MSHA's New Final Rules: Respirable Crystalline Silica & Surface Mobile Equipment

Adele L. Abrams, Esq., ASP, CMSP

Law Office of Adele L. Abrams PC

www.safety-law.com

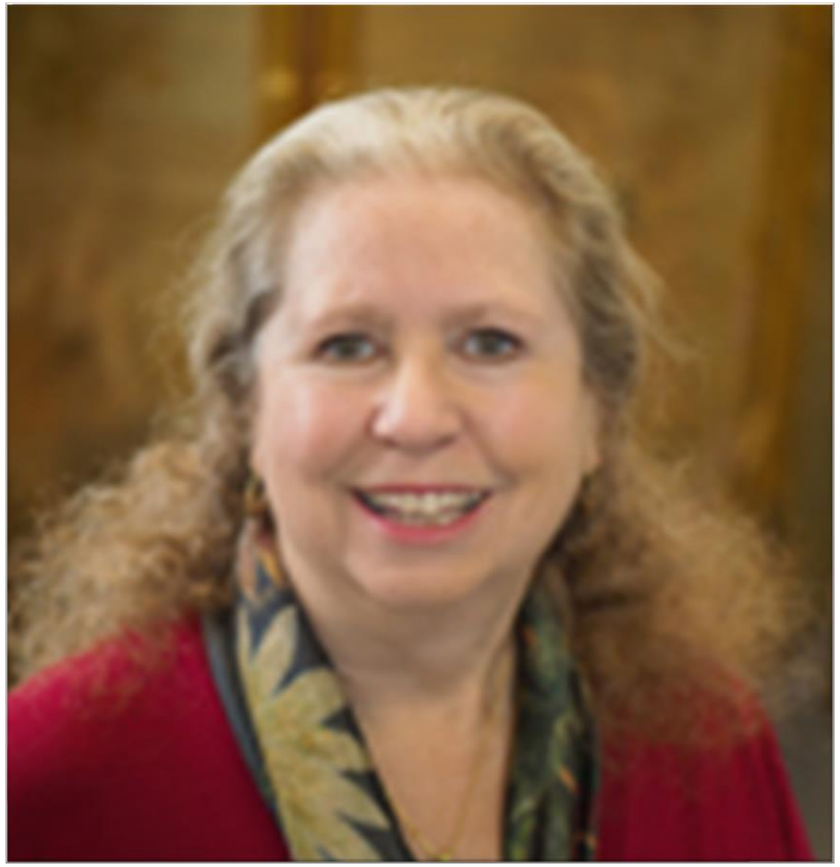
Presented By

Adele L. Abrams is an attorney, Associate Safety Professional (ASP) and Certified Mine Safety Professional (CMSP) who is president of the Law Office of Adele L. Abrams P.C., a multi-attorney firm with offices in Beltsville, Maryland, Denver, Colorado, and Charleston, West Virginia. The firm represents employers in OSHA and MSHA litigation nationwide, and her firm also handles employment law matters in a large number of states. Abrams and her firm colleagues provide employment and safety law consultation, safety audits, industrial hygiene assistance, and training services to companies in a variety of industries.

She is a member of the Maryland, D.C., and PA Bars; the U.S. District Courts of Maryland, D.C., and TN; the U.S. Court of Appeals, D.C. Circuit 3rd Circuit, and 4th Circuit; and the United States Supreme Court. She also serves on the adjunct faculties of the Catholic University of America in Washington, D.C., and the University of Colorado-Boulder, where she teaches on employment, labor and occupational safety law.

Abrams is a professional member of ASSP and is an active member of the National Safety Council, where she was awarded the Distinguished Service to Safety Award (DSSA) in 2017. She is also an Avetta Fellow. Abrams has coauthored several textbooks on employment law, occupational and mine safety and health, and is a regular columnist on safety law issues for multiple magazines.

Her contact information is: safetylawyer@gmail.com or 301-613-7498.

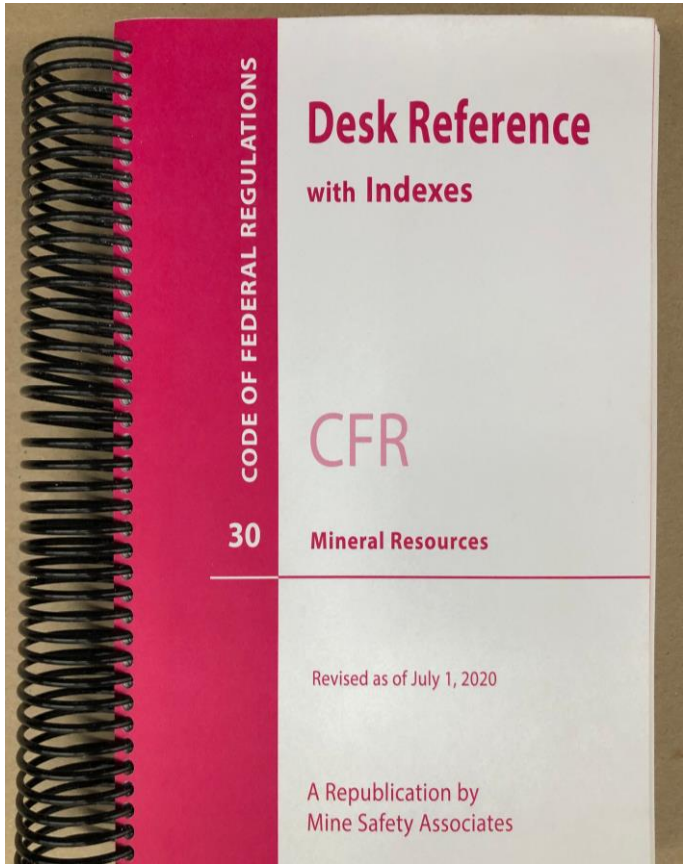


Overview: MSHA Silica Rulemaking

- MSHA's final rule for Respirable Crystalline Silica: "**Lowering Miners' Exposure to Respirable Crystalline Silica and Improving Respiratory Protection": https://www.govinfo.gov/content/pkg/FR-2024-04-18/pdf/2024-06920.pdf**
  - Final rule published in 4/18/24 *Fed. Reg. and covers all sectors*
  - *Sets new Permissible Exposure Limit of 50 ug/m3 as 8-hr TWA (same as OSHA) but rules are very different*
    - *MSHA rule includes sorptive minerals (OSHA rule excludes those)*
  - *MSHA states that rule is economically and technically feasible*
- Rule took effect 6/17/24, except for some sections with extended implementation dates –
  - 4/14/25 for coal (931 mines, 55K miners)
  - 4/8/26 for metal/nonmetal (MNM) (11,231 mines, 199K miners)
- There are about 75,000 contract miners affected across all sectors
- Unitary rule in 30 CFR Part 60 for both coal and MNM – but there are distinct provisions and effective dates
- Litigation filed in 5th Circuit Ct of Appeals already … more to come?

Highlights of New Rule

- Establishes PEL at 50 ug/m3 for full shift exposure (8 hr TWA)
- Currently, only MSHA sampling is used to evaluate miners' exposure to RCS
- Action level for RCS of 25 ug/m3
- Includes provisions for:
  - methods of compliance,
  - exposure monitoring,
  - corrective actions,
  - respiratory protection,
  - medical surveillance (MNM only), and
  - recordkeeping
- Rule replaces existing resp. protection requirements and incorp by reference ASTM F3387-19, Standard Practice for Respiratory Protection
- For UG coal mines, necessary controls required will be contained in mine's ventilation plan, which is approved by the District Manager (75.370(a)(1)) – approved plan must control methane and dust and include detailed engineering controls
  - ***MSHA evaluates plan every 6 mo or more often if changes at mine affect exposure***



Costs of Rule

- Costs of rule have changed due to:
  - Longer phased in implementation period
  - Elimination of objective and historical sample use
  - Reporting of overexposures to the MSHA district manager
  - Periodic evaluations done every 6 mo or when changes occur, installation of controls and maintance of equipment
  - Limited use of respirators on a temporary basis (MNM only)
  - Reporting of medical surveillance reports to NIOSH
- Costs include:
  - Exposure monitoring ($53.2 M, 59% of total costs)
  - Medical Surveillance ($18.8 M, 21% of costs)
  - Exposure controls ($13.7 M, 15% of costs)
  - Respiratory Protection ($3.3 M, 4% of costs)
  - ASTM Update ($1.2M, 1% of costs)
- MSHA estimates that the annualized cost for all mines will be $88.77 million
  - $80.75 M for MNM
  - $8 M for coal

Compliance Deadlines

- MSHA extended compliance deadlines for final rule to 24 mo from publication (MNM) and 12 mo for coal operators
- This was done in response to comments but also concerns about availability of sampling equipment
- The extended deadline permits “more time to accommodate and prepare for increased demand” but MSHA hopes opertors will avoid last minute sampling and begin process earlier, to spread out sampling and analysis over a longer period
- Baseline sampling must begin by compliance date for each miner “reasonably expected” to be exposed to RCS
    - NOTE: MSHA has eliminated the “objective data” or operator’s historical sampling data options from the proposed rule

MSHA: “Old” Respirable Crystalline Silica Rule

- MSHA’s metal and nonmetal mine current standards are based on the 1973 American Conference of Governmental Industrial Hygienists (ACGIH) Threshold Limit Values formula: 10 mg/m^3 divided by the percentage of silica plus 2 – functional equivalent of 100 ug/m3
- New rule will cut exposure limit in half (50 ug/m3) and implements a 25 ug/m3 “action level” that triggers additional sampling and other requirements.
- RCS is a “Group 1” human carcinogen – and MSHA has expanded the list of illnesses associated with workplace silica exposure: silicosis, emphysema, chronic bronchitis, fibrosis, lung cancer, kidney disease – each condition is potentially fatal
  - 30% of coal workers with pneumoconiosis reported considering suicide in 2021 study

Key Code Sections

- 56.5001: changes exposure limits for RCS effective in 2 yrs MNM
- 56.5005: specifies controls of airborne contaminants (use of eng controls, and temp use of respirators)
- Part 60 (NEW)
  - 60.1 – Scope and compliance dates
  - 60.2 – Definitions
  - 60.10 – Permissible Exposure Limit
  - 60.11 – Methods of Compliance
  - 60.12 – Exposure Monitoring
  - 60.13 – Corrective Actions
  - 60.14 – Respiratory protection
  - 60.15 – Medical Surveillance for MNM Mines
  - 60.16 – Recordkeeing requirements
  - 60.17 00 Severability

IG Report on MSHA & Silica

Inspector General issued a report in 12/20, calling MSHA's current silica exposure limit is out of date

- IG notes: "When adopting 50 µg/m³ limits, both OSHA and NIOSH warned that 50 µg/m³ is the **lowest** **feasible** limit, **not the safest**"
  - ***OSHA says (after evaluating the best available evidence) that it was uncertain if there was any limit that would result in zero harm to workers, but such a limit would likely be lower than 50 µg/m³***
- IG states: "a significant body of evidence shows that lowering the silica limit would be a major factor in preventing coal workers' deaths and illnesses caused by silica exposure."
- IG recommends that MSHA adopt a lower legal exposure limit for silica in ***coal mines*** based on recent scientific evidence.
- IG states that respirable crystalline silica may be responsible for the recent increase in black lung disease among coal miners
  - More than three times as many coal miners were found to have black lung disease during 2010–2014 compared to 1995–1999

MSHA Rulemaking Issues

- Key MSHA issues under consideration for litigation:
  - MSHA refusal to adopt a “Table 1” approach for common high exposure tasks
  - MSHA’s mandated sampling regimen (for individualized periodic sampling every three months – no objective data)
  - Refusal to allow the use of respiratory protection and requiring exposure to be limited solely through engineering/work practice/ administrative controls (Mine Act issues)
  - Ban on worker rotation even though allowed under OSHA rule
  - Whether to issue overexposure citations based solely on operator’s own sampling results – and requirement in rule to self-report overexposures immediately to MSHA District Office
  - Medical surveillance requirements and definition of “silicosis”

✓ NOTE: MSHA has reserved on the issue of “medical removal” and will address in separate rulemaking

MSHA's 11"Occupational Categories" for MNM

- Packaging Equip Operators (bagging and packaging)
- Stone cutting operators (jackhammers, cutting machine operators)
- Truck loading stations tenders (dump operator and truck loader)
- Mobile workers (laborers, electricians, mechanics, supervisors)
- Conveyors (belt cleaners, crew)
- Crushing equip (operators and workers)
- Kilns/dryers, rotary mills, ball mills, leaching and pelletizer operators)
- Large powered haulage equip (haul trucks, FELs, Bulldozers, scalers)
- Small powered haulage equip (bobcats, forklifts)
- Drills (diamond drill, wagon drill and helpers), and
- Miners in other occupations (welder, dragline op, shotcrete, dredge and barge operators)

Final Rule: Exposure Monitoring

- Section 60.12: Requires both monitoring via sampling (quantitative) and periodic evalution of process and control measures (qualitative)
- Mine operator will perform baseline monitoring by effective date for each miner who is or may reasonably be expected to have RCS exposure (all workers in extraction and processing)
  - Can use representative sampling (same task, shift, work area)
- If baseline or later data are between AL (25 ug/m3) and PEL (50 ug/m3), must conduct further monitoring within 3 mo of prior sample, and continue until two consecutive samples below AL
- If samples exceed PEL (50 ug/m3), operator must immediately notify MSHA, implement corrective actions and sample until below PEL – then continue periodic sampling
  - Where samples are above PEL, miners must wear respirators properly for full shift or during period of overexposures until exposures are at or below the PEL
  - Operators must immediately take corrective actions to lower RCS below PEL – then conduct sampling and take additional correction actions until samples are below PEL

Exposure Monitoring and Evaluation

- Operators must conduct semi-annual evaluations to determine if any changes in production, processing, eng/admin controls or other factors result in new or increased RCS exposures
- Operators must make a record of the evaluation and date, post on mine board for next 31 days, and repeat at least every 6 months (begins 1 yr after effective date of rule)
- If evaluation indicates miners may be exposed to RCS above the AL (25 ug/m3), mine operator must conduct sampling for each miner who is or may be exposed above the AL
- All samples are for 8 hr TWA, must be in miner's breathing zone, use ISO approved sampling equipment (ISO 7708:1995) and use ISO/IEC 17025 accredited laboratories for analysis, and proper MSHA/NIOSH/OSHA methods
- Sampling records must include: date, sampled occupation, results for RCS and respirable dust exposure level and records must be posted for 31 days (electronically, physically or both)

Reporting to MSHA

- When overexposure is identified, employer must:
  - Immediately notify MSHA district manager
  - Make approved respirators available to affected miners before start of next workshift and ensure they are worn for full shift or during period of overexposure until concentrations are at or below PEL
  - Respirators shall be NIOSH-approved air-purifying respirators classified as 100 series under 42 CFR Part 84 or particulate protection classified as High Efficiency “HE” under that standard
  - Operator must conduct sampling – and corrective actions must be logged, including actions taken, respirator used, and dates –
  - Must keep records for 5 years from date of each sampling, evaluation or corrective action

Compliance & Corrective Actions (60.11)

Mine Operators are required to install, use, and maintain feasible engineering and administrative controls

- Engineering controls (primary) > administrative controls (supplementary)
- § 60.11 (a) Engineering controls can include:
  - Ventilation systems
  - Dust suppression devices
  - Enclosed cabs or control booths with filtered air
  - Changes in material handling, equipment used in a process, ventilation, and dust capture
- § 60.11 (b) Administrative Controls can include: Housekeeping, Proper work positions of miners, Cleaning spills, Prevent/minimize contamination of clothes
  - Rotation of miners prohibited as an administrative control

Medical Surveillance: 30 CFR 60.15

- MNM operators have to provide each miner with periodic medical exams that include: medical and work history, Physical exam (focused on respiratory health), Chest X-ray, pulmonary function test
- Results MUST be submitted to NIOSH (for tracking), including chest x-rays
- Medical exam is voluntary for miners but must be offered every 5 yrs
- Each NEW miner must receive medical exam within 30 days of employment, follow up within 3 years, and follow up with specialist within 2 years if evidence of decreased lung function
- PLHCP will provide a written medical opinion to the mine operator within 30 days of exam, but will report only:
  - Date of medical examination
  - Statement that the exam meets the provisions of the standard, and
  - Any recommendations or limitations on miner's use of respirator

Recordkeeping Provisions

Final rule requires the following records be maintained, and made available to miner, miners' rep, and MSHA authorized rep upon request (30 CFR 60.16(b)):

- Evaluation records (60.12) – maintain for 5+ years from date of eval
- Sampling records (60.12) – maintain for 5+ years from sampling date
- Corrective action records (60.13) – maintain for 5+ years from date of each corrective action
- Written determination records from PLHCP (60.14) – maintain for duration of miner's employment plus 6 months
- Written medical opinion records from PLHCP (60.15) – maintain for duration of miner's employment plus 6 months

Impact on Portable Operations

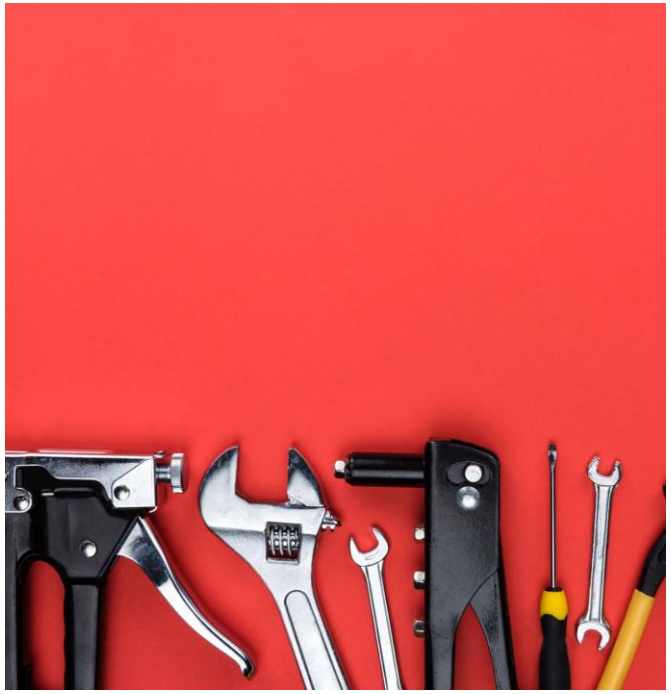
- Final rule requires ALL mine operators, including portable ops, to conduct exposure monitoring
- If portable operations move to a different site before the second time sampling within 3 mo, operator conducts the second sample at the next site.
- Portable ops must also immediately report overexposures to MSHA, ensure respirators are worn before start of next workshift, and resample (even if moved to a new site by time results are received)
- Conduct qualitative eval every 6 mo

Contractor Issues

- Independent contractors are included in definitions of miners and mine operators under the Mine Act
- MSHA expects Part 45 contractors will comply with the rule (drillers and blasters) and that, for other contractors, production operators may comply with the requirements depending on services provided (e.g., hauling services)

What's a "Part 45 Contractor"

Unless cited for a violation, only those contractors performing work at mine sites, or with contracts to perform at a mine(s) any of these **9 types of services or construction** are required by MSHA to have identification numbers under 30 CFR Part 45.3



1. Mine development, including shaft and slope sinking;
2. Construction or reconstruction of mine facilities; including building or rebuilding preparation plants and mining equipment, and building additions to existing facilities;
3. Demolition of mine facilities;
4. Construction of dams;
5. Excavation or earthmoving activities involving mobile equipment;
6. Equipment installation, such as crushers and mills;
7. Equipment service or repair of equipment on mine property for a period exceeding five consecutive days at a particular mine;
8. Material handling within mine property; including haulage of coal, ore, refuse, etc., unless for the sole purpose of direct removal from or delivery to mine property; and
9. Drilling and blasting.

MSHA FAQs for 30 CFR Part 60

- Scope: Covers all three forms of respirable crystalline silica, either alone or in any combination (quartz, cristobalite, and/or tridymite)
- Part 60 establishes a uniform PEL for RCS at 50 ug/m3 over a full shift, and an action level at 25 ug/m3 ovr a full shift, calculated as an 8-hr TWA
- Starting 4/14/25, only dust samples at coal mines collected under part 60 will be used to determine the concentration and miners' exposures – Respirable coal mine dust (RCMD) samples collected under parts 70, 71, or 90 will be used for analysis of RCMD only
- MSHA will consider **enclosed cabs or control booths with filtered breathing air as engineering controls**. BUT they must be properly maintained to remain effective
- Mine operators (including contractors) must immediately report any sampling result that exceeds the PEL to the MSHA District Manager or other MSHA office designated by the DM (immediately is NOT defined in the rule or FAQ)
- Operations can continue when a sample exceeds the ACTION level (25 ug/m3) but is below the PEL (50 ug/m3) but must continue to sample within 3 mo. (forever?)

MSHA FAQS (2)

- Periodic evaluations must be done at least every 6 mo. or when there is a change in production, process, engineering controls, equipment, administrative controls, or geological conditions
- The evaluation record must be posted on the bulletin board for 31 days and include date of evaluation AND the impact on RCS exposure (even if eval results in no changes)
- Where multiple miners perform same tasks/same shift/same work area, employer can sample representative fraction (AT LEAST TWO) of these miners – and select the ones expected to have highest exposure
- If miner works extended (e.g. 10-hr) shift, the dust sample must be collected for the entire 10 hours
- When resampling, the same miner does not need to be used, and different miners doing the same task complies –but must resample at least 2 in the task

MSHA's Ongoing RCS Enforcement Initiative

- On 6/10/22, MSHA launched a silica enforcement program, targeting mines with histories of overexposures or MSHA citations for silica violations – initiative targets sand plants in particular **and** holds supervisors responsible personally under Sec 110C (up to $88K fine)
  - Using both historical MSHA samples AND internal sampling showing overexposures for enforcement (internal used to show knowledge – pattern or practice – of overexposures
  - All MSHA sampling data is publicly viewable – potential for tort litigation and class actions in the future
  - Contractors working at mines may be sampled and are considered "miners" and "mine operators"
- Section 104(b) withdrawal orders will be issued if silica citations are not timely abated – MSHA is very directive in terms of engineering controls they will accept
- Worker rotation may be issue in MSHA rulemaking b/c of silica's classification as a Group 1 Human Carcinogen
- MSHA is demanding historical sampling data, occupational health program info, medical surveillance, worker chest X-rays, worker's comp files on silica-related illness, and current/former workers' contact info – has 5-year statute of limitations
  - ➢ MSHA has right to worker health records and worker's comp info because it is a public health agency and is exempt from HIPAA

MSHA Silica Enforcement Emphasis Program

Initiative has four components: (1) inspections, (2) sampling, (3) compliance assistance, and (4) miners' rights.

Inspections

- MSHA will conduct spot inspections for silica at coal and MNM mines in accordance with section 103(i) of the Mine Act.
- At mines with repeated overexposures to silica, mines may be inspected every 15-days at irregular intervals.
- Where there are overexposures above 100 micrograms per cubic meter (existing PEL):
  - For MNM mines, abatement within a period of time.
    - For overexposures not abated, MSHA will issue a 104(b) withdrawal order.
  - For coal mines, MSHA will encourage mine operators to change the dust control and mine ventilation plans and review plans/exposures after changes are made.
- MSHA will take additional dust samples for miners who are overexposed
- MSHA District Managers will review approved plans (underground mines) to determine if the plans are appropriate when MSHA's samples indicate silica overexposures

MSHA Silica Enforcement Program

Sampling

- MSHA will collect respirable dust samples from occupations known to have a high-risk of exposures to silica. This will include:
  - MNM miners involved in overburden removal.
  - Coal miners involved in the construction of a shaft or slope.

Compliance Assistance

- MSHA will work with stakeholders including mine operators, industry, and labor.
- MSHA will share additional information through stakeholder calls and to MSHA grantees.
- All information will be posted on the Agency's website.
- MSHA will distribute materials related to this initiative and provide compliance assistance through Educational Field and Small Mine Services staff.

Miners' Voice

- MSHA will reinvigorate efforts to educate miners about their rights to make hazardous condition complaints and their protections against retaliation and discrimination.
- MSHA will ensure that miners are aware of their right to:
  - Accompany an MSHA inspector, obtain an immediate MSHA inspection if they believe safety or health hazards exists, identify hazardous conditions, and refuse unsafe work without fear of retaliation and discrimination
  - Compliance assistance materials will be provided through the Educational Field and Small Mine Services staff and www.msha.gov

MSHA Emphasis Areas & Best Practices

Most exposed miners work as: stone cutters, crusher operators, and baggers (MNM) and machine operators, highwall drill operators and roof bolter operators (coal)

MSHA recommended best practices for silica control:

Coal

- **Water spray systems at the cutting drum or boom**
- **Increased face ventilation**
- **Enclosed cab filtration systems**
- **Equipment maintenance and cab cleaning**

Metal/Nonmetal:

- **Wet cutting where possible**
- **Local Exhaust Ventilation (LEV) systems at workstations or dusty areas**
- **Implementation of properly designed wet spray systems**

MSHA RCS Rulemaking Conclusion

- MSHA rulemaking does NOT mirror OSHA requirements and Table 1 is NOT be an option because PPE & worker rotation are not available as controls
- MSHA enforcement will subject mine operators AND contractors working at mine sites to greater IH scrutiny due to 2/4 mandatory inspections and strict liability (enforcement on single sample)
- Continued use of employer's historical sampling data for enforcement "pattern or practice" findings (104D/OSHA willful) makes mitigation documentation critical, but **NO use of objective data or older samples** will be allowed for operator's internal exposure determinations
- MSHA rule defines reportable silicosis as a 1/0 or worse Chest X-ray by B reader (even without symptoms) -- are mine operators and contractors accurately reporting and will records be audited (5 yr window)?
- Are workers with "long COVID" at greater risk of silica-related illness or need PAPRs due to compromised lungs – and will this complicate medical surveillance?
- How will MSHA reconcile allowing MNM workers to be exposed to twice as much silica than coal workers or OSHA regulated facilities until 4/26?
  - ***BE PROACTIVE … DON'T WAIT for the rule to take effect!***

MSHA FINAL RULE: Surface Mobile Equipment

- Final Rule published 12/20/23: *https://www.msha.gov/final-rule-safety-program-surface-mobile-equipment*
- Enforcement begins JULY 17, 2024
- Establish a written safety program for mobile equipment and powered haulage equipment (except belt conveyors) used at surface mines and surface areas of underground mines
  - Assess hazards and risks and identify actions to reduce accidents related to surface mobile equipment
  - Develop and implement a safety program that would work best for their mining conditions and operations
  - Expect related emphasis on task training for mobile equipment operators, citations for inadequate pre-operational inspections, and expansion to contractors and commercial drivers (similar to ongoing Enhanced Enforcement Program (EEP)

MSHA's Purpose & Scope of Rule

Purpose

- The purpose of the standard is to promote and support a positive safetyculture and improve miners' safety at the mine.

Scope

- All production operators and part 45 independent contractors must have a written safety program for surface mobile equipment.
- The standard applies to surface mobile equipment at surface areas of underground coal mines and metal and nonmetal mines.

Surface mobile equipment includes:

- Wheeled, skid-mounted, track-mounted, or rail-mounted equipment capable of moving or being moved, and any powered equipment that transports people, equipment, or materials.
- The rule excludes belt conveyors and any manually powered tools such as wheelbarrows, hand carts, push carts, welding carts, cylinder carts basic hand trucks, or dollies.

MSHA Surface Equipment Final Rule

Rule Highlights:

- Applies to all operations regardless of how many miners are employed (proposed rule applied to sites with 5+ miners)
- Conveyors are not included (same as proposed rule)
- Operators AND Part 45 Contractors must create written program addressing mobile equipment safety including:
  - Identifying and analyzing mobile equipment hazards; take actions to reduce site-specific risks
  - Maintenance procedures and schedules for mobile equipment
  - Identifying currently available and newly emerging feasible technologies (does not require adoption)
  - Training miners and other persons at the mine necessary to perform work

MSHA Surface Equipment Rule (2)

- Program evaluation by responsible person at least annually, or as mining conditions/work practices change that may affect health and safety
  - During program development and updates, operators must consult with miners & their representatives
  - Program may be hard copy or electronic & available on request of miner or inspector
- The responsible person must have experience and knowledge about mining conditions and processes necessary to evaluate and update the written safety program.
- Multiple persons can be designated as a responsible person.
- They WILL be considered an AGENT for purposes of Sec 110 liability
- Part 45 independent contractors will create and implement their own programs; operators can integrate contractor programs into their own if they wish

Written Safety Program Requirements

- A written safety program includes actions taken to:
  - Identify and analyze hazards and reduce the risks related to the movement and operation of surface mobile equipment.
  - Develop and maintain procedures and schedules for routine maintenance and non-routine repairs for surface mobile equipment;
  - Identify currently available and newly emerging feasible technologies that can enhance safety at the mine and evaluate whether to adopt them; and
  - Train miners and other persons at the mine to identify and address or avoid hazards related to surface mobile equipment.
    - Safety program training may be integrated into part 46 and part 48 training plans.
- Production operators and part 45 independent contractors must solicit input from miners and their representative in developing and updating the written safety program, make the written safety program available for inspection by MSHA, miners, and miners' representatives; and •provide copies, upon request

More Requirements

- Operators must:
  - Develop and maintain procedures and schedules for routine maintenance and non-routine repairs for surface mobile equipment.
  - Have procedures and schedules for maintenance and repairs can reflect orreference existing procedures and schedules
  - Identify currently available and newly emerging feasible technologies thatcan enhance safety at the mine and evaluate whether to adopt them.Consider feasible technologies that are capable of being used successfully at the mine.
  - Demonstrate compliance by: attending industry meetings, or NIOSH and/or MSHA meetings that discuss available or newly emerging technologies; reviewing equipment vendor material; or attending mine safety and health conferences that include vendor exhibits and equipment demonstrations.

Contractor Issues

- Part 45 independent contractors have the same responsibilities as production operators.
- •MSHA expects most independent contractors will develop and implement their own safety program or integrate their safety programs into the production operators' safety program.
- •MSHA expects production operators and part 45 independent contractors to communicate and coordinate with each other on their respective safety programs.

Powered Haulage EEP

- Launched in 5/2022 - part of regular inspections but will address trend of accidents involving customer and contract truck drivers, and managers performing mining tasks
- Focus on the following standards, PLUS task and site-specific hazard training:
  - Control of equipment: 56/57.9101
  - Use of Seat Belts: 56/57.14131
  - Chocking of Wheels: 56/57.14207
  - Pre-operational Inspection: 56/57.14100(a)
  - Maintaining brakes in functional condition: 56/57.14101(a)(3)
- Any citations issued under EEP may be considered for special assessment (up to $324K) with personal “agent” penalties up to $88K

Questions???

Adele L. Abrams, Esq., ASP, CMSP
301-595-3520 office
301-613-7498 mobile
safetylawyer@gmail.com

LAW OFFICE OF
ADELE L. ABRAMS P.C.