]
[ _____ ]	[ _____ ]
[ _____ ]	[ _____ ]
[ _____ ]	[ _____ ]
[ _____ ]	[ _____ ]
[ _____ ]	[ _____ ]
[ _____ ]	[ _____ ]
[ _____ ]	[ _____ ]
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[ _____ ]	[ _____ ]
[ _____ ]	[ _____ ]
[ _____ ]	[ _____ ]
[ _____ ]	[ _____ ]
[ _____ ]	[ _____ ]

**New Miner Training Program (Section 46.5)****Date:** \_\_\_\_\_

Mine ID # \_\_\_\_\_

Contractor ID \_\_\_\_\_

Each new miner will receive no less than 24 hours of training [[Section 46.5\(a\)](#)]. Miners who have not received the full 24 hours of new miner training will work under the observation of an experienced miner.

**A. Each new miner will receive the following training before the miner begins work. This training will be no less than 4 hours and will also address site-specific hazards [[Section 46.5\(b\)](#)]:**

**1. Introduction to work environment [[Section 46.5\(b\)\(1\)](#)]**

Approximate Time(s): \_\_\_\_\_ hours \_\_\_\_\_ minutes to \_\_\_\_\_ hours \_\_\_\_\_ minutes

## Teaching Methods:

- |                                      |  |
|--------------------------------------|--|
| <input type="checkbox"/> Lecture     | <input type="checkbox"/> Demonstration |
| <input type="checkbox"/> Discussion  | <input type="checkbox"/> Site Tour     |
| <input type="checkbox"/> Audiovisual | <input type="checkbox"/> Other _____   |
| <input type="checkbox"/> Computer    |  |

## Course Training Materials:

- |  |   |
|--|---|
| <input type="checkbox"/> MSHA                  | <input type="checkbox"/> Company Rules / Policies |
| <input type="checkbox"/> 1977 Mine Act         | <input type="checkbox"/> Communication System     |
| <input type="checkbox"/> Company               | <input type="checkbox"/> Applicable Regulations   |
| <input type="checkbox"/> Vendor / Manufacturer | <input type="checkbox"/> Other _____              |

## Evaluation Procedures:

- |   |                                      |
|---|--------------------------------------|
| <input type="checkbox"/> Oral Feedback    | <input type="checkbox"/> Observation |
| <input type="checkbox"/> Written Feedback | <input type="checkbox"/> Other _____ |

**New Miner Training Program**

**2. Recognition and avoidance of electrical hazards and other hazards, such as traffic patterns and control, mobile equipment, and ground conditions [Section 46.5(b)(2)]**

Approximate Time(s): \_\_\_ hours \_\_\_ minutes to \_\_\_ hours \_\_\_ minutes

Teaching Methods:

- |                                      |  |
|--------------------------------------|--|
| <input type="checkbox"/> Lecture     | <input type="checkbox"/> Demonstration |
| <input type="checkbox"/> Discussion  | <input type="checkbox"/> Site Tour     |
| <input type="checkbox"/> Audiovisual | <input type="checkbox"/> Other _____   |
| <input type="checkbox"/> Computer    |  |

Course Training Materials:

- |  |   |
|--|---|
| <input type="checkbox"/> MSHA                  | <input type="checkbox"/> Company Rules / Policies |
| <input type="checkbox"/> 1977 Mine Act         | <input type="checkbox"/> Lock Out Devices         |
| <input type="checkbox"/> Company               | <input type="checkbox"/> Applicable Regulations   |
| <input type="checkbox"/> Vendor / Manufacturer | <input type="checkbox"/> Other _____              |

Evaluation Procedures:

- |   |                                      |
|---|--------------------------------------|
| <input type="checkbox"/> Oral Feedback    | <input type="checkbox"/> Observation |
| <input type="checkbox"/> Written Feedback | <input type="checkbox"/> Other _____ |

**3. Emergency medical procedures; escape and emergency evacuation plans; firewarning signals and firefighting procedures [Section 46.5(b)(3)]**

Approximate Time(s): \_\_\_ hours \_\_\_ minutes to \_\_\_ hours \_\_\_ minutes

Teaching Methods:

- |                                      |  |
|--------------------------------------|--|
| <input type="checkbox"/> Lecture     | <input type="checkbox"/> Demonstration |
| <input type="checkbox"/> Discussion  | <input type="checkbox"/> Site Tour     |
| <input type="checkbox"/> Audiovisual | <input type="checkbox"/> Other _____   |
| <input type="checkbox"/> Computer    |  |

Course Training Materials:

- |  |   |
|--|---|
| <input type="checkbox"/> MSHA                  | <input type="checkbox"/> Company Rules / Policies |
| <input type="checkbox"/> 1977 Mine Act         | <input type="checkbox"/> Communication System     |
| <input type="checkbox"/> Company               | <input type="checkbox"/> Applicable Regulations   |
| <input type="checkbox"/> Vendor / Manufacturer | <input type="checkbox"/> Other _____              |

Evaluation Procedures:

- |   |                                      |
|---|--------------------------------------|
| <input type="checkbox"/> Oral Feedback    | <input type="checkbox"/> Observation |
| <input type="checkbox"/> Written Feedback | <input type="checkbox"/> Other _____ |



**New Miner Training Program**

**4. Health and safety aspects of the tasks to be assigned.** *Training will include information about the physical and health hazards of chemicals in the miner's work area, protective measures a miner can take against these hazards and the contents of the mine's HazCom Program. [Section 46.5(b)(4)]*

Approximate Time(s): \_\_\_\_ hours \_\_\_\_ minutes to \_\_\_\_ hours \_\_\_\_ minutes

Teaching Methods:

- |                                      |  |
|--------------------------------------|--|
| <input type="checkbox"/> Lecture     | <input type="checkbox"/> Demonstration |
| <input type="checkbox"/> Discussion  | <input type="checkbox"/> Site Tour     |
| <input type="checkbox"/> Audiovisual | <input type="checkbox"/> Other _____   |
| <input type="checkbox"/> Computer    |  |

Course Training Materials:

- |  |   |
|--|---|
| <input type="checkbox"/> MSHA                        | <input type="checkbox"/> Company Rules / Policies |
| <input type="checkbox"/> 1977 Mine Act & Regulations | <input type="checkbox"/> Communication System     |
| <input type="checkbox"/> Company                     | <input type="checkbox"/> MSDS/SDS                 |
| <input type="checkbox"/> Vendor / Manufacturer       | <input type="checkbox"/> Other _____              |

Evaluation Procedures:

- |   |                                      |
|---|--------------------------------------|
| <input type="checkbox"/> Oral Feedback    | <input type="checkbox"/> Observation |
| <input type="checkbox"/> Written Feedback | <input type="checkbox"/> Other _____ |

**5. Statutory rights of miners and their representatives [Section 46.5(b)(5)]**

Approximate Time(s): \_\_\_\_ hours \_\_\_\_ minutes to \_\_\_\_ hours \_\_\_\_ minutes

Teaching Methods:

- |                                      |  |
|--------------------------------------|--|
| <input type="checkbox"/> Lecture     | <input type="checkbox"/> Demonstration |
| <input type="checkbox"/> Discussion  | <input type="checkbox"/> Site Tour     |
| <input type="checkbox"/> Audiovisual | <input type="checkbox"/> Other _____   |
| <input type="checkbox"/> Computer    |  |

Course Training Materials:

- |  |   |
|--|---|
| <input type="checkbox"/> MSHA                  | <input type="checkbox"/> Company Rules / Policies |
| <input type="checkbox"/> 1977 Mine Act         | <input type="checkbox"/> Communication System     |
| <input type="checkbox"/> Company               | <input type="checkbox"/> Applicable Regulations   |
| <input type="checkbox"/> Vendor / Manufacturer | <input type="checkbox"/> Other _____              |

Evaluation Procedures:

- |   |                                      |
|---|--------------------------------------|
| <input type="checkbox"/> Oral Feedback    | <input type="checkbox"/> Observation |
| <input type="checkbox"/> Written Feedback | <input type="checkbox"/> Other _____ |

**New Miner Training Program**

**6. Authority and responsibilities of supervisors and miners' representatives**  
**[Section 46.5(b)(6)]**

Approximate Time(s): \_\_\_\_ hours \_\_\_\_ minutes to \_\_\_\_ hours \_\_\_\_ minutes

Teaching Methods:

- |                                      |  |
|--------------------------------------|--|
| <input type="checkbox"/> Lecture     | <input type="checkbox"/> Demonstration |
| <input type="checkbox"/> Discussion  | <input type="checkbox"/> Site Tour     |
| <input type="checkbox"/> Audiovisual | <input type="checkbox"/> Other _____   |
| <input type="checkbox"/> Computer    |  |

Course Training Materials:

- |  |   |
|--|---|
| <input type="checkbox"/> MSHA                  | <input type="checkbox"/> Company Rules / Policies |
| <input type="checkbox"/> 1977 Mine Act         | <input type="checkbox"/> Communication System     |
| <input type="checkbox"/> Company               | <input type="checkbox"/> Applicable Regulations   |
| <input type="checkbox"/> Vendor / Manufacturer | <input type="checkbox"/> Other _____              |

Evaluation Procedures:

- |   |                                      |
|---|--------------------------------------|
| <input type="checkbox"/> Oral Feedback    | <input type="checkbox"/> Observation |
| <input type="checkbox"/> Written Feedback | <input type="checkbox"/> Other _____ |

**7. Introduction to rules and procedures for reporting hazards [Section 46.5(b)(7)]**

Approximate Time(s): \_\_\_\_ hours \_\_\_\_ minutes to \_\_\_\_ hours \_\_\_\_ minutes

Teaching Methods:

- |                                      |  |
|--------------------------------------|--|
| <input type="checkbox"/> Lecture     | <input type="checkbox"/> Demonstration |
| <input type="checkbox"/> Discussion  | <input type="checkbox"/> Site Tour     |
| <input type="checkbox"/> Audiovisual | <input type="checkbox"/> Other _____   |
| <input type="checkbox"/> Computer    |  |

Course Training Materials:

- |  |   |
|--|---|
| <input type="checkbox"/> MSHA                  | <input type="checkbox"/> Company Rules / Policies |
| <input type="checkbox"/> 1977 Mine Act         | <input type="checkbox"/> Communication System     |
| <input type="checkbox"/> Company               | <input type="checkbox"/> Applicable Regulations   |
| <input type="checkbox"/> Vendor / Manufacturer | <input type="checkbox"/> Other _____              |

Evaluation Procedures:

- |   |                                      |
|---|--------------------------------------|
| <input type="checkbox"/> Oral Feedback    | <input type="checkbox"/> Observation |
| <input type="checkbox"/> Written Feedback | <input type="checkbox"/> Other _____ |

**New Miner Training Program**

**B. After each new miner begins work, the miner will receive the following training within 60 days [Section 46.5(c)].**

**1. Self-rescue and respiratory devices [Section 46.5(c)(1)]**

This subject is:        \_\_\_ applicable        \_\_\_ not applicable

Approximate Time(s): \_\_\_ hours \_\_\_ minutes        to \_\_\_ hours \_\_\_ minutes

Teaching Methods:

- |                 |                   |
|-----------------|-------------------|
| ___ Lecture     | ___ Demonstration |
| ___ Discussion  | ___ Fit Test      |
| ___ Audiovisual | ___ Site Tour     |
| ___ Computer    | ___ Other _____   |

Course Training Materials:

- |                           |                              |
|---------------------------|------------------------------|
| ___ MSHA                  | ___ Company Rules / Policies |
| ___ Company               | ___ Applicable Regulations   |
| ___ Vendor / Manufacturer | ___ Other _____              |

Evaluation Procedures:

- |                      |                 |
|----------------------|-----------------|
| ___ Oral Feedback    | ___ Observation |
| ___ Written Feedback | ___ Other _____ |

**2. First aid [Section 46.5(c)(2)]**

Approximate Time(s): \_\_\_ hours \_\_\_ minutes        to \_\_\_ hours \_\_\_ minutes

Teaching Methods:

- |                 |                   |
|-----------------|-------------------|
| ___ Lecture     | ___ Demonstration |
| ___ Discussion  | ___ Site Tour     |
| ___ Audiovisual | ___ Other _____   |
| ___ Computer    |                   |

Course Training Materials:

- |                           |                              |
|---------------------------|------------------------------|
| ___ MSHA                  | ___ Company Rules / Policies |
| ___ 1977 Mine Act         | ___ Communication System     |
| ___ Company               | ___ Applicable Regulations   |
| ___ Vendor / Manufacturer | ___ Other _____              |

Evaluation Procedures:

- |                      |                 |
|----------------------|-----------------|
| ___ Oral Feedback    | ___ Observation |
| ___ Written Feedback | ___ Other _____ |

**New Miner Training Program**

- C. After each new miner begins work, the miner will receive the balance, if any, of the 24 hours of training on any other subjects that promote occupational health and safety for miners at the mine within 90 days [*Section 46.5(d)*].

If other subjects will be taught based on circumstances or conditions at the mine, the Yes box should be checked and a completed Other Subject(s) page for each attached.

Yes       No

**New Miner Training Program**

Mine ID # \_\_\_\_\_

Contractor ID \_\_\_\_\_

**Section 46.5**

**C. Other Subject(s)**

Subject Title:  
[Section 46.5(d)]

Approximate Time(s): \_\_\_\_ hours \_\_\_\_ minutes to \_\_\_\_ hours \_\_\_\_ minutes

Teaching Methods:

- |                                      |  |
|--------------------------------------|--|
| <input type="checkbox"/> Lecture     | <input type="checkbox"/> Demonstration |
| <input type="checkbox"/> Discussion  | <input type="checkbox"/> Site Tour     |
| <input type="checkbox"/> Audiovisual | <input type="checkbox"/> Other _____   |
| <input type="checkbox"/> Computer    |  |

Course Training Materials:

- |  |   |
|--|---|
| <input type="checkbox"/> MSHA                        | <input type="checkbox"/> Company Rules / Policies |
| <input type="checkbox"/> 1977 Mine Act & Regulations | <input type="checkbox"/> Communication System     |
| <input type="checkbox"/> Company                     | <input type="checkbox"/> MSDS/SDS                 |
| <input type="checkbox"/> Vendor / Manufacturer       | <input type="checkbox"/> Other _____              |

Evaluation Procedures:

- |   |                                      |
|---|--------------------------------------|
| <input type="checkbox"/> Oral Feedback    | <input type="checkbox"/> Observation |
| <input type="checkbox"/> Written Feedback | <input type="checkbox"/> Other _____ |

**Newly-Hired Experienced Miner Training Program** (Section 46.6)

Date: \_\_\_\_\_

Mine ID # \_\_\_\_\_

Contractor ID \_\_\_\_\_

Each newly-hired experienced miner will receive the following training [[Section 46.6\(a\)](#)]. As specified below, some of the training will be given before the miner begins work; while the balance of the required training will be given within 60 days after work begins.

**A. Each newly-hired experienced miner will receive the following training before the miner begins work. This training will also address site-specific hazards [[Section 46.6\(b\)](#)]:**

**1. Introduction to work environment [[Section 46.6\(b\)\(1\)](#)]**

Approximate Time(s): \_\_\_\_ hours \_\_\_\_ minutes to \_\_\_\_ hours \_\_\_\_ minutes

Teaching Methods:

- |                                      |  |
|--------------------------------------|--|
| <input type="checkbox"/> Lecture     | <input type="checkbox"/> Demonstration |
| <input type="checkbox"/> Discussion  | <input type="checkbox"/> Site Tour     |
| <input type="checkbox"/> Audiovisual | <input type="checkbox"/> Other _____   |
| <input type="checkbox"/> Computer    |  |

Course Training Materials:

- |  |   |
|--|---|
| <input type="checkbox"/> MSHA                  | <input type="checkbox"/> Company Rules / Policies |
| <input type="checkbox"/> 1977 Mine Act         | <input type="checkbox"/> Communication System     |
| <input type="checkbox"/> Company               | <input type="checkbox"/> Applicable Regulations   |
| <input type="checkbox"/> Vendor / Manufacturer | <input type="checkbox"/> Other _____              |

Evaluation Procedures:

- |   |                                      |
|---|--------------------------------------|
| <input type="checkbox"/> Oral Feedback    | <input type="checkbox"/> Observation |
| <input type="checkbox"/> Written Feedback | <input type="checkbox"/> Other _____ |

**Newly-Hired Experienced Miner Training Program**

**2. Recognition and avoidance of electrical hazards and other hazards, such as traffic patterns and control, mobile equipment, and ground conditions [Section 46.6(b)(2)]**

Approximate Time(s): \_\_\_\_ hours \_\_\_\_ minutes to \_\_\_\_ hours \_\_\_\_ minutes

Teaching Methods:

- |                                      |  |
|--------------------------------------|--|
| <input type="checkbox"/> Lecture     | <input type="checkbox"/> Demonstration |
| <input type="checkbox"/> Discussion  | <input type="checkbox"/> Site Tour     |
| <input type="checkbox"/> Audiovisual | <input type="checkbox"/> Other _____   |
| <input type="checkbox"/> Computer    |  |

Course Training Materials:

- |  |   |
|--|---|
| <input type="checkbox"/> MSHA                  | <input type="checkbox"/> Company Rules / Policies |
| <input type="checkbox"/> 1977 Mine Act         | <input type="checkbox"/> Lock Out Devices         |
| <input type="checkbox"/> Company               | <input type="checkbox"/> Applicable Regulations   |
| <input type="checkbox"/> Vendor / Manufacturer | <input type="checkbox"/> Other _____              |

Evaluation Procedures:

- |   |                                      |
|---|--------------------------------------|
| <input type="checkbox"/> Oral Feedback    | <input type="checkbox"/> Observation |
| <input type="checkbox"/> Written Feedback | <input type="checkbox"/> Other _____ |

**3. Emergency medical procedures; escape and emergency evacuation plans; firewarning signals and firefighting procedures [Section 46.6(b)(3)]**

Approximate Time(s): \_\_\_\_ hours \_\_\_\_ minutes to \_\_\_\_ hours \_\_\_\_ minutes

Teaching Methods:

- |                                      |  |
|--------------------------------------|--|
| <input type="checkbox"/> Lecture     | <input type="checkbox"/> Demonstration |
| <input type="checkbox"/> Discussion  | <input type="checkbox"/> Site Tour     |
| <input type="checkbox"/> Audiovisual | <input type="checkbox"/> Other _____   |
| <input type="checkbox"/> Computer    |  |

Course Training Materials:

- |  |   |
|--|---|
| <input type="checkbox"/> MSHA                  | <input type="checkbox"/> Company Rules / Policies |
| <input type="checkbox"/> 1977 Mine Act         | <input type="checkbox"/> Communication System     |
| <input type="checkbox"/> Company               | <input type="checkbox"/> Applicable Regulations   |
| <input type="checkbox"/> Vendor / Manufacturer | <input type="checkbox"/> Other _____              |

Evaluation Procedures:

- |   |                                      |
|---|--------------------------------------|
| <input type="checkbox"/> Oral Feedback    | <input type="checkbox"/> Observation |
| <input type="checkbox"/> Written Feedback | <input type="checkbox"/> Other _____ |

**Newly-Hired Experienced Miner Training Program**

**4. Health and safety aspects of the tasks to be assigned.** *Training will include information about the physical and health hazards of chemicals in the miner's work area, protective measures a miner can take against these hazards and the contents of the mine's HazCom Program. [Section 46.6(b)(4)]*

Approximate Time(s): \_\_\_\_ hours \_\_\_\_ minutes to \_\_\_\_ hours \_\_\_\_ minutes

Teaching Methods:

- |                                      |  |
|--------------------------------------|--|
| <input type="checkbox"/> Lecture     | <input type="checkbox"/> Demonstration |
| <input type="checkbox"/> Discussion  | <input type="checkbox"/> Site Tour     |
| <input type="checkbox"/> Audiovisual | <input type="checkbox"/> Other _____   |
| <input type="checkbox"/> Computer    |  |

Course Training Materials:

- |  |   |
|--|---|
| <input type="checkbox"/> MSHA                        | <input type="checkbox"/> Company Rules / Policies |
| <input type="checkbox"/> 1977 Mine Act & Regulations | <input type="checkbox"/> Communication System     |
| <input type="checkbox"/> Company                     | <input type="checkbox"/> MSDS/SDS                 |
| <input type="checkbox"/> Vendor / Manufacturer       | <input type="checkbox"/> Other _____              |

Evaluation Procedures:

- |   |                                      |
|---|--------------------------------------|
| <input type="checkbox"/> Oral Feedback    | <input type="checkbox"/> Observation |
| <input type="checkbox"/> Written Feedback | <input type="checkbox"/> Other _____ |

**5. Statutory rights of miners and their representatives [Section 46.6(b)(5)]**

Approximate Time(s): \_\_\_\_ hours \_\_\_\_ minutes to \_\_\_\_ hours \_\_\_\_ minutes

Teaching Methods:

- |                                      |  |
|--------------------------------------|--|
| <input type="checkbox"/> Lecture     | <input type="checkbox"/> Demonstration |
| <input type="checkbox"/> Discussion  | <input type="checkbox"/> Site Tour     |
| <input type="checkbox"/> Audiovisual | <input type="checkbox"/> Other _____   |
| <input type="checkbox"/> Computer    |  |

Course Training Materials:

- |  |   |
|--|---|
| <input type="checkbox"/> MSHA                  | <input type="checkbox"/> Company Rules / Policies |
| <input type="checkbox"/> 1977 Mine Act         | <input type="checkbox"/> Communication System     |
| <input type="checkbox"/> Company               | <input type="checkbox"/> Applicable Regulations   |
| <input type="checkbox"/> Vendor / Manufacturer | <input type="checkbox"/> Other _____              |

Evaluation Procedures:

- |   |                                      |
|---|--------------------------------------|
| <input type="checkbox"/> Oral Feedback    | <input type="checkbox"/> Observation |
| <input type="checkbox"/> Written Feedback | <input type="checkbox"/> Other _____ |



**Newly-Hired Experienced Miner Training Program**

**6. Authority and responsibilities of supervisors and miners representatives**  
**[Section 46.6(b)(6)]**

Approximate Time(s): \_\_\_\_ hours \_\_\_\_ minutes to \_\_\_\_ hours \_\_\_\_ minutes

Teaching Methods:

- |                                      |  |
|--------------------------------------|--|
| <input type="checkbox"/> Lecture     | <input type="checkbox"/> Demonstration |
| <input type="checkbox"/> Discussion  | <input type="checkbox"/> Site Tour     |
| <input type="checkbox"/> Audiovisual | <input type="checkbox"/> Other _____   |
| <input type="checkbox"/> Computer    |  |

Course Training Materials:

- |  |   |
|--|---|
| <input type="checkbox"/> MSHA                  | <input type="checkbox"/> Company Rules / Policies |
| <input type="checkbox"/> 1977 Mine Act         | <input type="checkbox"/> Communication System     |
| <input type="checkbox"/> Company               | <input type="checkbox"/> Applicable Regulations   |
| <input type="checkbox"/> Vendor / Manufacturer | <input type="checkbox"/> Other _____              |

Evaluation Procedures:

- |   |                                      |
|---|--------------------------------------|
| <input type="checkbox"/> Oral Feedback    | <input type="checkbox"/> Observation |
| <input type="checkbox"/> Written Feedback | <input type="checkbox"/> Other _____ |

**7. Introduction to rules and procedures for reporting hazards [Section 46.6(b)(7)]**

Approximate Time(s): \_\_\_\_ hours \_\_\_\_ minutes to \_\_\_\_ hours \_\_\_\_ minutes

Teaching Methods:

- |                                      |  |
|--------------------------------------|--|
| <input type="checkbox"/> Lecture     | <input type="checkbox"/> Demonstration |
| <input type="checkbox"/> Discussion  | <input type="checkbox"/> Site Tour     |
| <input type="checkbox"/> Audiovisual | <input type="checkbox"/> Other _____   |
| <input type="checkbox"/> Computer    |  |

Course Training Materials:

- |  |   |
|--|---|
| <input type="checkbox"/> MSHA                  | <input type="checkbox"/> Company Rules / Policies |
| <input type="checkbox"/> 1977 Mine Act         | <input type="checkbox"/> Communication System     |
| <input type="checkbox"/> Company               | <input type="checkbox"/> Applicable Regulations   |
| <input type="checkbox"/> Vendor / Manufacturer | <input type="checkbox"/> Other _____              |

Evaluation Procedures:

- |   |                                      |
|---|--------------------------------------|
| <input type="checkbox"/> Oral Feedback    | <input type="checkbox"/> Observation |
| <input type="checkbox"/> Written Feedback | <input type="checkbox"/> Other _____ |

**Newly-Hired Experienced Miner Training Program**

**B. After each newly-hired experienced miner begins work, the miner will receive the following training within 60 days [Section 46.6(c)].**

**1. Self-rescue and respiratory devices [Section 46.6(c)(1)]**

This subject is:  applicable  not applicable

Approximate Time(s):  hours  minutes to  hours  minutes

Teaching Methods:

- |                                      |  |
|--------------------------------------|--|
| <input type="checkbox"/> Lecture     | <input type="checkbox"/> Demonstration |
| <input type="checkbox"/> Discussion  | <input type="checkbox"/> Site Tour     |
| <input type="checkbox"/> Audiovisual | <input type="checkbox"/> Fit Test      |
| <input type="checkbox"/> Computer    | <input type="checkbox"/> Other _____   |

Course Training Materials:

- |   |   |
|---|---|
| <input type="checkbox"/> MSHA                     | <input type="checkbox"/> Checklist(s)           |
| <input type="checkbox"/> Company                  | <input type="checkbox"/> Applicable Regulations |
| <input type="checkbox"/> Vendor / Manufacturer    | <input type="checkbox"/> Respiratory Devices    |
| <input type="checkbox"/> Company Rules / Policies | <input type="checkbox"/> Other _____            |

Evaluation Procedures:

- |   |                                      |
|---|--------------------------------------|
| <input type="checkbox"/> Oral Feedback    | <input type="checkbox"/> Observation |
| <input type="checkbox"/> Written Feedback | <input type="checkbox"/> Other _____ |

**C. Training may address any other subjects that promote occupational health and safety for miners [Section 46.6(e)].**

If other subjects will be taught based on circumstances or conditions at the mine, the Yes box should be checked and a completed Other Subject(s) page for each attached.

Yes  No

**D. When a newly-hired experienced miner returns to the same mine following an absence of 12 months or less, the miner will receive training on any changes at the mine that occurred during the miner's absence that could adversely affect the miner's health or safety. This training will be given before the miner begins work at the mine. If the miner missed any part of annual refresher training under Section 46.8 during the absence, the missed training will be given within 90 days after the miner begins work at the mine [Section 46.6(f)].**

**Newly-Hired Experienced Miner Training Program**

Mine ID # \_\_\_\_\_

Contractor ID \_\_\_\_\_

**Section 46.6**

**C. Other Subject(s)**

Subject Title:

[[Section 46.6\(e\)](#)]

Approximate Time(s): \_\_\_\_ hours \_\_\_\_ minutes to \_\_\_\_ hours \_\_\_\_ minutes

Teaching Methods:

- |                                      |  |
|--------------------------------------|--|
| <input type="checkbox"/> Lecture     | <input type="checkbox"/> Demonstration |
| <input type="checkbox"/> Discussion  | <input type="checkbox"/> Site Tour     |
| <input type="checkbox"/> Audiovisual | <input type="checkbox"/> Other _____   |
| <input type="checkbox"/> Computer    |  |

Course Training Materials:

- |   |   |
|---|---|
| <input type="checkbox"/> MSHA                     | <input type="checkbox"/> Checklist(s)           |
| <input type="checkbox"/> Company                  | <input type="checkbox"/> Applicable Regulations |
| <input type="checkbox"/> Vendor / Manufacturer    | <input type="checkbox"/> Other _____            |
| <input type="checkbox"/> Company Rules / Policies |   |

Evaluation Procedures:

- |   |                                      |
|---|--------------------------------------|
| <input type="checkbox"/> Oral Feedback    | <input type="checkbox"/> Observation |
| <input type="checkbox"/> Written Feedback | <input type="checkbox"/> Other _____ |

**New Task Training Program (Section 46.7)**

Date: \_\_\_\_\_

Mine ID # \_\_\_\_\_

Contractor ID \_\_\_\_\_

Each miner who is assigned to a new task in which he or she has no previous work experience will be trained in the health and safety aspects and safe work procedures specific to that new task. This training will be provided before the miner performs the new task. If a change occurs in a miner's assigned task that affects the health and safety risks encountered by the miner, the miner will be given training that addresses the change. Practice under close observation of a competent person may be used to fulfill the requirement for task training under this section. Also HazCom training will be provided when a new chemical hazard is introduced into a miner's work area and when an existing chemical is found to possess a new hazard. [Section 46.7(d)].

**A. Each miner who is assigned to a new task will be trained in the health and safety aspects and safe work procedures of that new task, before the miner performs the new task.** *Training will include information about the physical and health hazards of chemicals in the miner's work area, protective measures a miner can take against these hazards and the contents of the mine's HazCom Program. [Section 46.7(a)]. (Each task that will require training is specified below. The competent person who will provide the training is listed in the General Information section.)*

**1. Health and safety aspects and safe work procedures of the new task**

Specify the task: [ \_\_\_\_\_ ]

Approximate Time(s): \_\_\_\_ hours \_\_\_\_ minutes to \_\_\_\_ hours \_\_\_\_ minutes

## Teaching Methods:

- |                                      |   |
|--------------------------------------|---|
| <input type="checkbox"/> Lecture     | <input type="checkbox"/> Practice under Close Supervision |
| <input type="checkbox"/> Discussion  | <input type="checkbox"/> Demonstration                    |
| <input type="checkbox"/> Audiovisual | <input type="checkbox"/> Site Tour                        |
| <input type="checkbox"/> Computer    | <input type="checkbox"/> Other _____                      |

## Course Training Materials:

- |   |   |
|---|---|
| <input type="checkbox"/> MSHA and/or Company      | <input type="checkbox"/> Checklist(s)           |
| <input type="checkbox"/> MSDS/SDS                 | <input type="checkbox"/> Applicable Regulations |
| <input type="checkbox"/> Vendor / Manufacturer    | <input type="checkbox"/> Other _____            |
| <input type="checkbox"/> Company Rules / Policies |   |

## Evaluation Procedures:

- |   |                                      |
|---|--------------------------------------|
| <input type="checkbox"/> Oral Feedback    | <input type="checkbox"/> Observation |
| <input type="checkbox"/> Written Feedback | <input type="checkbox"/> Other _____ |

**New Task Training Program**

Mine ID # \_\_\_\_\_

Contractor ID \_\_\_\_\_

**Section 46.7**

**A. Other Task(s)**

**Health and safety aspects and safe work procedures of the new task**

*Training will include information about the physical and health hazards of chemicals in the miner's work area, protective measures a miner can take against these hazards and the contents of the mine's HazCom Program. [Section 46.7(a)]. (Each task that will require training is specified below. The competent person who will provide the training is listed in the General Information section.)*

Specify the task:

See attached Task list and the NOTE below.

Approximate Time(s): \_\_\_\_ hours \_\_\_\_ minutes to \_\_\_\_ hours \_\_\_\_ minutes

Teaching Methods:

- |                                      |   |
|--------------------------------------|---|
| <input type="checkbox"/> Lecture     | <input type="checkbox"/> Practice under Close Supervision |
| <input type="checkbox"/> Discussion  | <input type="checkbox"/> Demonstration                    |
| <input type="checkbox"/> Audiovisual | <input type="checkbox"/> Site Tour                        |
| <input type="checkbox"/> Computer    | <input type="checkbox"/> Other _____                      |

Course Training Materials:

- |   |   |
|---|---|
| <input type="checkbox"/> MSHA and/or Company      | <input type="checkbox"/> Checklist(s)           |
| <input type="checkbox"/> MSDS/SDS                 | <input type="checkbox"/> Applicable Regulations |
| <input type="checkbox"/> Vendor / Manufacturer    | <input type="checkbox"/> Other _____            |
| <input type="checkbox"/> Company Rules / Policies |   |

Evaluation Procedures:

- |   |                                      |
|---|--------------------------------------|
| <input type="checkbox"/> Oral Feedback    | <input type="checkbox"/> Observation |
| <input type="checkbox"/> Written Feedback | <input type="checkbox"/> Other _____ |

**NOTE: The approximate time, teaching methods, course materials, and evaluation procedures listed above are for each task on the attached Task List.**

**Annual Refresher Training Program (Section 46.8)****Date:** \_\_\_\_\_

Mine ID # \_\_\_\_\_

Contractor ID \_\_\_\_\_

Each miner will receive a minimum of 8 hours of annual refresher training at least once every 12 months [Section 46.8(a)]. The training will include instruction on changes at the mine that could adversely affect the miner's health or safety. The refresher training will also address other health and safety subjects relevant to the mine.

**A. Each miner will receive the following training [Section 46.8(b)]****1. Changes at the mine that affect the miner's health or safety**

Approximate Time(s): \_\_\_\_\_ hours \_\_\_\_\_ minutes to \_\_\_\_\_ hours \_\_\_\_\_ minutes

## Teaching Methods:

- |                                      |  |
|--------------------------------------|--|
| <input type="checkbox"/> Lecture     | <input type="checkbox"/> Demonstration |
| <input type="checkbox"/> Discussion  | <input type="checkbox"/> Site Tour     |
| <input type="checkbox"/> Audiovisual | <input type="checkbox"/> Other _____   |
| <input type="checkbox"/> Computer    |  |

## Course Training Materials:

- |   |   |
|---|---|
| <input type="checkbox"/> MSHA and/or Company      | <input type="checkbox"/> Checklist(s)           |
| <input type="checkbox"/> MSDS/SDS                 | <input type="checkbox"/> Applicable Regulations |
| <input type="checkbox"/> Vendor / Manufacturer    | <input type="checkbox"/> Other _____            |
| <input type="checkbox"/> Company Rules / Policies |   |

## Evaluation Procedures:

- |   |                                      |
|---|--------------------------------------|
| <input type="checkbox"/> Oral Feedback    | <input type="checkbox"/> Observation |
| <input type="checkbox"/> Written Feedback | <input type="checkbox"/> Other _____ |

**B. Miners will also receive training in the following recommended subjects and for hazards that have accounted for the most fatalities and injuries at the mine, where appropriate. [Section 46.8(c)]**

If any of the **recommended subjects** will be taught at the mine, "Yes" should be checked and a completed Recommended Subject(s) page attached.

\_\_\_\_\_ Yes      \_\_\_\_\_ No

If other subjects will be taught based on circumstances or conditions at the mine, "Yes" should be checked and a completed Other Subject(s) page **for each** attached.

\_\_\_\_\_ Yes      \_\_\_\_\_ No

**Annual Refresher Training Program**

Mine ID # \_\_\_\_\_

Contractor ID \_\_\_\_\_

**Section 46.8 - Recommended Subject(s)** (Check all applicable subjects from the following:) **NOTE: The approximate time, teaching methods, course materials, and evaluation procedures listed below are for each subject marked.**

- Applicable health and safety requirements, including mandatory standards
- Transportation controls and communication systems
- Escape and emergency evacuation plans; firewarning and firefighting
- Ground conditions and control
- Traffic patterns and control
- Working in areas of highwalls
- Water hazards, pits, and spoil banks
- Illumination and night work
- First aid
- Electrical hazards
- Prevention of accidents
- Health
- Explosives
- Respiratory devices
- Mobile equipment; conveyor systems; cranes; crushers; excavators; and dredges
- Maintenance and repair; material handling; fall prevention and protection; and working around moving objects

Approximate Time(s): \_\_\_\_ hours \_\_\_\_ minutes to \_\_\_\_ hours \_\_\_\_ minutes

Teaching Methods:

- |                                      |  |
|--------------------------------------|--|
| <input type="checkbox"/> Lecture     | <input type="checkbox"/> Demonstration |
| <input type="checkbox"/> Discussion  | <input type="checkbox"/> Site Tour     |
| <input type="checkbox"/> Audiovisual | <input type="checkbox"/> Other _____   |
| <input type="checkbox"/> Computer    |  |

Course Training Materials:

- |   |   |
|---|---|
| <input type="checkbox"/> MSHA                     | <input type="checkbox"/> Checklist(s)           |
| <input type="checkbox"/> Company                  | <input type="checkbox"/> Applicable Regulations |
| <input type="checkbox"/> Vendor / Manufacturer    | <input type="checkbox"/> Other _____            |
| <input type="checkbox"/> Company Rules / Policies |   |

Evaluation Procedures:

- |   |                                      |
|---|--------------------------------------|
| <input type="checkbox"/> Oral Feedback    | <input type="checkbox"/> Observation |
| <input type="checkbox"/> Written Feedback | <input type="checkbox"/> Other _____ |

**NOTE: The approximate time, teaching methods, course materials, and evaluation procedures listed above are for each subject marked at the top of this page.**

**Annual Refresher Training Program**

Mine ID # \_\_\_\_\_

Contractor ID \_\_\_\_\_

**Section 46.8  
Other Subject(s)**

Subject Title:  
[Section 46.8(c)]

Approximate Time(s):

\_\_\_\_\_ hours \_\_\_\_\_ minutes  
to \_\_\_\_\_ hours \_\_\_\_\_ minutes

Teaching Methods:

- |                                      |  |
|--------------------------------------|--|
| <input type="checkbox"/> Lecture     | <input type="checkbox"/> Demonstration |
| <input type="checkbox"/> Discussion  | <input type="checkbox"/> Site Tour     |
| <input type="checkbox"/> Audiovisual | <input type="checkbox"/> Other _____   |
| <input type="checkbox"/> Computer    |  |

Course Training Materials:

- |   |   |
|---|---|
| <input type="checkbox"/> MSHA and/or Company      | <input type="checkbox"/> Checklist(s)           |
| <input type="checkbox"/> MSDS/SDS                 | <input type="checkbox"/> Applicable Regulations |
| <input type="checkbox"/> Vendor / Manufacturer    | <input type="checkbox"/> Other _____            |
| <input type="checkbox"/> Company Rules / Policies |   |

Evaluation Procedures:

- |   |                                      |
|---|--------------------------------------|
| <input type="checkbox"/> Oral Feedback    | <input type="checkbox"/> Observation |
| <input type="checkbox"/> Written Feedback | <input type="checkbox"/> Other _____ |



<b>Hazard Awareness Training Program</b> (Section 46.11)	<b>Date:</b> _____
---	--------------------

Mine ID # \_\_\_\_\_

Contractor ID \_\_\_\_\_

Site-specific hazard awareness training will be given before any person specified under this section is exposed to mine hazards [[Section 46.11\(a\)](#)].

This training will be given to any person who is not a miner as defined by Section 46.2 but is present at the mine site. Such persons may include, but are not limited to, office personnel, delivery workers, and customers [[Section 46.11\(b\)](#)]. This training will also be provided to miners, such as drillers or blasters, who move from one mine to another mine while remaining employed by the same production-operator or independent contractor [[Section 46.11\(c\)](#)].

Site-specific hazard awareness training is not required for any person who is accompanied at all times by an experienced miner who is familiar with hazards specific to the mine [[Section 46.11\(f\)](#)].

The production-operator has primary responsibility for ensuring that hazard awareness training is given to employees of independent contractors who are required to receive that training. The production-operator will provide information to each independent contractor who employs a person at the mine on site-specific mine hazards [[Section 46.12\(a\)](#)].

Each independent contractor who employs a miner (as defined in Section 46.2) at the mine has primary responsibility for providing new miner training, newly-hired experienced miner training, new task training, and annual refresher training. Independent contractors will inform the production-operator of any hazards contractors may create by the performance of their work at the mine [[Section 46.12\(b\)](#)].

Contractors typically do not teach this program. In which case, they should check the box indicating this program is not applicable to them.

## Hazard Awareness Training Program

**Training will be provided to customers and those miners, such as drillers or blasters, who move from one mine to another mine while remaining employed by the same production-operator or independent contractor. Training will address site-specific health and safety risks to which they are exposed. [Section 46.11]**

*Independent contractors who will be receiving hazard awareness training from the production-operator and will not need to provide this training to their own employees or employees of other independent contractors are not required to complete this section of the training plan.*

**Contractors** may check here when this part is: \_\_\_\_\_ not applicable.

**Hazards a person or miner may be exposed to while at the mine, including applicable emergency procedures and/or these:**

- \_\_\_ Unique geologic or environmental conditions
- \_\_\_ Recognition and avoidance of hazards such as electrical hazards
- \_\_\_ Powered haulage hazards
- \_\_\_ Traffic patterns and control, and restricted areas
- \_\_\_ Warning and evacuation signals
- \_\_\_ Evacuation and emergency procedures
- \_\_\_ Other special safety procedures

Approximate Time(s): \_\_\_ hours \_\_\_ minutes to \_\_\_ hours \_\_\_ minutes

Teaching Methods:

- |                 |                   |
|-----------------|-------------------|
| ___ Lecture     | ___ Demonstration |
| ___ Discussion  | ___ Site Tour     |
| ___ Audiovisual | ___ Other _____   |
| ___ Computer    |                   |

Course Training Materials:

- |                              |                               |
|------------------------------|-------------------------------|
| ___ MSHA and/or Company      | ___ Checklist(s)              |
| ___ MSDS/SDS                 | ___ Signs and Posted Warnings |
| ___ Vendor / Manufacturer    | ___ Applicable Regulations    |
| ___ Company Rules / Policies | ___ Other _____               |

Evaluation Procedures:

- |                      |                 |
|----------------------|-----------------|
| ___ Oral Feedback    | ___ Observation |
| ___ Written Feedback | ___ Other _____ |

If other subjects will be taught based on circumstances or conditions at the mine or to cover **site-specific health and safety risks** at the mine, the Yes box is checked and a completed Other Subject page for each is attached. \_\_\_ Yes \_\_\_ No

**Hazard Awareness Training Program**

Mine ID # \_\_\_\_\_

Contractor ID \_\_\_\_\_

**Section 46.11  
Other Subject(s)**

Subject Title:  
[[Section 46.11\(d\)](#)]

Approximate Time(s): \_\_\_\_ hours \_\_\_\_ minutes to \_\_\_\_ hours \_\_\_\_ minutes

Teaching Methods:

- |                                      |  |
|--------------------------------------|--|
| <input type="checkbox"/> Lecture     | <input type="checkbox"/> Demonstration |
| <input type="checkbox"/> Discussion  | <input type="checkbox"/> Site Tour     |
| <input type="checkbox"/> Audiovisual | <input type="checkbox"/> Other _____   |
| <input type="checkbox"/> Computer    |  |

Course Training Materials:

- |   |   |
|---|---|
| <input type="checkbox"/> MSHA and/or Company      | <input type="checkbox"/> Checklist(s)           |
| <input type="checkbox"/> MSDS/SDS                 | <input type="checkbox"/> Applicable Regulations |
| <input type="checkbox"/> Vendor / Manufacturer    | <input type="checkbox"/> Other _____            |
| <input type="checkbox"/> Company Rules / Policies |   |

Evaluation Procedures:

- |   |                                      |
|---|--------------------------------------|
| <input type="checkbox"/> Oral Feedback    | <input type="checkbox"/> Observation |
| <input type="checkbox"/> Written Feedback | <input type="checkbox"/> Other _____ |

## LIST OF TASKS

You may select the task(s) to include for training from the list below, or write in your own list or description in the space provided on the plan.

- \_ Auger helper
- \_ Auger operator
- \_ Barge attendant/boat operator/dredge operator
- \_ Beltman/conveyor crew/vulcanizer
- \_ Belt/conveyor man/crew
- \_ Bobcat operator
- \_ Brakeman/rope rider/car dropper
- \_ Bulldozer/tractor operator
- \_ Car dump/rotary dump/shake-out operator/helper
- \_ Car dump/shake-out/roscoe/loaderhead operator
- \_ Cement man/mason/bricklayer
- \_ Clam shell operator
- \_ Cleanup man
- \_ Crane operator
- \_ Cutting machine helper
- \_ Cutting machine operator
- \_ Dispatcher
- \_ Drill helper/chuck tender
- \_ Drill operator (wagon/diamond)
- \_ Driver jeep/pickup
- \_ Dryer/kiln operator/worker
- \_ Electrician/helper/wireman
- \_ Engineer (electrical/mining)
- \_ Forklift operator
- \_ Front-end loader/high lift operator
- \_ Grader/road roller operator
- \_ Hand loader
- \_ Highwall drill operator/helper
- \_ Hoistman/hoist engineer/helper
- \_ Inspector/preshifter
- \_ Laborer/utility man/bull gang
- \_ Loading machine helper
- \_ Loading machine/loader operator

## LIST OF TASKS

- \_ Metal/Nonmetal sampler/dust sampler/lab technician
- \_ Mechanic/repairman/helper
- \_ Miner/surface miner
- \_ Mucking machine operator
- \_ Oiler/greaser
- \_ Plumber/carpenter/painter
- \_ Pumper
- \_ Rock driller
- \_ Rotary bucket excavator operator
- \_ Scalper/screen/sizing/tipple plant worker
- \_ Scoop car/tram/load haul dump operator
- \_ Shopman/millwright/machinist/bit sharpener
- \_ Shotfirer/blaster/shooter/helper
- \_ Shovel operator (stripping/loading)
- \_ Silo/train load out operator
- \_ Sizing/washing/cleaning plant operator/worker
- \_ Stone finishing/sizing personnel
- \_ Supervisory/management/foreman/boss
- \_ Supplyman/warehouseman/supply driver
- \_ Survey crew
- \_ Timberman/propman/steel setter/steelworker
- \_ Track man/track gang/tamping machine operator
- \_ Trainee
- \_ Truck driver
- \_ Union official/safety representative
- \_ Ventilation man/crew/builder/brattice man
- \_ Watchman/guard
- \_ Water attendant
- \_ Weighman/scaleman/timekeeper/clerk
- \_ Welder/blacksmith
- \_ Yard engine engineer

**LIST OF TASKS**

OUR TASK LIST

1. \_\_\_\_\_
2. \_\_\_\_\_
3. \_\_\_\_\_
4. \_\_\_\_\_
5. \_\_\_\_\_
6. \_\_\_\_\_
7. \_\_\_\_\_
8. \_\_\_\_\_
9. \_\_\_\_\_
10. \_\_\_\_\_
11. \_\_\_\_\_
12. \_\_\_\_\_
13. \_\_\_\_\_
14. \_\_\_\_\_
15. \_\_\_\_\_
16. \_\_\_\_\_
17. \_\_\_\_\_
18. \_\_\_\_\_
19. \_\_\_\_\_
20. \_\_\_\_\_

# SAMPLE LESSON PLANS

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While teaching, you are expected to use your MSHA Approved Training Plan as a guide. The training plan is a general overview of what and how you plan to teach each program. It is recommended that you develop individual lesson plans for each subject/course you will be teaching. Lesson plans are detailed outlines indicating how you plan to teach and evaluate each particular subject within the training program.

The sample lesson plans included in this book provide an example of things you may teach for certain subjects. [These lesson plans are not complete.](#) Use these examples as a guide to aid you in developing your own site-specific lesson plans.

## Lesson Plan Basics:

- Course/Subject Name
  - List the name of the lesson.
- Course Length / Duration of Training
  - List approximately how long it will take you to teach this lesson.
  - This helps with time management.
- Objectives
  - List what it is that you want the student to know or be able to do at the end of the lesson.
  - This should be student-centered. “The student will be able to...”
- Course Materials
  - List what training materials you will use while teaching this lesson.
- Resource Materials
  - List other materials that you could use for teaching this lesson (as a back-up) or places you could direct students to find more information.
- Course Outline
  - List what you will do as the instructor to teach the lesson, and/or
  - List the key talking points that you will use to teach this lesson.
  - Note: This information should be related to the objectives listed.
- Evaluation
  - You need to know if the students understood/learned the information you taught.
  - The evaluation questions should have a direct correlation with the listed objectives.





## **CHANGES AT THE MINE THAT COULD ADVERSELY AFFECT THE MINER'S HEALTH OR SAFETY**

**APPROXIMATE COURSE LENGTH:** \_\_\_\_\_

**OBJECTIVES:** *(The student will be able to...)*

1. Analyze the changes that have occurred over the past year at the mine site and determine which ones could affect your health and/or safety.
2. Make suggestions on how to protect yourself from those hazards.
3. Identify changes to behavior or standard procedures that may be necessary to protect them.

**COURSE MATERIALS NEEDED:**

1. Company Policy Manual
2. Mine Map
3. Ground Control Plan

**RESOURCE MATERIALS AVAILABLE:**

1. Company Policy Manual
2. Mine Map
3. Ground Control Plan

**COURSE OUTLINE:** *(What will the instructor do? / Talking points.)*

1. Discuss all changes that have occurred over the past year.
2. Discuss how those changes affect the health and safety of the miners.
3. Discuss how they can protect themselves from the hazards those changes cause.
4. Discuss any changes needed to the standard operating procedures to ensure the safety of all workers.

**EVALUATION:**

1. Analyze two changes that have occurred in the past year that could affect your health or safety while working at this mine?
2. Suggest one thing you can do to protect yourself from each these hazards.

## INTRODUCTION TO THE WORK ENVIRONMENT

**APPROXIMATE COURSE LENGTH:** \_\_\_\_\_

**OBJECTIVES:** *(The student will be able to...)*

1. Observe the mining process and procedures being used at the mine.
2. Determine and identify hazards at the mine and safety precautions needed.
3. Identify and describe the function of machines, processes, and locations.
4. Explain all restricted areas and other areas where particular caution is necessary.
5. Identify and determine key locations of buildings and safety equipment.
6. Use mining terminology.

**COURSE MATERIALS NEEDED:**

1. Company Policy Manual
2. Mine Map

**RESOURCE MATERIALS AVAILABLE:**

1. DVD 508 – Contributions of the American Miner

**COURSE OUTLINE:** *(What will the instructor do? / Talking points.)*

1. Give a tour of the entire mine site.
  - a. Explain the mining process (from start to finish) of how surface mining is accomplished and allow them time to observe the process.
  - b. Point out the area the miner will be working.
  - c. Introduce and point out hazards the miner will be exposed to in the area and precautions to take.
  - d. Point out restricted areas and precautions to take while near them.
2. Show and explain the basic purpose of each piece of equipment.
3. Explain general hazards associated with each step in the process.
4. Give details about and hazards associated with the product that is being mined.
5. Explain mining terminology – point out key terms during the tour and show pictures in the classroom of things such as Bench, Highwall, Pit, Spoil/Muck Pile, Man-trip, Tram, Conveyors, Plant, Guarding, Power lines, PPE, etc.
6. Point out key areas such as offices, shops, telephones, location of emergency numbers and exits, first aid kits, eye-wash stations, fire extinguishers, etc.

**EVALUATION:**

1. Name steps in the mining process.
2. Given a list of verbal descriptions or pictures of various mining equipment, properly identify each piece of equipment and determine hazards for each.
3. Explain each restricted area and other areas where precautions are needed.

## RECOGNITION AND AVOIDANCE OF OTHER HAZARDS PRESENT AT THE MINE, SUCH AS TRAFFIC PATTERNS AND CONTROL, MOBILE EQUIPMENT

**APPROXIMATE COURSE LENGTH:** \_\_\_\_\_

**OBJECTIVES:** *(The student will be able to...)*

1. Recognize potentially hazardous locations, conditions, or procedures.
2. Demonstrate how to avoid the identified hazards.
3. List contributing factors of accidents.
4. Identify the types and give examples of accidents occurring at surface mines.
5. Discuss the hazards associated with powered haulage and large machinery.

**COURSE MATERIALS NEEDED:**

1. Company Policy Manual; Company Accident Reports and Near-Miss Reports
2. MSHA Fatalgrams or Fatal Reports
3. Workplace Exam and Pre-Operational Check List

**RESOURCE MATERIALS AVAILABLE:**

1. MSHA Fatal PowerPoint and MSHA SLAM Risk Fatalities (OT 10)
2. MSHA Data Retrieval System ([www.msha.gov](http://www.msha.gov)) – view violations and accidents
3. Company's Part 50 Reports, MSHA Fatalgrams and Fatal Reports
4. Blind Spots Can Kill (DVD 526); Good Berms Save Lives (DVD 504-S)

**COURSE OUTLINE:** *(What will the instructor do? / Talking points.)*

1. Demonstrate and explain daily workplace exams and pre-op checks.
2. Show and discuss potential hazards to the miner and explain the dangers of leaving hazards uncorrected.
3. Explain potential hazards to others created by the miner's actions or inactions.
4. Discuss the hazards and best practices to avoid or prevent accidents, such as:
  - a. Moving vehicles and equipment; exposed pinch points and rotating mechanical parts, unguarded machinery or moving parts
  - b. Releases of energy such as compressed gas, hydraulic lines, energized components, explosives; environmental hazards such as dust, deep water, high places, slippery areas, welding areas, overhead power lines, etc.
  - c. Lifting hazards; slips, trips, and fall hazards; mounting and dismounting; walkways; etc.
5. Accident Contributing Factors: Unsafe environment, unsafe acts, unsafe behaviors
  - a. Exposure to extreme heat or cold, other weather conditions, dusty or noisy environments
  - b. Horseplay, taking shortcuts, lack of training
  - c. Complacency, views it's easier or quicker to do the task the unsafe way
  - d. Frustration, fatigue, and rushing

6. Most accidents happen while handling materials, performing haulage activities, operating machinery, using hand tools, and slips and falls.
  - a. Use proper lifting techniques, avoid carrying loads too high which blocks vision, and avoid carrying loads that are too heavy.
  - b. Never exceed speed limits, when on foot watch out for equipment and communicate with operators, never get on or off moving equipment, don't ride in buckets, etc.
  - c. Ensure machinery operators know you are in their work area.
  - d. Never walk under raised equipment or in swing areas such as around booms and loaders.
  - e. Never leave equipment unattended in a raised position.
  - f. Loose clothing and long hair are hazards around moving parts.
  - g. Use the proper tool for the job.
7. Discuss and show dangers of and safety around moving conveyor belts.
8. Facilitate discussion on seat belt policy and PPE: glasses, gloves, shoes, hard hat, etc.
9. Discuss ladder safety: 3 points of contact, proper angle and location, etc.
10. Discuss company policy concerning alcohol and drugs.
11. Discuss safe methods of using hand tools and power tools; discuss dangers of using defective tools.
12. Discuss maintenance and repair hazards and safety procedures (such as blocking from motion, etc.); Discuss welding hazards.
13. Discuss safety issues regarding cell phone and electronic device usage and company policy regarding their use.
14. Discuss and show dangers of compressed gas cylinders and chemical storage.
15. Examine accidents occurring at the mine and preventive measures to be taken.
16. Give details about site-specific traffic patterns to follow while on the mine property.
  - a. Speed, direction of movement, using headlights for better visibility, signs and signals showing hazards
  - b. Traffic flow patterns, driving on the left or right
  - c. Obeying traffic signs and posted speed limits
  - d. Who and when they have the right of way
17. Road condition hazards
  - a. Wet, muddy, or frozen; narrow; elevation
  - b. Berms; drainage problems; debris; and large equipment
18. Distractions while driving and/or operating equipment:
  - a. Phones, texting, passengers, radios, etc.

**EVALUATION:**

1. Name hazards found at the mine site and the precaution you should take to prevent accidents occurring due to those hazards.
2. What is the company policy on the use of cell phones, alcohol and drugs?
3. How can you protect yourself from powered haulage and machinery hazards?
4. Why and when should you use chock blocks?

## **EMERGENCY MEDICAL PROCEDURES, ESCAPE AND EMERGENCY EVACUATION PLANS, FIREWARNING SIGNALS AND FIRE FIGHTING PROCEDURES**

**APPROXIMATE COURSE LENGTH:** \_\_\_\_\_

**OBJECTIVES:** (The student will be able to...)

1. Assess types and signs of mine emergency conditions.
2. Describe characteristics and locations of emergency exits and means of reaching them from the work area.
3. Describe actions to take and demonstrate communications in the event of a mine emergency.
4. Locate and operate nearest fire extinguisher.
5. Locate and use emergency first aid kit and supplies.
6. Identify different types of fires and extinguishers available at mine site.
7. Travel the emergency evacuation routes.

**COURSE MATERIALS NEEDED:**

1. Mine Map
2. Mine Emergency and Evacuation Plan
3. Fire Extinguisher
4. Emergency scenarios that could occur
5. First Aid Kit and Supplies, MSDS/SDS

**RESOURCE MATERIALS AVAILABLE:**

1. Handouts and Posters from Vendor
2. Magic of Fire (DVD 610)
3. Fire Safety (SM 13)

**COURSE OUTLINE:** *(What will the instructor do? / Talking points.)*

1. Describe the different types of mine emergencies and how to detect each.
  - a. Fires, explosions, toxic gases, extreme weather, water hazards, etc.
  - b. Demonstrate emergency signals (or warning systems) for each situation *(student will hear the audible sound of the alarm and/or see the emergency flashing lights, if used).*
2. Emergency Medical Procedures
  - a. Show locations of emergency exits, fire-fighting equipment, first aid kits, MSDS sheets, phones, emergency phone numbers, the physical address of mine, etc.
  - b. Explain the company policy, steps to take, and who to call during an emergency.
  - c. Remind them to stay calm, assess the situation, collect information, and call for help.
  - d. MSHA's One Call Does It All - 1-800-746-1553.

3. Escape and Emergency Evacuations Plans
  - a. Explain the site-specific escape and emergency evacuation plan.
    - i. Familiarize students with their work area.
    - ii. Show the emergency exits and means of reaching them from the work area using the mine map as well as have them identify and walk the exit from their work areas.
    - iii. Group students. Give each group a different scenario. Students will consider quietly how each would handle the scenario, then discuss their ideas amongst the group. Formulate what the group believes is the best response. Students will explain what they would do or the path they would take in an emergency.
  - b. Escape to a safe location.
  - c. Travel the emergency evacuation routes.
  - d. Gather at designated meeting area and report all information.
4. Fire Warning Signals
  - a. Show locations of alarm devices - how to sound or give fire warning or other emergency signals in order to help warn others.
  - b. Show all fire-fighting equipment using the mine map.
5. Fire-Fighting Procedures
  - a. Describe and distinguish the different types of fires: Class A, B, C, & D.
  - b. Importance of a clear line of retreat
  - c. Locate and operate nearest fire extinguisher using the PASS method – Pull Pin, Aim, Squeeze, Sweep – Give each student the chance to practice the method.
6. Demonstrate actions that are expected of the miner during an emergency.
  - a. Teach how and when to use communication equipment (phone, radio, etc.)

**EVALUATION:**

1. Given a scenario, assess signs that a mine emergency exists.
2. Demonstrate emergency evacuation procedures.
3. Name 4 fire extinguishers locations.
4. Describe or demonstrate proper fire-fighting techniques.
5. Name areas first aid equipment is stored.
6. Name a location where emergency phone numbers are posted.
7. Where is the meeting place that you are expected to go to during an emergency?

## RECOGNITION AND AVOIDANCE OF ELECTRICAL HAZARDS

**APPROXIMATE COURSE LENGTH:** \_\_\_\_\_

**OBJECTIVES:** (The student will be able to...)

1. Identify contributing factors to electrical accidents.
2. Determine safe work procedures to help protect from electrical shock.
3. Recommend reasons and policies for lock-out tag-out procedures.

**COURSE MATERIALS NEEDED:**

1. Samples of locks, tags, bad splices, exposed wires, faulty insulation
2. Company Policy Manual
3. Accident or fatal reports showing electrical injury or death at a mine site

**RESOURCE MATERIALS AVAILABLE:**

1. MSHA – Electrical Hazards (SM 9)
2. MSHA – Lock Out and Tag for Safety (DVD 517)

**COURSE OUTLINE:** (*What will the instructor do? / Talking points.*)

1. Show contributing factors to electrical accidents.
  - a. Show examples: faulty insulation, connections, splices, and grounding
  - b. Working on energized equipment
  - c. Operating equipment near overhead power lines, guy wires, and energized trailing cables
  - d. Water hazards
  - e. Unauthorized work on electrical equipment
  - f. Not wearing proper PPE such as special gloves and boots
2. Discuss health effects of electrical shock (shock, burns, eye injury, death).
3. Discuss company policy regarding lock-out tag-out try-out procedures.
  - a. What, When, Where, Why, How?
4. Explain what to do if a co-worker is getting or has been shocked.
5. Discuss electrical cover plates and inspections.
6. Discuss damaged cords and outlets.
7. Discuss how, when, and to whom to report electrical hazards.

**EVALUATION:**

1. Give student several pictures showing electrical hazards. Have student:
  - a. Identify the hazards and give examples of how to report the hazards, and
  - b. Explain what to do to correct the hazard or prevent someone from being injured from it while waiting for it to be corrected.
2. When do you lock out and tag out?
3. Why do you lock out and tag out?
4. How do you lock out and tag out?
5. How and to whom do you report an electrical hazard?

## **INSTRUCTION AND DEMONSTRATION ON THE USE, CARE, AND MAINTENANCE OF SELF-RESCUE AND RESPIRATORY DEVICES, IF USED AT THE MINE**

**APPROXIMATE COURSE LENGTH:** \_\_\_\_\_

**OBJECTIVES:** *(The student will be able to...)*

1. Don the self-rescuer and/or respirator properly.
2. Identify locations where self-rescuer and/or respirator devices are to be used.
3. Recognize when self-rescuer and/or respirator devices are to be used/worn.
4. Identify proper care and maintenance needed for each device.
5. Determine the potential consequences of not properly donning each device.

**COURSE MATERIALS NEEDED:**

1. Company Policy Manual
2. Mine Map
3. Dust Control Plan
4. PPE

**RESOURCE MATERIALS AVAILABLE:**

1. Company Policy Manual
2. Surge Pile Safety (2008) – IG 109 CD
3. Dust - The Invisible Enemy (2000) – DVD 533S
4. Sampling for Silica and Noise – A Handbook for MNM – IG 29
5. Truck Haulage Safety Series (2008) – DVD 004
6. What Does the Term Silicosis Mean to You? (1998) – DVD 597S

**COURSE OUTLINE:** *(What will the instructor do? / Talking points.)*

1. Show the location where devices can be found.
2. Discuss the importance of wearing the self-rescue and/or respiratory device.
3. Discuss why, when, and where the devices are needed to be used or worn.
4. Demonstrate how to don/wear the self-rescuer or respiratory device.
5. Discuss checks to perform to determine if the device/PPE is in good condition and ready to be used.
6. Discuss the care and maintenance for each device provided.
7. Discuss the potential consequences of not properly donning each device.

**EVALUATION:**

1. Where is the PPE located if you need it?
2. What could happen to increase your need to don a respirator while working at this mine?
3. What are some steps you can do to care for and maintain the device in good condition?
4. How do you determine if you are wearing the device correctly?
5. Have student don the self-rescue and/or respiratory device.



# TRAINING RECORDS

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Part 46.9(c) requires you to record the training you provided, and Part 46.9(d) requires the record to be certified once the training is completed.

To certify a record, you must sign your name and date it in the appropriate space. The person listed on the training plan as the person responsible for health safety and training has this responsibility of certifying the training records and will be the person held accountable. It is his/her job to ensure the training record was completed properly and reflects the training that was actually given. The Federal Mine Act's Section 110(a) and (f) regulates this.

Section 110(a): The operator of a coal or other mine in which a violation occurs of a mandatory health or safety standard or who violates any other provisions of this Act, shall be assessed a civil penalty by the Secretary which penalty... Each occurrence of a violation of a mandatory health or safety standard may constitute a separate offense.

Section 110(f): Whoever knowingly makes any false statement, representation, or certification in any application, **record**, report, **plan**, or other document filed or required to be maintained pursuant to this Act shall, upon conviction, be punished by a fine, or by imprisonment for not more than five years, or both.

You must record Part 46 training on a form that contains all the information required by 46.9(b) or on a MSHA Form 5000-23.

MSHA provides the forms designed specifically for Part 46 regulations. However, the Part 48 form can be used if additional information is included as per Part 46.9. The Part 48 form is the [MSHA Form 5000-23](#).

If you choose to use MSHA form 5000-23, you must include the list of competent instructor(s) who conducted the training, the duration of the training, and that the training is for Part 46. (PPM 46.9)

The training forms provided in this book can be copied as needed; the [5000-23 form](#) can be downloaded from the MSHA website ([www.msha.gov](http://www.msha.gov)) or obtained at no charge from the MSHA warehouse ([MSHADistributionCenter@dol.gov](mailto:MSHADistributionCenter@dol.gov)).

You must ensure that all required information is recorded and certified appropriately. If you have questions, contact your EFSMS training specialist for further information.



## NEW MINER TRAINING RECORD/CERTIFICATE

Miner's Full Name (Print) \_\_\_\_\_

Mine or Contractor Name \_\_\_\_\_ ID# \_\_\_\_\_

Subject 30 CFR Part 46.5	Training Duration	Date	Competent Person	Location (Name & Address if Institution)	Miners Initials
<i>The miner received no less than 4 hours training in the following, before beginning work:</i>					
(b)(1) Introduction to work environment, mine tour, mining method/operation					
(b)(2) Instruction on recognition and avoidance of electrical and other hazards					
(b)(3) Emergency procedures, escape, and firefighting					
(b)(4) Health and safety aspects of tasks assigned					
(b)(5) Instruction on statutory rights of miners and their representatives					
(b)(6) Authority & responsibility of supervisors and miners representatives					
(b)(7) Introduction to your rules and procedures for reporting hazards					
<i>No later than 60 days:</i>					
(c)(1) Self-rescue, respiratory devices, if used					
(c)(2) First aid					
<i>No later than 90 days (balance of 24 hours including the following subjects):</i>					

**False certification is punishable under section 110 (a) and (f) of the Federal Mine Safety and Health Act**  
I certify that the above training has been completed.

\_\_\_\_\_  
(Signature of person responsible for health and safety training)

\_\_\_\_\_  
(Date)

## NEWLY-HIRED EXPERIENCED MINER TRAINING RECORD/CERTIFICATE

Miner's Full Name (Print) \_\_\_\_\_

Mine or Contractor Name \_\_\_\_\_ ID# \_\_\_\_\_

Subject 30 CFR Part 46.6	Duration of Training	Date	Competent Person	Location (Name & Address if Institution)	Miner Initials
<i>The miner has received the following training before beginning work:</i>					
(b)(1) Introduction to work environment, mine tour, mining method/operation					
(b)(2) Instruction on recognition and avoidance of electrical and other hazards					
(b)(3) Emergency procedures, escape, and firefighting					
(b)(4) Health and safety aspects of tasks assigned					
(b)(5) Instruction on statutory rights of miners and their representatives					
(b)(6) Authority & responsibility of supervisors and miners representatives					
(b)(7) Introduction to your rules and procedures for reporting hazards					
<i>No later than 60 days:</i>					
(c) Self-rescue, respiratory devices, if used					

**False certification is punishable under section 110 (a) and (f) of the Federal Mine Safety and Health Act**  
I certify that the above training has been completed.

\_\_\_\_\_  
(Signature of person responsible for health and safety training)

\_\_\_\_\_  
(Date)





**SITE-SPECIFIC HAZARD AWARENESS TRAINING  
RECORD/CERTIFICATE**

**Miner's Full Name (Print)** \_\_\_\_\_

**Mine or Contractor Name** \_\_\_\_\_ **ID#** \_\_\_\_\_

Length of Training: \_\_\_\_\_

Date Training Provided: \_\_\_\_\_

Competent Person Providing  
the Training: \_\_\_\_\_

Miner's Initials: \_\_\_\_\_

**False certification is punishable under section 110 (a) and (f) of the Federal Mine Safety and Health Act.**  
I certify that the above training has been completed

\_\_\_\_\_  
(Signature of person responsible for health and safety training)

\_\_\_\_\_  
(Date)

# Certificate of Training

U.S. Department of Labor  
Mine Safety and Health Administration



Approved OMB Number 1219-0009, Expires January 31, 2018.

This certificate is required under Public Law 91-173 as amended by Public Law 95-164. Failure to comply may result in penalties and other sanctions as provided by sections 108 and 110, Public Law 91-173 as amended by Public Law 95-164.

<input type="checkbox"/> Issue Certificate Immediately Upon Completion of Training	Serial Number (for operator's use)
--	------------------------------------

1. Print Full Name of Person Trained (first, middle, last)

2. Check Type of Approved Training Received:

- |   |  |  |
|---|--|--|
| <input type="checkbox"/> Annual Refresher         | <input type="checkbox"/> Experienced Miner | <input type="checkbox"/> Hazard Training |
| <input type="checkbox"/> New Task (specify below) | <input type="checkbox"/> New Miner         | <input type="checkbox"/> Other (specify) |

Date	Task	Initials	Date	Task	Initials
		Instr / Studt			Instr / Studt
		/			/
		/			/
		/			/

3. Check Type of Operation and Related Industry:

- |                                     |                                       |                                      |  |
|-------------------------------------|---------------------------------------|--------------------------------------|--|
| A. <input type="checkbox"/> Surface | <input type="checkbox"/> Construction | <input type="checkbox"/> Underground | <input type="checkbox"/> Shaft & Slope |
| B. <input type="checkbox"/> Coal    | <input type="checkbox"/> Metal        | <input type="checkbox"/> Nonmetal    |  |

4. Date Training Requirements Completed

Check if not completed and go to item 5, below.

→ If completed, go to item 6, below.

5. Check Subjects Completed (Use only for partially completed training):

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Introduction to Work Environment   | <input type="checkbox"/> Roof/Ground Control & Ventilation                                  | <input type="checkbox"/> Health                  |
| <input type="checkbox"/> Hazard Recognition                 | <input type="checkbox"/> Mine Map; Escapeways; Emergency Evacuation; Barricading            | <input type="checkbox"/> Electrical Hazards      |
| <input type="checkbox"/> Emergency Medical Procedures       | <input type="checkbox"/> Cleanup; Rock Dusting  | <input type="checkbox"/> First Aid               |
| <input type="checkbox"/> H&S Aspects of Tasks Assigned      | <input type="checkbox"/> Mandatory Health & Safety Standards                                | <input type="checkbox"/> Mine Gases              |
| <input type="checkbox"/> Statutory Rights of Miners         | <input type="checkbox"/> Authority & Responsibility of Supervisors & Miners Representatives | <input type="checkbox"/> Explosives              |
| <input type="checkbox"/> Self-Rescue & Respiratory Devices  |   | <input type="checkbox"/> Prevention of Accidents |
| <input type="checkbox"/> Transport & Communications Systems |   | <input type="checkbox"/> Other (specify)         |

6. False certification is punishable under section 110 (a) and (f) of the Federal Mine Safety & Health Act (P. L. 91-173 as amended by P. L. 95-164).

I certify that the above training has been completed  
(signature of person responsible for training)

7. Mine Name, ID, & Location of Training (if institution, give name & address)

8. Date

I verify that I have completed the above training  
(signature of person trained)



## NEW MINER TRAINING RECORD/CERTIFICATE

**Miner's Full Name (Print):** John Doe Smith

**Mine or Contractor Name:** Lucky Dog Hole 7 **ID#** 50-02255

Subject 30 CFR Part 46.5	Training Duration	Date	Competent Person	Location (Name & Address if Institution)	Miner Initials
<i>The miner received no less than 4 hours training in the following, before beginning work:</i>					
(b)(1) Introduction to work environment, mine tour, mining method/operation	3 hours	8/31/16	Jack Trades	Office, Mine Site	<i>JDS</i>
(b)(2) Instruction on recognition and avoidance of electrical and other hazards	2 hours	8/31/16	Jack Trades	Office, Mine Site	<i>JDS</i>
(b)(3) Emergency procedures, escape, and firefighting	2 hours	9/1/16	Jack Trades	Office, Mine Site	<i>JDS</i>
(b)(4) Health and safety aspects of tasks assigned	4 hours	9/1/16	Jack Trades	Office, Mine Site	<i>JDS</i>
(b)(5) Instruction on statutory rights of miners and their representatives	1 hour	9/1/16	Jack Trades	Office, Mine Site	<i>JDS</i>
(b)(6) Authority & responsibility of supervisors and miners representatives	1 hour	9/2/16	Jack Trades	Office, Mine Site	<i>JDS</i>
(b)(7) Introduction to your rules and procedures for reporting hazards	1 hour	9/2/16	Jack Trades	Office, Mine Site	<i>JDS</i>
<i>No later than 60 days:</i>					
(c)(1) Self-rescue, respiratory devices, if used	1 hour	9/21/16	Jack Trades	Office, Mine Site	<i>JDS</i>
(c)(2) First aid	2 hours	9/21/16	Jack Trades	Office	<i>JDS</i>
<i>No later than 90 days (balance of 24 hours including the following subjects):</i>					
46.5(d) OJT	4 hours	9/3/16	Mike Brown	Mine Site	<i>JDS</i>
46.5(d) OJT	3 hours	9/4/16	Mike Brown	Mine Site	<i>JDS</i>

**False certification is punishable under section 110 (a) and (f) of the Federal Mine Safety and Health Act.**  
I certify that the above training has been completed.

*Hank Snow*  
\_\_\_\_\_  
(Signature of person responsible for health and safety training)

*9/21/16*  
\_\_\_\_\_  
(Date)

## NEW TASK TRAINING RECORD/CERTIFICATE

**Miner's Full Name (Print)** John Doe Smith

**Mine or Contractor Name** Lucky Dog Mine 7 **ID#** 50-02255

New Task 30 CFR Part 46.7	Duration of Training	Date	Competent Person	Location (Name & Address if Institution)
<i>The miner received the following training before performing a new task, or a change occurred in an assigned task that affects health and safety risk:</i>				
Workplace Examination	3 hours	9/1/16	Mike Brown	Mine Site
John Deere 328D Loader	4 hours	9/3/16	Mike Brown	Mine Site
CAT D9 Dozer	3 hours	9/4/16	Mike Brown	Mine Site
Mack Titan Snow Plow	7 hours	10/5/16	Mike Brown	Mine Site
Genie S-60 Manlift	4 hours	8/12/16	Donny Marcum	Mine Site

**False certification is punishable under section 110 (a) and (f) of the Federal Mine Safety and Health Act.**  
 I certify that the above training has been completed.

Hank Snow 8/12/16  
 (Signature of person responsible for health and safety training) (Date)

## ANNUAL REFRESHER TRAINING RECORD/CERTIFICATE

**Miner's Full Name (Print)** John Doe Smith

**Mine or Contractor Name** Lucky Dog Mine 7 **ID#** 50-02255

Subject 30 CFR Part 46.8	Duration of Training	Date	Competent Person	Location (Name & Address if Institution)	Miner Initials
<i>The miner received no less than 8 hours of annual refresher training in the following:</i>					
Instruction on changes at the mine that could adversely affect the miner's health or safety	30 min	8/1/2016	Jack Trades	Office, Mine Site	<i>JDS</i>
Health and safety subjects relevant to mining operations at the mine					
<i>(For recommended subjects see 46.8 (c))</i>					
Working in areas of highwalls	30 min	8/1/2016	Jack Trades	Office, Mine Site	<i>JDS</i>
Water hazards, pits, and spoil banks	30 min	8/1/2016	Jack Trades	Office, Mine Site	<i>JDS</i>
Transportation controls and communication systems; traffic patterns and controls	30 min	8/1/2016	Jack Trades	Office, Mine Site	<i>JDS</i>
Prevention of accidents	1 hour	8/1/2016	Jack Trades	Office, Mine Site	<i>JDS</i>
Escape and emergency plans; firewarning and firefighting	30 min	8/1/2016	Jack Trades	Office, Mine Site	<i>JDS</i>
Mobile equipment; conveyor systems; crushers; dredges, and/or excavators	1 hour	8/1/2016	Mike Brown	Office, Mine Site	<i>JDS</i>
Maintenance and repair; material handling; fall prevention and protection; and working around moving objects	30 min	8/1/2016	Donnie Marcum	Office, Mine Site	<i>JDS</i>
First aid	2 hours	8/1/2016	Jack Trades	Office, Mine Site	<i>JDS</i>
Health	1 hour	8/1/2016	Jack Trades	Office, Mine Site	<i>JDS</i>

**False certification is punishable under section 110 (a) and (f) of the Federal Mine Safety and Health Act.**  
I certify that the above training has been completed

*Hank Snow*

(Signature of person responsible for health and safety training)

*8/1/16*

(Date)

## 5000-23 Form Basics

### Certificate of Training

U.S. Department of Labor  
Mine Safety and Health Administration



Approved OMB Number 1219-0009, Expires January 31, 2018.

This certificate is required under Public Law 91-173 as amended by Public Law 95-164. Failure to comply may result in penalties and other sanctions as provided by sections 108 and 110, Public Law 91-173 as amended by Public Law 95-164.

→ Issue Certificate Immediately Upon Completion of Training

Serial Number (for operator's use)

**Avoid using the Social Security Number.**

1. Print Full Name of Person Trained (first, middle, last)

**Insert student's full name**

2. Check Type of Approved Training Received:

- Annual Refresher       Experienced Miner  
 New Task (specify below)       New Miner

**Good Practice: Only mark one box in section 2. And opt to complete a second form if necessary. However, there are situations where you can choose more than one box.**

**Use this section to give specifics about Task Training**

Date	Task	Initials	Date
		Instr	Stud

3. Check Type of Operation and Related Industry:

- A.  Surface       Construction       Underground       Shaft & Slope  
B.  Coal       Metal       Nonmetal

4. Date Training Requirements Completed

**Insert date training is completed**       Check if not completed and go to item 5, below.

→ If completed, go to item 6, below.

5. Check Subjects Completed (Use only for partially completed training):

- Introduction to Work Environment       Roof/Ground Control & Ventilation       Health  
 Hazard Recognition       Safety Standards       Prevention of Accidents  
 Self-Rescue & Respiratory Devices       Authority & Responsibility of Supervisors & Miners Representatives       Other (specify)

**Section 5 is for partially completed training. If you completed the training, you do not need to mark in this section.**

6. False certification is punishable under section 110 (a) and (f) of the Federal Mine Safety & Health Act (P. L. 91-173 as amended by P. L. 95-164).

I certify that the above training has been completed  
(signature of person responsible for training)

**Signature of Person Responsible for training (as listed in training plan)**

7. Mine Name, ID, & Location of Training (if institution, give name & address)

**Insert Mine name, ID, and training location (if different than mine site) and address**

8. Date

I verify that I have completed the above training  
(signature of person trained)

**Optional: Insert the Date the student signed form**

**Optional: Student Signature**

MSHA Form 5000-23, May, 13 (revised)

# Certificate of Training

U.S. Department of Labor  
Mine Safety and Health Administration



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### Competent Persons:

→ Issue Certificate Immediately Upon Completion of Training

~~Serial Number (for operator's use)~~

**Jack Trades and Mike Brown**

1. Print Full Name of Person Trained (first, middle, last)

**John Doe Smith**

2. Check Type of Approved Training Received: **Part 46**

- Annual Refresher     
  Experienced Miner     
  Hazard Training  
 New Task (specify below)     
  New Miner **24 Hours**     
  Other (specify)

Date	<del>Task</del>	Initials	Date	<del>Task</del>	Initials
<b>8/31/16</b>	<b>N.M.T 5 hrs</b>	Instr Studt	<b>9/4/16</b>	<b>N.M.T 3 hrs</b>	Instr Studt
<b>9/1/16</b>	<b>N.M.T 7 hrs</b>		<b>9/21/16</b>	<b>N.M.T 3 hrs</b>	
<b>9/2/16</b>	<b>N.M.T 2 hrs</b>				
<b>9/3/16</b>	<b>N.M.T 4 hrs</b>				

3. Check Type of Operation and Related Industry:

- A.  Surface     
  Construction     
  Underground     
  Shaft & Slope  
 B.  Coal     
  Metal     
  Nonmetal

4. Date Training Requirements Completed

**9-21-2016**

Check if not completed and go to item 5, below.

→ If completed, go to item 6, below.

5. Check Subjects Completed (Use only for partially completed training):

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Introduction to Work Environment   | <input type="checkbox"/> Roof/Ground Control & Ventilation                                  | <input type="checkbox"/> Health                  |
| <input type="checkbox"/> Hazard Recognition                 | <input type="checkbox"/> Mine Map; Escapeways; Emergency Evacuation; Barricading            | <input type="checkbox"/> Electrical Hazards      |
| <input type="checkbox"/> Emergency Medical Procedures       | <input type="checkbox"/> Cleanup; Rock Dusting  | <input type="checkbox"/> First Aid               |
| <input type="checkbox"/> H&S Aspects of Tasks Assigned      | <input type="checkbox"/> Mandatory Health & Safety Standards                                | <input type="checkbox"/> Mine Gases              |
| <input type="checkbox"/> Statutory Rights of Miners         | <input type="checkbox"/> Authority & Responsibility of Supervisors & Miners Representatives | <input type="checkbox"/> Explosives              |
| <input type="checkbox"/> Self-Rescue & Respiratory Devices  |   | <input type="checkbox"/> Prevention of Accidents |
| <input type="checkbox"/> Transport & Communications Systems |   | <input type="checkbox"/> Other (specify)         |

6. False certification is punishable under section 110 (a) and (f) of the Federal Mine Safety & Health Act (P. L. 91-173 as amended by P. L. 95-164).

I certify that the above training has been completed  
(signature of person responsible for training)

**Hank Snow**

7. Mine Name, ID, & Location of Training (if institution, give name & address)

**Lucky Dog Hole 7, 50-02255, Mine Office and Mine Site**

8. Date

**9-21-2016**

I verify that I have completed the above training  
(signature of person trained)

**John D. Smith**

# Certificate of Training

U.S. Department of Labor  
Mine Safety and Health Administration



Approved OMB Number 1219-0009, Expires January 31, 2018.

This certificate is required under Public Law 91-173 as amended by Public Law 95-164. Failure to comply may result in penalties and other sanctions as provided by sections 108 and 110, Public Law 91-173 as amended by Public Law 95-164.

→ Issue Certificate Immediately Upon Completion of Training

~~Serial Number (for operator's use)~~  
**Competent Persons: Jack Trades, Mike Brown, and Donnie Marcum**

1. Print Full Name of Person Trained (first, middle, last)

**John Doe Smith**

2. Check Type of Approved Training Received: **Part 46**

- Annual Refresher **8 Hours**       Experienced Miner       Hazard Training  
 New Task (specify below)       New Miner       Other (specify)

Date	Task	Initials	Date	Task	Initials
		Instr / Studt			Instr / Studt

3. Check Type of Operation and Related Industry:

- A.  Surface       Construction       Underground       Shaft & Slope  
 B.  Coal       Metal       Nonmetal

4. Date Training Requirements Completed

**8/2/2016**

Check if not completed and go to item 5, below.

→ If completed, go to item 6, below.

5. Check Subjects Completed (Use only for partially completed training):

- |   |   |  |
|---|---|--|
| <input type="checkbox"/> Introduction to Work Environment   | <input type="checkbox"/> Roof/Ground Control & Ventilation                                  | <input type="checkbox"/> Health                  |
| <input type="checkbox"/> Hazard Recognition                 | <input type="checkbox"/> Mine Map; Escapeways; Emergency Evacuation; Barricading            | <input type="checkbox"/> Electrical Hazards      |
| <input type="checkbox"/> Emergency Medical Procedures       | <input type="checkbox"/> Cleanup; Rock Dusting  | <input type="checkbox"/> First Aid               |
| <input type="checkbox"/> H&S Aspects of Tasks Assigned      | <input type="checkbox"/> Mandatory Health & Safety Standards                                | <input type="checkbox"/> Mine Gases              |
| <input type="checkbox"/> Statutory Rights of Miners         | <input type="checkbox"/> Authority & Responsibility of Supervisors & Miners Representatives | <input type="checkbox"/> Explosives              |
| <input type="checkbox"/> Self-Rescue & Respiratory Devices  |   | <input type="checkbox"/> Prevention of Accidents |
| <input type="checkbox"/> Transport & Communications Systems |   | <input type="checkbox"/> Other (specify)         |

6. False certification is punishable under section 110 (a) and (f) of the Federal Mine Safety & Health Act (P. L. 91-173 as amended by P. L. 95-164).

I certify that the above training has been completed (signature of person responsible for training)

**Hank Snow**

7. Mine Name, ID, & Location of Training (if institution, give name & address)

**Lucky Dog Hole 7, 50-02255, Mine Office and Mine Site**

8. Date

I verify that I have completed the above training (signature of person trained)

**8/2/2016**

**John D. Smith**

MSHA Form 5000-23, May, 13 (revised)



