



Toll free: 1-888-480-4042
Telephone: (304) 285-5724
Fax: (304) 285-6058

Centers for Disease Control and Prevention (CDC)
National Institute for Occupational Safety and Health
Coal Workers' Health Surveillance Program
1095 Willowdale Road – M/S LB208
Morgantown, West Virginia 26505-2888

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The National Institute for Occupational Safety and Health (NIOSH) in Morgantown, West Virginia, administers the Coal Workers' Health Surveillance Program (CWHSP) as mandated by the Federal Mine Safety and Health Act of 1969.

Regulations, 42 CFR Part 37, require each coal mine operator or contractor to provide **mandatory** chest examinations at the beginning of employment, and to periodically offer a **voluntary** chest examination to **ALL** coal miners. Each operator or contractor is required to develop a Plan for a chest examination program for their workers. All Plans must be developed in accordance with regulations, and must be submitted (to NIOSH) for review and approval before any examinations can be completed. NIOSH-approved Plans are returned to the coal mine operator or contractor and are to be posted in a visible location on the mine bulletin board. In the case of an operator who does not have a bulletin board, such as an operator that is a contractor, the operator must otherwise notify its employees of the examination arrangements and have a copy of the Plan available for inspection. Upon request, the contractor must show NIOSH written evidence that its employees have been notified. Plans must identify a 6-month period during which chest examinations will be offered, and must be renewed upon notification by NIOSH every 3 ½ to 4 ½ years. An approved Plan remains posted until it is superseded by a more recent version. Plan posting is monitored by the Mine Safety and Health Administration (MSHA).

Under the recently published MSHA final rule, operators of surface coal mines are required to post a NIOSH-approved health examination plan. You must develop and submit a Plan for this operation. A summary of NIOSH's Coal Miner Health Surveillance can be found at <http://www.cdc.gov/niosh/topics/surveillance/ords/coalminerhealth.html>.

The following information may prove useful in your understanding of the regulations and development of your Plan.

REQUIRED CHEST EXAMINATIONS

ALL chest examinations must be provided to your miners:

- * **Free of charge;**
- * **At a convenient date, hour, and location;**
- * **With adequate notice to participate;**
- * **In accordance with regulations and the assurances stipulated on the approved Plan;**
- * **In accordance with notification and approval by NIOSH.**

MANDATORY chest examinations must be provided at the following intervals:

- * **No later than 30 days after a miner begins working in or at a coal mine for the first time;**
- * **3 years after the first chest examination;**
- * **2 years after the second chest examination if the miner is so notified by NIOSH.**

VOLUNTARY chest examinations must be offered:

- * **For a 6-month period every 3 ½ to 5 years.**

REQUIRED SPIROMETRY EXAMINATIONS

Coal mine operators with approved plans for chest radiographs and occupational histories will be notified by MSHA when the plans must be amended to include spirometry examinations and respiratory assessments. Amendments must be submitted to NIOSH within 60 days of MSHA's notification.

DEVELOPING YOUR PLAN

Regulations pertaining to the CWHSP are found at:

<http://www.ecfr.gov/cgi-bin/text-idx?SID=78267829dd6935b5d1e3cb372d39e65f&node=42:1.0.1.3.21&rgn=div5>

A list of NIOSH-approved facilities (providers) and a blank Plan with instructions are enclosed. All sections of the Plan must be completed. Please pay particular attention to Sections 37.3 and 37.92 of the regulations and follow the Instructions for Completion when completing your Plan.


Your Plan is subject to approval by NIOSH. In no instance should any of your miners be examined prior to NIOSH approval. Copy your proposed Plan, mark it "DRAFT", and post a copy on the mine bulletin board, or in the case of an operator who does not have a bulletin board, such as an operator that is a contractor, you must otherwise notify your employees of the examination arrangements and have a copy of the Plan available for inspection. Forward the original to NIOSH, with a roster of names and current home addresses of ALL the miners at your operation. Per regulations, these examinations must be offered to ALL employees and participation is not limited to any particular job category, pay (i.e., salaried vs. hourly) or organizational level, unless you are a contracting company to the coal mine operator. In that case, your roster must include only the names and current home addresses of employees required to complete MSHA Part 48 training. When NIOSH returns the approved Plan, **replace the "DRAFT" with the final copy.** Retain a copy in your office files so that a replacement is always available if the posted copy is damaged or destroyed. MSHA inspectors will be looking for this posted Plan.

Your new Plan and the roster of your miners are to be completed and forwarded to this office by 02/13/2015.

In the event that your Plan is not received, NIOSH will notify MSHA and will then arrange for your miners to be examined at your expense.

If you have any questions about the examination program or require assistance in developing your Plan, please contact us at the address or telephone number listed above, or at our toll-free number (1-888-480-4042).

Sincerely yours,



James W. Lawson
Medical Records Technician
Coal Workers' Health Surveillance Program
Surveillance Branch
Division of Respiratory Disease Studies

Enclosures