Advocacy group: Proposed silica dust rule 'decimates' protections for coal miners

An Appalachian Newspapers Staff Report

Advocacy groups are saying that a new rule on silica dust being proposed by the administration of Donald Trump will "decimate" black lung protections for miners.

The U.S. Mine Safety and Health Administration said in a statement on Nov. 10 that the rule will "better protect the nation's miners from health hazards associated with exposure to crystalline silica, also known as silica dust or quartz dust."

The new rule, the statement said, amends a 2024 rule by adding "practical, commonsense, risk-based improvements to compliance requirements, exposure monitoring, medical surveillance, recordkeeping and respiratory protection based on OSHA standards."

"The proposal retains the permissible exposure limit for respirable crystalline silica at or below 50 micrograms per cubic meter of air and action level at 25 micrograms," the MSHA statement said.

However, the advocacy group Appalachian Voices said in a statement that an initial analysis of the new proposal found that it weakens miner protections in three major ways:

• The proposal adds a 21 percent error factor to the permissible exposure limit, allowing coal operators to expose miners to silica dust levels higher than the industry was even asking for.

• Samples provided by operators will no longer be accepted as evidence, as only samples collected by MSHA will count. If MSHA were fully funded and staffed, the statement said, this could be workable. But the Trump administration has spent two years cutting apart, underfunding and understaffing MSHA, the statement said.

According to the statement, an Appalachian Citizens Law Center analysis of MSHA's current silica dust sampling found that MSHA is currently sampling only half of all active coal mines for silica dust and that 17 percent of those sampled mines were above the exposure limit set in the 2024 rule.

• Required medical exams become optional. And instead of cleaning up mines with dangerous dust levels, operators can simply rotate miners in and out of the dust, spreading the harm around instead of fixing it, the statement said.

"Dozens of miners just got back from a trip to Washington, D.C., where they urged Congress and the administration to fight for a stronger silica dust standard," said Quenton King, Government Affairs specialist, Appalachian Voices. "But, instead of listening to the miners who suggested ways to strengthen that rule to save lives, the Trump-Vance administration listened to the coal bosses who want to weaken the rule to dodge accountability and line their pockets. To say this proposal is a slap in the face to the miners who have fought for decades for a strong silica rule is an understatement — instead, it's a death sentence."

Appalachian Voices said in the statement that, although flawed, the 2024 silica standard was a step forward.

"Instead of building on it, the Trump administration negotiated with the mining industry, ignored miners themselves, and produced a rule that, without significant changes, will do next to nothing to stop thousands more miners from getting sick and dying," the statement said.

MSHA, Appalachian Voices said, will hold a virtual public hearing on Dec. 15 on the proposal and will accept public comments as well.

"Appalachian Voices, Appalachian Citizens' Law Center and its partners will work with miners, their families and mining communities to push for the stronger, enforceable protections miners demand," the organization said in its statement.

MWD board to meet

The Mountain Water District Board of Commissioners will hold a special board meeting at 10 a.m. on Wednesdasy, Nov. 25. The meeting will be in the conference room of the district's office located at 6332 Zebulon Highway. The public is invited to attend.





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