Mine Safety and Health (MSHA) Defense

The Bowles Rice Mine Safety and Health Team provides our clients in the mining industry with affordable, quality legal and consulting services specifically related to mine safety and health issues. Our attorneys have extensive mine health and safety experience and are able to meet the needs of clients, large and small, throughout the region.

Legal Services
We pride ourselves in providing a multitude of legal services to our clients in the mining industry. Our services include, but are not limited to:

- Defense of mine explosions, disasters, fires and fatalities;
- Informal safety conferencing of alleged MSHA violations;
- Litigation defense before federal tribunals such as Administrative Law Judges, the Federal Mine Safety and Health Review Commission and federal district court;
- Defense of alleged state violations before tribunals such as the West Virginia Coal Mine Safety Board of Appeals and the Kentucky Mine Review Commission;
- Conducting MSHA, state safety and health audits at mining operations;
- Implementation of mine-specific MSHA Citation Review Program;
- Seminars for training management personnel in dealing with the federal regulatory agencies such as MSHA, OSHA and state regulatory agencies;
- Defense of alleged OSHA violations and training programs of management personnel dealing with this federal regulatory agency;
- Apprising clients of the most recent federal and state regulatory agencies’ rules and regulations promulgated; and
- Providing clients with the most recent actions of the federal and state mining associations’ activities in representing the

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Related Practice Areas
Certified Title Opinions
Coal
Federal Black Lung Defense
Land Use and Development
Litigation

Related Industries
Energy & Natural Resources
mining industry at the federal and state levels

**Educational and Training Seminars**
We understand the critical importance of successful interaction and communication with federal and state regulatory agencies, and we help our clients to proactively develop solutions and processes that are customized to their existing culture and budget.

Our consulting services include a program of educational and training seminars, involving health and safety, offered to mine management, independent contractors and quarry management personnel who are involved with federal and state regulatory agencies and inspections. Seminars can be tailored to be "mine specific" or to be a generalized educational review of the Federal Mine Act or state law and regulations. Our seminars and training sessions are unique to the mining industry because our attorneys and consultants are qualified and experienced both in mining and the law.

The Mine Safety and Health Team's seminars and training sessions cover the following key areas of the Federal Mine Act and related topics:

- The Federal Mine Safety and Health Act;
- The Mathies Standard for significant and substantial alleged violations;
- Sections 104(b),(d), and (e) of the Federal Mine Act;
- The Pasula/Robinette Standard;
- Individual civil and/or criminal special investigations;
- Imminent danger orders;
- Pre- and post-safety and health conferences;
- Handling federal and/or state inspectors;
- Interpretation of alleged violations;
- Abatement of alleged violations;
- Attendance at, or preparation of mine personnel for, MSHA's Informal Safety Conferences;
- Mine-specific violation reviews;
- Federal regulations regarding criteria and proposed assessments of civil penalties;
- Strict liability of mine operators; and
- Establishing the right to contest alleged violations
News

Bowles Rice Nationally Recognized for Experience in Mining Law
November 18, 2015

Views & Visions

The Federal Mine Health & Safety Act of 1969 – 40 Years and Counting
Coal: Powering Our Future!
Summer 2010

Coal: Powering Our Future!
Summer 2010

Health & Safety Challenges of the Mining Industry
Powering Our Future!
Fall 2007