



# MSHA Frequently Asked Questions

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Part 90

Information  
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## Lapse in Appropriations

For workplace safety and health, please call [800-321-6742](tel:800-321-6742); for mine safety and health, please call [800-746-1553](tel:800-746-1553); for Job Corps, please call [800-733-5627](tel:800-733-5627) and for Wage and Hour, please call [1-866-487-9243](tel:1-866-487-9243) (1 866-4-US-WAGE). This website is currently not being updated due to the suspension of Federal government services. The last update to the site was 10/1/2025. Updates to the site will start again when the Federal government resumes operations.

# Information for mine operators

## How can I pay my MSHA citation?

Contact MSHA's Office of Assessments at 202-693-9700, or visit the [penalty assessments and payments webpage](#).

## How do I contest a penalty assessment?

After a citation is issued or ordered under the Mine Act, a mine operator may file a notice of contest with the Secretary of Labor at the Solicitor's Office, within 30 days.

An operator may contest all or some of the penalties listed on the civil penalty assessment by placing a check next to the contested item and stating the reasons for the contest. A copy of the contested assessment must be returned to [MSHA's Civil Penalty Compliance Office](#) in Arlington, Virginia within 30 days of the operator's receipt.

## How do I contest a citation or order issued by MSHA for a mandatory health or safety violation before a penalty is assessed?

When an MSHA inspector issues a citation or order under Section 104 of the [Federal Mine Safety and Health Act of 1977 \(Mine Act\)](#), a mine operator has 30 days in which to file a notice of contest with the Secretary of Labor at the Solicitor's Office (Mine Safety and Health Division in Arlington, Virginia or the appropriate Regional Solicitor's Office) and to file a copy of such notice of contest with the [Federal Mine Safety and Health Review Commission](#).

An operator may also challenge the modification of a citation or order, as well as the reasonableness of the length of time for abatement. A notice of contest must contain:

1. A short and plain statement of the operator's position regarding each issue of law and fact and the relief requested; and
2. a copy of the contested citation or order.

An operator's failure to file a notice of contest of a citation or order issued under [Section 104 of the Mine Act](#) will not preclude the operator from challenging, in a civil penalty proceeding, the fact of violation or any special findings contained in a citation or order. This includes the assertion in the citation or order that the violation was of a significant and substantial nature or was caused by the operator's unwarrantable failure to comply with the standard.

## How can I amend the quarterly report, MSHA Form 7000-2, we submitted?

You can update and submit your [MSHA Form 7000-2](#) online with an [MSHA EGOV account or contact your designated MSHA district office](#).

If you received an error, follow the steps below:

1. Make a copy of the original.
2. On the copy write AMEND on the top.
3. Make the changes on the copy.
4. Scan and send it to PEIR. You can email it to [zzMSHA-PEIROIEI@dol.gov](mailto:zzMSHA-PEIROIEI@dol.gov), fax it to 888-231-5515 or mail it to:

PEIR-Office of Injury and Employment Information  
P.O. BOX 25367  
Denver, CO 80225-0367

If you have questions or need help with your MSHA eGov account, contact the Online Filing Help Desk at 1-877-778-6055 or email [helpdesk@dol.gov](mailto:helpdesk@dol.gov).

**How I reopen a small sand and gravel mine that has been closed for a year and a half. I would like to know if my training plan is still valid and what type of training I need to provide my employees before we begin work?**

Review the training plan to ensure it addresses the current conditions at the mine. Additionally, you will need to provide experienced miner training.

Contact Educational Field and Small Mine Services (EFSMS) for help to evaluate your training plan or if have questions about the type of training that may be required.

**We categorize our scale house employees' as clerical staff. They do not go into the mine. They maintain the computers with updates from customers, orders, and haulers and other paperwork. Do they need "new miner" and "annual refresher" training?**

[30 CFR Part 46](#) defines a miner as any person who is engaged in "mining operations," which is: mine development, drilling, blasting, extraction, milling, crushing, screening, or sizing of minerals at a mine; maintenance and repair of mining equipment; and associated haulage of materials within the mine from these activities.

Employees who only work in the scale house are not considered miners under [30 CFR Part 46.2\(g\)](#). They are not required to receive new miner or annual refresher training. However, they should receive appropriate site-specific hazard awareness training ([30 CFR Section 46.11](#)) for their job.

**We operate a gravel pit. Do we always need someone on the property who is trained and certified in first aid?**

MSHA's regulation requires that an individual capable of providing first aid be available on all shifts. The person must be currently trained and able to perform patient assessment and artificial respiration, control bleeding, and treat shock, wounds, burns, and musculoskeletal injuries. ([30 CFR Section 56.18010](#)).

**Can first aid training be included in our training, as defined in 30 CFR 46 or Part 46 Training?**

Yes, it may be incorporated into your Part 46 training program. It should be listed in your training plan, along with the name of the competent person who will conduct the training. MSHA encourages mine operators to revisit their training plans on an annual basis and make changes to meet the needs of their employees.

One year, for example, you may want to use six of the eight hours of annual refresher training to provide first aid training for all of your employees. The following year, it might be more appropriate to have one hour recap on first aid training and use the remaining hours for other topics, such as accident prevention, hazard recognition, or health hazards.

**Does a person need a valid drivers' license to drive equipment on a mine site?**

MSHA does not have a regulation requiring that an equipment operator have a valid state driver's license to operate mobile equipment on a mine site.

MSHA does, however, require that the equipment operator be properly trained in the safe operation of the piece of equipment, and that the training be documented.

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U.S. Department of Labor  
Mine Safety and Health Administration  
200 Constitution Ave NW  
Suite C3522  
Washington, DC 20210  
[www.msha.gov](http://www.msha.gov)  
202-693-9400

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