

OSHA vs MSHA: The Dynamic Duo



ASSP South Texas Chapter



June 15, 2026



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~50 industry focused people, 8 disciplines, 31 states (and counting),
3 countries and 1 territory.

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People



Disciplines



Reach



Expertise

OUTLINE

What is OSHA? What is MSHA?

Scope of Coverage

Regulatory Approach

Inspections & Enforcement

Training Requirements

Incident Reporting

Penalties & Accountability

Culture

Key Takeaways

OSHA vs MSHA

OSHA

- ◆ Occupational Safety & Health Administration
- ◆ Established in 1970 as the Occupational Safety and Health Act
- ◆ Governs most private-sector workplaces
- ◆ Focus: Broad occupational safety and health standards

MSHA

- ◆ Mine Safety & Health Administration
- ◆ Established in 1977 as the Federal Mine Safety & Health Act
- ◆ Governs all surface and subsurface mining operations
- ◆ Focus: Mining specific hazards and High-Risk Environments

Both agencies operate under the US Department of Labor but regulate very different industries.

OSHA Act 1970

The Occupational Safety and Health Act of 1970 (OSHAct) gives the Secretary of Labor authority over all working conditions of employees engaged in business affecting commerce except those conditions with respect to which other Federal agencies exercise statutory authority to prescribe or enforce regulations affecting occupational safety or health. The OSHA Act also provides that States may operate their own occupational safety and health programs under a plan approved by the Secretary.

The Federal Mine Safety and Health Act of 1977, authorizes the Secretary of Labor to promulgate and enforce safety and health standards regarding working conditions of employees engaged in underground and surface mineral extraction (mining), related operations, and preparation and milling of the minerals extracted.

MSHA Act 1977

Scope of Coverage

- ◇ OSHA - Most Industries
 - ◇ Manufacturing
 - ◇ Construction
 - ◇ Healthcare
 - ◇ Warehousing
 - ◇ Retail/Service Industries



- ◇ MSHA – Exclusive authority over mining operations
 - ◇ Surface Mines
 - ◇ Underground Mines
 - ◇ Processing and milling Operations
 - ◇ Contractors Working on Mine Property



- ◇ **Gypsum Board Plant** – If the plant is located on mine property,
- ◇ **Brick, Clay Pipe and Refractory Plants** - Commences after arrival of raw materials at the plant stockpile.
- ◇ **Ceramic Plant** - Commences after arrival of the clay and other additives at the plant stockpile.
- ◇ **Fertilizer Products** - Commences at the point when milling, as defined, is completed, and two or more raw materials are combined to produce another product.
- ◇ **Asphalt-Mixing Plant** - Commences after arrival of sand and gravel or aggregate at the plant stockpile.
- ◇ **Concrete Ready-Mix or Batch Plants** - Commences after arrival of sand and gravel or aggregate at the plant stockpile.
- ◇ **Custom Stone Finishing** - Commences at the point when milling is completed, and the stone is polished, engraved, or otherwise processed to obtain a finished product.
- ◇ **Smelting** - Commences at the point when milling is completed, and metallic ores or concentrates are blended with other materials and are thermally processed to produce metal.
- ◇ **Electrowinning** - Commences at the point when milling is completed, and metals are recovered by means of electrochemical processes.
- ◇ Salt and cement distribution terminals not located on mine property.
- ◇ **Refining** - Commences at the point when milling, as defined, is completed, and material enters the sequential processes to produce a product of higher purity.

Where MSHA Ends & OSHA Starts



OSHA or MSHA?



Borrow Pits –
OSHA or MSHA?

OSHA
Scalping = 1 screen

MSHA
2 or more screens



OSHA or MSHA?

(Let's pretend this is the same truck!!!)

Monday



Tuesday



MSHA

MSHA Areas

- ◆ 1. Section 4 of the Mine Act gives MSHA jurisdiction over each coal or other mine and each operator of such mine. Section 3(d) defines "operator" and includes in that definition independent contractors performing construction at mines.
- ◆ 2. Section 3(h)(1) of the Mine Act gives MSHA jurisdiction over lands, structures, facilities, equipment, and other property used in, to be used in, or resulting from mineral extraction or used in or to be used in mineral milling. This includes the authority to regulate the construction of such facilities, structures and other property.

MSHA – Milling Processes

Milling consists of one or more of the following processes:

Crushing, Grinding, Pulverizing, Sizing, Concentrating, Washing, Drying, Roasting, Pelletizing, Sintering, Evaporating, Calcining, Kiln Treatment, Heat Expansion, Retorting, Leaching, Sawing and Cutting Stone

Regulatory Approach

OSHA – Focus on Outcomes

- ◇ Performance Based Standards
- ◇ Allows flexibility in how employers comply
- ◇ Organized by industry:
 - ◇ 29 CFR 1910 (General Industry)
 - ◇ 29 CFR 1926 (Construction)

MSHA – Focus on Methods & Outcomes

- ◇ Highly prescriptive standards
- ◇ Specifies exact compliance methods
- ◇ Organized under:
 - ◇ 30 CFR 46
 - ◇ 30 CFR 48
 - ◇ 30 CFR 56
 - ◇ 30 CFR 57
 - ◇ 30 CFR 75
 - ◇ 30 CFR 77

Inspections & Enforcement

OSHA – Reactive & Scheduled

- ◇ Inspection Triggers:
 - ◇ Complaints
 - ◇ Incidents
 - ◇ Targeted Programs
 - ◇ Rare advance notice
- ◇ Citation Types:
 - ◇ Serious
 - ◇ Willful
 - ◇ Repeat

MSHA – Proactive, Routine & Continuous

- ◇ Mandatory Inspections:
 - ◇ Surface – 2/year
 - ◇ Underground – 4/year
 - ◇ No advance notice EVER
- ◇ Immediate Enforcement
 - ◇ Citations
 - ◇ Withdrawal Orders
 - ◇ Cease Operations

MSHA has an Open Search Warrant for every mine in the U.S. You must let them inspect anything they request. If you refuse you get an automatic \$50,000 fine and the inspector will come back with Federal Marshals

Training Requirements

OSHA – Flexible Training

- ◆ Required Training Varies by Standard
- ◆ i.e. hazard communication
- ◆ PPE use
- ◆ Equipment operations
- ◆ 10/30 hour training in voluntary

MSHA – Standard & Strictly Enforced

- ◆ Mandatory & Structured Training
- ◆ New Miner Training
- ◆ Annual Refresher Training
- ◆ Task Specific Training
- ◆ Training must be documented and specifically approved

Did Someone Say Checklist?

OSHA

- AutoRepairShopSafetyChecklist
- Bloodborne Pathogens
- Concrete Plant Safety Inspection Sheet
- Construction Job Site Safety Inspection C...
- Drilling Rig Safety Checklist
- Electrical Ckl
- emergency action plan_checklist
- Emergency Plans Ckl
- Ergonomics - Computer Terminals and O...
- Ergonomics - Office Safety Checklist
- Fire Prevention checklist
- Fire Protection Checklist
- Floor & wall openings Ckl
- Forklift Checklist
- Forklift Operator Evaluation Checklist
- General Industry Self~Inspection Checklist
- hazard communication
- Hot Mix Plant Safety Checklist
- Housekeeping Ckl
- lighting & ventilation
- Office & workstation Inspection checklist

- Personal Protective Equip Ckl
- Plant safety inspection report
- Plant Safety Inspection Sheet
- portable_ladder_checklist
- PPE Assessment Checklist
- PPE Workplace Hazard Assessment Form
- R-mix Compliance Checklist
- R-mix Shop Compliance Checklists all
- Safety and Health Program Element Che...
- Self~Inspection Check Lists
- Shop Compliance Checklist
- skid steer inspection
- Warehouse Checklist
- Welding & Cutting
- workareasafety checklist TDI
- Workplace Exposure Assessment Checkli...
- Hoist Aux Equipment Checklist
- OSHCON Insp Chklist
- OSHCON PROG 1
- R mix Compliance Checklist v2
- R mix Compliance Checklist

Did Someone Say Checklist?

MSHA

- Bulldozer Ckl
- Compressor Ckl
- Control House Ckl
- Conveyors Ckl
- Cranes ~Shovels Ckl
- Drill Ckl
- Electric Substation Ckl
- Feeders Ckl
- Loader Ckl
- Mobile Equipment Safety Checklist
- MSHA Regular Inspection Information
- Pump Ckl
- Road Maintenance Machine Ckl
- ROPS Inspection and Maintenance Chec...
- Safety Audit Aggregates Plant Checklist
- Screen Ckl
- Switch House Ckl
- Truck Ckl

- Impoundment Inspection Form
- MSHA Workplace Mobile Equip Recordk...
- Preshift Equip. form
- Preshift Equip. Inspections 56.14100
- Pressure Vessel Inspection Form
- S&H audit for aggregate operators Surfa...
- TESTING ELECTRICAL GROUNDING SYST...
- Workplace Exam 56.18002
- workplace exam form requirements only
- Workplace exam form
- Workplace Exam Record Form C SAMPLE 5
- Workplace Exam Record Form SAMPLE 4
- Workplace examination CRUSHER SCREEN
- Workplace Examination DEMO (4.0) 2
- Workplace Examination DEMO (4.0)

OSHA Fall Protection Standard

Free fall distance means the vertical displacement of the fall arrest attachment point on the employee's body belt or body harness between onset of the fall and just before the system begins to apply force to arrest the fall. This distance excludes deceleration distance, lifeline and lanyard elongation, but includes any deceleration device slide distance or self-retracting lifeline/lanyard extension before the devices operate and fall arrest forces occur.

Lanyard means a flexible line of rope, wire rope, or strap that generally has a connector at each end for connecting the body belt or body harness to a deceleration device, lifeline, or anchorage.

Lifeline means a component of a personal fall protection system consisting of a flexible line for connection to an anchorage at one end so as to hang vertically (vertical lifeline), or for connection to anchorages at both ends so as to stretch horizontally (horizontal lifeline), and serves as a means for connecting other components of the system to the anchorage.

Personal fall arrest system means a system used to arrest an employee in a fall from a walking-working surface. It consists of a body harness, anchorage, and connector. The means of connection may include a lanyard, deceleration device, lifeline, or a suitable combination of these.

Personal fall protection system means a system (including all components) an employer uses to provide protection from falling or to safely arrest an employee's fall if one occurs. Examples of personal fall protection systems include personal fall arrest systems, positioning systems, and travel restraint systems.

Positioning system (work-positioning system) means a system of equipment and connectors that, when used with a body harness or body belt, allows an employee to be supported on an elevated vertical surface, such as a wall or ~~underside~~ underside, and work with both hands free. Positioning systems also are called "positioning system devices" and "work-positioning equipment."

Qualified describes a person who, by possession of a recognized degree, certificate, or professional standing, or who by extensive knowledge, training, and experience has successfully demonstrated the ability to solve or resolve problems relating to the subject matter, the work, or the project.

Rope grab means a deceleration device that travels on a lifeline and automatically, by friction, engages the lifeline and locks so as to arrest the fall of an employee. A rope grab usually employs the principle of inertial locking, cam-lever locking, or both.

Safety factor means the ratio of the design load and the ultimate strength of the material.

Self-retracting lifeline/lanyard means a deceleration device containing a drum-around line that can be slowly extracted from, or retracted onto, the drum under slight tension during normal movement by the employee. At the onset of a fall, the device automatically locks the drum and arrests the fall.

Snatchhook means a connector comprised of a hook-shaped body with a normally closed gate, or similar arrangement that may be manually opened to permit the hook to receive an object. When released, the ~~snatchhook~~ snatchhook automatically closes to retain the object. Opening a ~~snatchhook~~ snatchhook requires two separate actions. ~~Snatchhooks~~ Snatchhooks are generally one of two types:

- (i) Automatic-locking type (permitted with a self-closing and self-locking gate that remains closed and locked until intentionally unlocked and opened for connection or disconnection; and
- (ii) Non-locking type (prohibited with a self-closing gate that remains closed, but not locked, until intentionally opened for connection or disconnection.

Travel restraint (tether) line means a rope or wire rope used to transfer forces from a body support to an anchorage or anchorage connector in a travel restraint system.

Travel restraint system means a combination of an anchorage, anchorage connector, lanyard (or other means of connection), and body support that an employer uses to eliminate the possibility of an employee going over the edge of a walking-working surface.

Window cleaner's belt means a positioning belt that consists of a waist belt, an integral terminal runner or strap, and belt terminals.

Window cleaner's belt anchor (window anchor) means specifically designed fall-preventing attachment points permanently affixed to a window frame or to a building part immediately adjacent to the window frame, for direct attachment of the terminal portion of a window cleaner's belt.

Window cleaner's positioning system means a system which consists of a window cleaner's belt secured to window anchors.

Work-positioning system (see Positioning system in this paragraph (b)).

1910.140(c) General requirements. The employer must ensure that personal fall protection systems meet the following requirements. Additional requirements for personal fall arrest systems and positioning systems are contained in paragraphs (d) and (e) of this section, respectively.

1910.140(c)(1) Connectors must be ~~grate~~ grate forged, pressed or formed steel, or made of equivalent materials.

1910.140(c)(2) Connectors must have a corrosion-resistant finish, and all surfaces and edges must be smooth to prevent damage to interfacing parts of the system.

1910.140(c)(3) When vertical lifelines are used, each employee must be attached to a separate lifeline.

1910.140(c)(4) Lanyards and vertical lifelines must have a minimum breaking strength of 5,000 pounds (22.2 kN).

1910.140(c)(5) Self-retracting lifelines and lanyards that automatically limit free fall distance to 2 feet (0.61 m) or less must have components capable of sustaining a minimum tensile load of 5,000 pounds (22.2 kN) applied to the device with the lifeline or lanyard in the fully extended position.

1910.140(c)(6) A competent person or qualified person must inspect each knot in a lanyard or vertical lifeline to ensure that it meets the requirements of paragraphs (c)(4) and (5) of this section before any employee uses the lanyard or lifeline.

1910.140(c)(7) D-rings, ~~snatchhooks~~ snatchhooks, and carabiners must be capable of sustaining a minimum tensile load of 5,000 pounds (22.2 kN).

1910.140(c)(8) D-rings, ~~snatchhooks~~ snatchhooks, and carabiners must be proof tested to a minimum tensile load of 5,000 pounds (22.2 kN) without cracking, breaking, or incurring permanent deformation. The gate strength of ~~snatchhooks~~ snatchhooks and carabiners must be capable of withstanding a minimum load of 5,000 pounds (22.2 kN) without the gate separating from the nose of the ~~snatchhook~~ snatchhook or carabiner body by more than 0.125 inches (3.175 mm).

1910.140(c)(9) ~~Snatchhooks~~ Snatchhooks and carabiners must be the automatic locking type that require at least two separate, consecutive movements to open.

1910.140(c)(10) ~~Snatchhooks~~ Snatchhooks and carabiners must not be connected to any of the following unless they are designed for such connections:

- 1910.140(c)(10)(i)** Directly to webbing, rope, or wire rope;
- 1910.140(c)(10)(ii)** To each other;
- 1910.140(c)(10)(iii)** To a D-ring to which another ~~snatchhook~~ snatchhook, carabiner, or connector is attached;
- 1910.140(c)(10)(iv)** To a horizontal lifeline or
- 1910.140(c)(10)(v)** To any object that is incompatibly shaped or dimensioned in relation to the ~~snatchhook~~ snatchhook or carabiner such that unintentional disengagement could occur when the connected object depresses the ~~snatchhook~~ snatchhook or carabiner gate, allowing the components to separate.

1910.140(c)(11) The employer must ensure that each horizontal lifeline:

- 1910.140(c)(11)(i)** Is designed, installed, and used under the supervision of a qualified person; and
- 1910.140(c)(11)(ii)** Is part of a complete personal fall arrest system that maintains a safety factor of at least two.

1910.140(c)(12) Anchorage used to attach to personal fall protection equipment must be independent of any anchorage used to suspend employees or platforms on which employees work. Anchorage used to attach to personal fall protection equipment on mobile work platforms on powered industrial trucks must be attached to an overhead member of the platform, at a point located above and near the center of the platform.

1910.140(c)(13) Anchorage, except window cleaners' belt anchors covered by paragraph (e) of this section, must be:

- 1910.140(c)(13)(i)** Capable of supporting at least 5,000 pounds (22.2 kN) for each employee attached; or
- 1910.140(c)(13)(ii)** Designed, installed, and used, under the supervision of a qualified person, as part of a complete personal fall protection system that maintains a safety factor of at least two.

1910.140(c)(14) Travel restraint lines must be capable of sustaining a tensile load of at least 5,000 pounds (22.2 kN).

1910.140(c)(15) Lifelines must not be made of natural fiber rope. Polypropylene rope must contain an ultraviolet (UV) light inhibitor.

1910.140(c)(16) Personal fall protection systems and their components must be used exclusively for employee fall protection and not for any other purpose, such as hoisting equipment or materials.

1910.140(c)(17) A personal fall protection system or its components subjected to impact loading must be removed from service immediately and not used again until a competent person inspects the system or components and determines that it is not damaged and safe for use for employee personal fall protection.

1910.140(c)(18) Personal fall protection systems must be inspected before initial use during each ~~approach~~ approach for mildew, wear, damage, and other deterioration, and defective components must be removed from service.

1910.140(c)(19) Ropes, belts, lanyards, and harnesses used for personal fall protection must be compatible with all connectors used.

1910.140(c)(20) Ropes, belts, lanyards, lifelines, and harnesses used for personal fall protection must be protected from being cut, abraded, melted, or otherwise damaged.

1910.140(c)(21) The employer must provide for prompt rescue of each employee in the event of a fall.

1910.140(c)(22) Personal fall protection systems must be worn with the attachment point of the body harness located in the center of the employee's back near shoulder level. The attachment point may be located in the pre-tension position if the free fall distance is limited to 2 feet (0.6 m) or less.

1910.140(d) Personal fall arrest systems—

1910.140(d)(1) System performance criteria. In addition to the general requirements in paragraph (c) of this section, the employer must ensure that personal fall arrest systems:

1910.140(d)(1)(i) Limit the maximum arresting force on the employee to 1,800 pounds (8 kN);

1910.140(d)(1)(ii) Bring the employee to a complete stop and limit the maximum deceleration distance the employee travels to 3.5 feet (1.1 m);

1910.140(d)(1)(iii) Have sufficient strength to withstand twice the potential impact energy of the employee free falling a distance of 6 feet (1.8 m), or the free fall distance permitted by the system; and

1910.140(d)(1)(iv) Sustain the employee within the system strap configuration without ~~exceeding~~ exceeding the employee's neck and chin area.

1910.140(d)(1)(v) If the personal fall arrest system meets the criteria and protocols in appendix D of this subpart, and is being used by an employee having a combined body and tool weight of less than 330 pounds (149 kg), the system is considered to be in compliance with the provisions of paragraphs (d)(1)(i) through (iii) of this section. If the system is used by an employee having a combined body and tool weight of 330 pounds (149 kg) or more and the employer has appropriately modified the criteria and protocols in appendix D, then the system will be deemed to ~~be in~~ be in ~~compliance with~~ compliance with the requirements of paragraphs (d)(1)(i) through (iii).

1910.140(d)(2) System use criteria. The employer must ensure that:

1910.140(d)(2)(i) On any horizontal lifeline that may become a vertical lifeline, the device used to connect to the horizontal lifeline is capable of locking in both directions on the lifeline.

1910.140(d)(2)(ii) Personal fall arrest systems are rigged in such a manner that the employee cannot free fall more than 6 feet (1.8 m) or contact a lower level. A free fall may be more than 6 feet (1.8 m) provided the employer can demonstrate the manufacturer designed the system to allow a free fall of more than 6 feet and tested the system to ensure a maximum arresting force of 1,800 pounds (8 kN) is not exceeded.

1910.140(d)(3) Body belts. Body belts are prohibited as part of a personal fall arrest system.

1910.140(d)(4) Positioning systems—

1910.140(d)(4)(i) System performance requirements. The employer must ensure that each positioning system meets the following requirements:

1910.140(d)(4)(i)(i) General. All positioning systems, except window cleaners' positioning systems, are capable of withstanding, without failure, a drop test consisting of a 4-foot (1.2 m) drop of a 250-pound (113-kg) weight;

1910.140(d)(4)(i)(ii) Window cleaners' positioning systems. All window cleaners' positioning systems must:

1910.140(d)(4)(i)(ii)(A) Be capable of withstanding without failure a drop test consisting of a 6-foot (1.8-m) drop of a 250-pound (113-kg) weight; and

1910.140(d)(4)(i)(ii)(B) Limit the initial arresting force on the falling employee to not more than 2,000 pounds (8.9 kN), with a duration not exceeding 2 milliseconds and any subsequent ~~arresting~~ arresting forces to not more than 5,000 pounds (4.5 kN);

1910.140(d)(4)(i)(iii) Positioning systems, including window cleaners' positioning systems, that meet the test methods and procedures in appendix D of this subpart are considered to be in compliance with paragraphs (d)(4)(i) and (ii).

1910.140(d)(4)(iv) Lineman's body belt and pole strap systems. Lineman's body belt and pole strap systems must meet the following tests:

1910.140(d)(4)(iv)(i) A dielectric test of 818.7 volts, AC, per centimeter (25,000 volts per foot) for 3 minutes without visible deterioration;

1910.140(d)(4)(iv)(ii) A leakage test of 88.4 volts, AC, per centimeter (3,000 volts per foot) with a leakage current of no more than 1 mA; and

1910.140(d)(4)(iv)(iii) A flammability test in accordance with Table 1-7 of this section.

Table 1-7. Flammability Test	
Test Method	Criteria for Passing Test
1. Vertically suspend a 10.7-inch (270-mm) length of strapping supporting a 220.5-lb (100-kg) weight;	Any flames on the positioning strap must self-extinguish.
2. Use a butane or propane burner with a 3-inch (76-mm) flame;	The positioning strap must continue to support the 220.5-lb (100-kg) mass.
3. Direct the flame to an edge of the strapping at a distance of 1 inch (25mm);	
4. Remove the flame after 5 seconds; and	
5. Wait for any flames on the positioning strap to stop burning.	

1910.140(d)(4)(v) System use criteria for window cleaners' positioning systems. The employer must ensure that window cleaners' positioning systems meet and are used in accordance with the following:

1910.140(d)(4)(v)(i) Window cleaners' belts are designed and constructed so that:

1910.140(d)(4)(v)(i)(A) Belt terminals will not pass through their fastenings on the belt or harness if a terminal comes loose from the window anchor; and

1910.140(d)(4)(v)(i)(B) The length of the runner from terminal tip to terminal tip is 8 feet (2.44 m) or less;

1910.140(d)(4)(v)(ii) Window anchors to which belts are fastened are installed in the side frames or Mullions of the window at a point not less than 42 inches (106.7 cm) and not more than 51 inches (129.5 cm) above the ~~window~~ window sill;

1910.140(d)(4)(v)(iii) Each window anchor is capable of supporting a minimum load of 6,000 pounds (26.8 kN);

1910.140(d)(4)(v)(iv) Use of installed window anchors for any purpose other than attaching the window cleaner's belt is prohibited;

OSHA Fall Protection Standard

1910.140 Personal fall protection systems.

1910.140(a) Scope and application. This section establishes performance, care, and use criteria for all personal fall protection systems. The employer must ensure that each personal fall protection system used to comply with this part must meet the requirements of this section.

1910.140(b) Definitions. The following definitions apply to this section:

Anchorage means a secure point of attachment for equipment such as lifelines, lanyards, or deceleration devices.

Body harness means an end attachment of a window cleaner's positioning system used for securing the belt or harness to a window cleaner's belt anchor.

Body belt means a strap with means both for securing about the waist and for attaching to other components such as a lanyard used with positioning systems, travel restraint systems, or ladder safety systems.

Body harness means straps that secure about the employee in a manner to distribute the fall arrest forces over at least the thighs, pelvis, waist, chest, and shoulders, with a means for attaching the harness to other components of a personal fall protection system.

Connector means a connector generally comprised of a trapezoidal or oval shaped body with a closed gate or similar arrangement that may be opened to attach another object and, when released, automatically closes to retain the object.

Competent person means a person who is capable of identifying existing and predictable hazards in any personal fall protection system or any component of it, as well as in their application and uses with related equipment, and who has authorization to take prompt, corrective action to eliminate the identified hazards.

Connector means a device used to couple (connect) parts of the fall protection system together.

D-ring means a connector used:

(i) In a harness as an integral attachment element or fall arrest attachment;

(ii) In a lanyard, energy absorber, lifeline, or anchorage connector as an integral connector; or

(iii) In a positioning or travel restraint system as an attachment element.

Deceleration device means any mechanism that serves to dissipate energy during a fall.

Deceleration distance means the vertical distance a falling employee travels from the point at which the deceleration device begins to operate, excluding lifeline elongation and free fall distance, until stopping. It is measured as the distance between the location of an employee's body harness attachment point at the moment of activation (at the onset of fall arrest forces) of the deceleration device during a fall, and the location of that attachment point after the employee comes to a full stop.

Equivalent means alternative designs, equipment, materials, or methods that the employer can demonstrate will provide an equal or greater degree of safety for employees compared to the designs, equipment, materials, or methods specified in the standard.

Free fall means the act of falling before the personal fall arrest system begins to apply force to arrest the fall.

- 1910.140(e)(2)(v)** A window anchor that has damaged or deteriorated fastenings or supports is removed, or the window anchor head is detached so the anchor cannot be used;
- 1910.140(e)(2)(vi)** Rope that has wear or deterioration that affects its strength is not used;
- 1910.140(e)(2)(vii)** Both terminals of the window cleaner's belt are attached to separate window anchors during any cleaning operation;
- 1910.140(e)(2)(viii)** No employee works on a window sill or ledge on which there is snow, ice, or any other slippery condition, or one that is weakened or rotted;
- 1910.140(e)(2)(ix)** No employee works on a window sill or ledge unless:
- 1910.140(e)(2)(ix)(A)** The window sill or ledge is a minimum of 4 inches (10 cm) wide and slopes no more than 15 degrees below horizontal; or
- 1910.140(e)(2)(ix)(B)** The 4-inch minimum width of the window sill or ledge is increased 0.4 inches (1 cm) for every degree the sill or ledge slopes beyond 15 degrees, up to a maximum of 30 degrees;
- 1910.140(e)(2)(x)** The employee attaches at least one belt terminal to a window anchor before climbing through the window opening, and keeps at least one terminal attached until completely back inside the window opening;
- 1910.140(e)(2)(xi)** Except as provided in paragraph (e)(2)(xii) of this section, the employee travels from one window to another by returning inside the window opening and repeating the belt terminal attachment procedure at each window in accordance with paragraph (e)(2)(x) of this section;
- 1910.140(e)(2)(xii)** An employee using a window cleaner's positioning system may travel from one window to another while outside of the building, provided:
- 1910.140(e)(2)(xii)(A)** At least one belt terminal is attached to a window anchor at all times;
- 1910.140(e)(2)(xii)(B)** The distance between window anchors does not exceed 4 feet (1.2 m) horizontally. The distance between windows may be increased up to 6 feet (1.8 m) horizontally if the window sill or ledge is at least 1 foot (0.31 m) wide and the slope is less than 5 degrees;
- 1910.140(e)(2)(xii)(C)** The sill or ledge between windows is continuous; and
- 1910.140(e)(2)(xii)(D)** The width of the window sill or ledge in front of the Mullions is at least 6 inches (15.2 cm) wide.

[81 FR 82999-83002, Nov. 18, 2016; 84 FR 68797, Dec. 17, 2019]

MSHA Fall Protection Standard

§ 56.15005 Safety belts and lines.

Safety belts and lines shall be worn when persons work where there is danger of falling; a second person shall tend the lifeline when bins, tanks, or other dangerous areas are entered.

MSHA Fall Protection Standard

Incident Reporting

OSHA – Standard Reporting

- ◆ Fatality within 8 hours
- ◆ Hospitalization within 24 hours
- ◆ Amputation within 24 hours
- ◆ Eye loss within 24 hours

MSHA – Faster Reporting

- ◆ Immediate reporting required
- ◆ Includes: fatalities
- ◆ Entrapments
- ◆ Fires/Explosions
- ◆ Other Serious Incidents



Penalties & Accountability

OSHA

- ◇ Monetary Fines
- ◇ Adjusted Annually for Inflation
- ◇ Criminal Penalties are Rare



MSHA

- ◇ Higher Penalties in Some Cases
- ◇ Individual Accountability Possible
- ◇ Greater Likelihood of Criminal Enforcement
- ◇ Pattern of Violations Program
- ◇ MSHA Inspectors can close a mine without a court order
- ◇ MSHA can institute civil penalties (also known as personal MSHA fines) against individuals that must be paid with their own money. It's illegal for companies to pay civil fines.
- ◇ MSHA can institute criminal penalties for accidents even when an incident doesn't involve a fatality.
- ◇ Miners may bring discrimination cases against a company based on safety complaints.

MSHA/OSHA STATS 2025

Mines	12,572
OSHA Worksites	8,000,000+
Miners	327,394
OSHA Workers	130,000,000+
Fatalities MSHA	33
OSHA Trauma	5,283
OSHA Health	135,000
MSHA Inspectors	1,700 1/200
OSHA Inspectors	1,850 1/70,000

Citation Examples 2025

STANDARD	CITATION	
56.14107(a)	Moving machine parts.	2862
75.400	Accumulation of combustible materials	2843
56.20003(a)	Housekeeping.	2368
50.30(a)	Preparation and submission of Quarterly Report.	2354
56.12004	Electrical conductors.	2280
56.14100(b)	Safety defects; examination, correction and records.	2244
75.370(a)(1)	Mine ventilation plan; submission and approval	1693
56.12032	Inspection and cover plates.	1497
75.202(a)	Protection from falls of roof, face and ribs	1429
56.14132(a)	Horns and back-up alarms.	1319

January 6, 2026, a contractor was fatally struck by the motor and gearbox assembly while removing a baghouse slide gate.





January 8, 2026, an over-the-road truck driver died after he became pinned between the dump bed and the frame of a truck.

March 5, 2026, a continuous mining machine operator died after being pinned against the coal rib by a continuous mining machine.

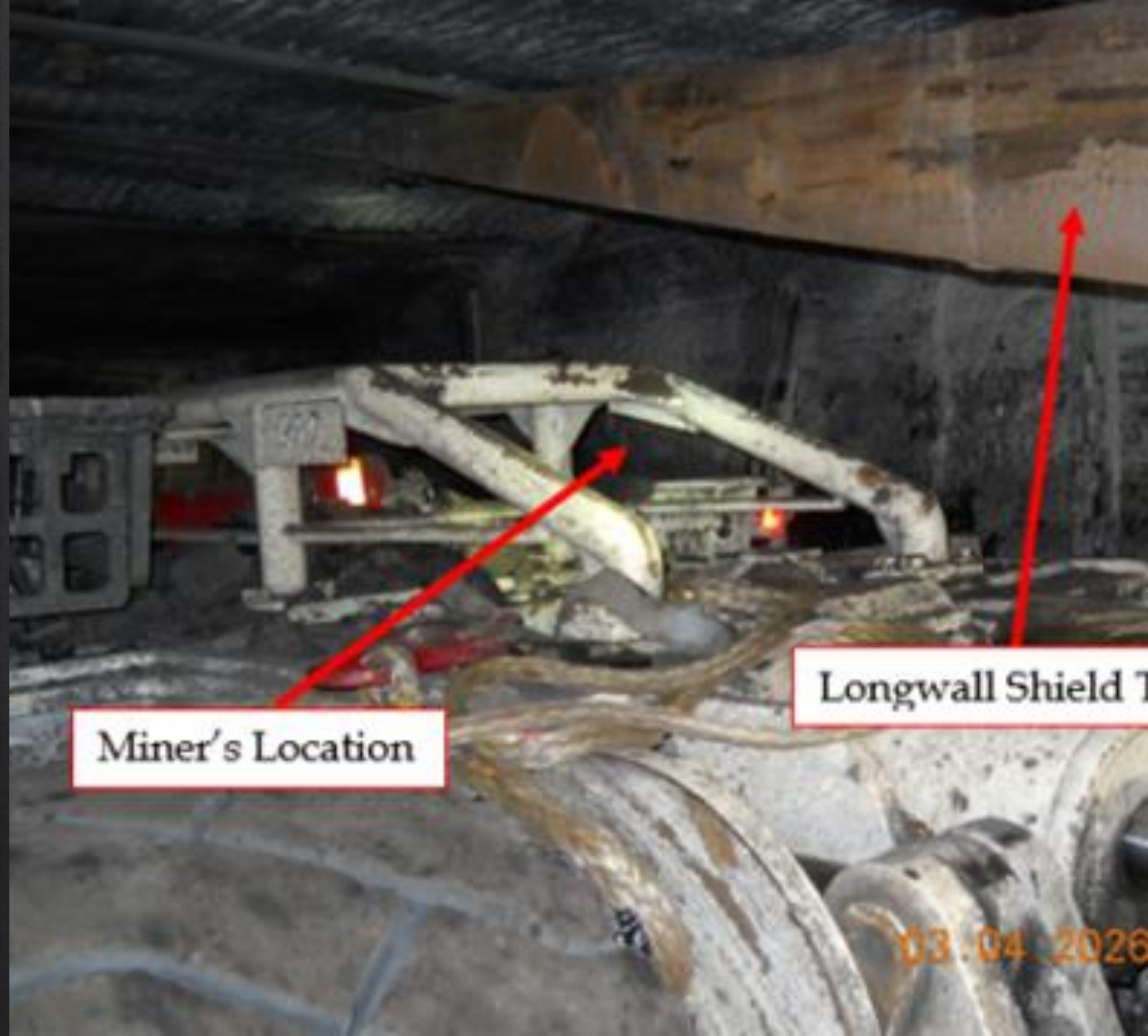


April 2, 2026, a shuttle car operator was struck by falling rock from the mine roof while setting timber posts during retreat mining.



April 3, 2026, a miner died after a scoop backed into another scoop that was transporting a longwall shield.

This collision caused the longwall shield to shift and pin the miner, who was working underneath it.



Miner's Location

Longwall Shield T

03.04.2026

April 30, 2026, a miner died while filling an uncoupled water tank semi-trailer when it overturned.

May 19, 2026, an
assistant shift foreman
died after a large
section of rib fell and
struck him. Two
contractors were also
injured in the
accident.







Culture

◇ I WANT to be safe:

- ◇ Deeper reach
- ◇ Becomes habit
- ◇ Extends beyond the employee
- ◇ Lives it
- ◇ My family needs me

◇ I HAVE to be safe:

- ◇ I have to fill out these forms
- ◇ I didn't listen to what they said in the presentation, but I signed in
- ◇ Why do we have to do this?
- ◇ I don't understand this
- ◇ Who cares?

OSHA &
MSHA
GOAL

L - LIVE

I - INJURY

F - FREE

E - EVERY DAY

EST.  1996

WESTWARD

Environmental • Geology • Engineering

