



Frequently Asked Questions About MSHA

Q: What is the difference between MSHA Requirements Part 46 and Part 48?

A: Part 46 applies to the following types of mines: sand, gravel, surface stone, surface clay, surface limestone, colloidal phosphate, or shell dredging operations. Other mines included are: surface marble, granite, sandstone, slate, shale, trap-rock, kaolin, cement, feldspar, or lime operations.

Part 48 applies to all underground mines and all other surface mines that are not included in Part 46.

Q: We have surface operations at our underground coal mine. Is Part 46 or Part 48 training required?

A: Part 48 training is required.

Q: What courses do you have at ClickSafety that will help me meet Part 46 training requirements?

A: ClickSafety offers three courses which help meet Part 46 training requirements:

- Course 1: MSHA 4-Hour New Miner Training, Part 1 (Site Entry)

<http://www.clicksafety.com/courses/detail/msha-4-hour-new-miner-training-part-1-site-entry>

- Course 2: MSHA 4-Hour New Miner Training, Part 2 (General Safety and Health)

[http://www.clicksafety.com/courses/detail/msha-4-hour-new-miner-training-part-2-\(general-safety-and-health\)](http://www.clicksafety.com/courses/detail/msha-4-hour-new-miner-training-part-2-(general-safety-and-health))

- Course 3: MSHA 2017 Mine Safety and Health Refresher (8-Hour)

<http://www.clicksafety.com/courses/detail/msha-2017-mine-safety-and-health-refresher-8-hour>

Q: What courses do you have at ClickSafety that will help me meet Part 48 training requirements?

A: ClickSafety currently does not offer courses which help meet Part 48 requirements.

Q: If ClickSafety does not have Part 48 specific training, where can I go to find out who does?

A: For assistance with Part 48 training, you can contact the nearest MSHA Education Field Services and Small Mines office (<https://arweb.msha.gov/epd/efsms/contact.asp>). MSHA's Education Field Services and Small Mines offices are located in 35 states.

Q: Does ClickSafety's training satisfy everything we need to get miner's or independent contractors working out on the mine-site?

A: No, ClickSafety's MSHA courses do not satisfying all training requirements needed to get miners or contractors on the mine-site. While most of the initial 4-hour New Miner training can be provided by ClickSafety, MSHA requires in its Part 46 training requirements that miner's and independent contractors working on the mine-site must receive a site-specific "introduction to the work environment, including a visit and tour of the mine, or portions of the mine that are representative of the entire mine (walk around training). The method of mining or operation utilized must be explained and observed." This site-specific, on-site training is not available through on-line training methods.

While most of the eight-hour annual refresher training can be provided by ClickSafety, it cannot provide the required instruction on changes at the mine that could adversely affect the miner's health or safety.

For "new miners", ClickSafety can provide a good safety foundation for persons who have never worked in a mining environment and satisfy up to eight hours of the training requirements. To complete the remaining 16 hours of the 24 hours of required new miner



training, the mine operator or contractor will be required to provide the student with mine or contractor specific information, such as your emergency response plan, how to report hazards, specifics on the chain of command, a tour of the mine and task specific hazard training by a competent person (trainer).

Q: Is ClickSafety's training "approved" by MSHA?

A: No, ClickSafety's training is not required to be "approved" by MSHA. ClickSafety's training has been developed and presented by instructors with decades' experience in both MSHA and construction. They are "Competent Persons" which are required.

Q: Are ClickSafety instructors MSHA approved?

A: No, instructors are not required to be approved for Part 46 training. ClickSafety's training has been developed and presented by instructors (Certified Safety Professionals and Certified Industrial Hygienists) with decades' experience in both MSHA and construction. They are "Competent Persons" which are required.

Q: I am new to the mining industry. What training do I need to complete to get started?

A: If you have never previously had MSHA New Miner training before, you will need to take New Miner Training (NMT). The type of operation you will work at will determine if you need the 24 hour NMT or 40 hour NMT.

- For Part 46 - 24 Hour New Miner: Training provides 24 hours of introductory training including New Miner topics and First Aid awareness. Training prepares individuals to work at an above ground-ground sand, gravel, surface stone, surface clay, surface limestone, colloidal phosphate, shell dredging operations, surface marble, granite, sandstone, slate, shale, trap-rock, kaolin, cement, feldspar, or lime operations.
- For Part 48, Subpart A - 40 Hour New Miner: Training provides 32 hours of introductory training to prepare individuals to work at an underground mine operation. Topics include introductory New Miner, 8 hours of onsite underground training and a First Aid/CPR certification.
- For Part 48, Subpart B – 24 Hour New Miner: Training provides 24 hours of introductory training including New Miner topics and First Aid. Training prepares individuals to work at surface mining operations not covered by Part 46 (coal, copper, etc.) and the surface areas of underground mines.

Q: Does my administrative staff need New Miner Training?

A: Administrative staff are not required to receive New Miner or Annual Refresher Training; however, they should receive appropriate site-specific hazard awareness training for their job. Employees who only work in the scale house and are not engaged in mining operations, are not considered miners under 30 CFR Part 46.

Q: I received New Miner Training a few years ago and would now like to return to the mining industry. Do I need to re-take this training?

A: A person who has had New Miner Training and has 12 months of cumulative mining experience does not have to retake the New Miner Training. If the person has less than 12 months cumulative mining experience, they have to retake the New Miner Training regardless of how much time has passed.

From 30CFR 46.2 - An "experience miner": Has at least 12 months of cumulative surface mining or equivalent experience on or before October 2, 2000; or is employed as a miner on or after October 2, 2000 who has completed 24 hours of new miner training under § 46.5 of this part or under § 48.25 of this title and who has at least 12 cumulative months of surface mining or equivalent experience.



Q: When will my Annual Refresher Training expire?

A: Training will expire one year from the last day of the month the training was obtained. Example: Training date 01-25-17; Expiration date will be: 01-31-18.

Q: Does ClickSafety provide me with a Part 46 training certificate?

A: Yes, ClickSafety provides an MSHA compliant Part 46 training certificate at the end of the course. The mine operator or contractor must complete the certificate with the name of the mine operator or contractor, MSHA ID number, mine or contractor specific information entered in the blank spaces provided with name of competent person(s), time, date of training, etc. and be dated and signed by the person responsible for training for the mine operator or contractor.

Q: What should I do with any training certificate I get from taking these courses?

A: A copy of the certificate should be provided to the “miner” and a copy retained on file by the mine operator or contractor. The “miner” should retain his or her copy on his or her person or close by in the event that an MSHA inspector were to request to see the training record during an inspection of the mine.

Q: Is ClickSafety’s MSHA certificate a 5000-23 form?

A: A MSHA does not require a 5000-23 form for training documentation. Per 30 CFR 46.9, one may use either an MSHA Form 5000-23 OR a form containing the information listed in paragraph (b) of 30 CFR 46.9. ClickSafety’s certificate (which a student receives upon successfully completing a course) is based on the guidelines provided in paragraph (b) of 30 CFR 46.9:

30 CFR 46.9 - Records of training.

§ 46.9 Records of training.

(a) You must record and certify on MSHA Form 5000-23, or on a form that contains the information listed in paragraph (b) of this section, that each miner has received training required under this part.

(b) The form must include:

(1) The printed full name of the person trained;

(2) The type of training, the duration of the training, the date the training was received, the name of the competent person who provided the training;

(3) The name of the mine or independent contractor, MSHA mine identification number or independent contractor identification number, and location of training (if an institution, the name and address of the institution).

(4) The statement, “False certification is punishable under § 110(a) and (f) of the Federal Mine Safety and Health Act,” printed in bold letters and in a conspicuous manner; and

(5) A statement signed by the person designated in the MSHA-approved training plan for the mine as responsible for health and safety training, that states “I certify that the above training has been completed.”

- For (b)(1), ClickSafety’s certificate form has space for the full name of the person trained.
- For (b)(2), ClickSafety’s certificate form states the type of training (New Miner or Annual Refresher, the date the training was received, the duration of the training and the name of the competent person(s) who provided the training.
- For (b)(3), ClickSafety’s certificate form has space for the MSHA Mine ID number or the Contractor ID number and space for the location of training.



- For (b)(4), ClickSafety's certificate form does have the statement about false certificate exactly at the bottom, stated exactly as specified by 30CFR 46.9.
- For (b)(5), ClickSafety's certificate form does have this line at the bottom.

Q: Which operations are covered under Part 46?

A: Shell dredging, sand, gravel, surface stone, surface clay, colloidal phosphate, and surface limestone mines are all of the operations covered under Part 46. For more information, reference: 46.1.

Q: What is a Competent Person?

A: A Competent Person is a person designated by operator who has the ability, training, knowledge, or experience to provide training to miners in his or her area of expertise. The Competent Person must be able to both effectively communicate the training subject to miners and to evaluate whether the training given to miners is effective.

Q: Which operations are covered under Part 48?

A: See below for operations covered under Part 48:

- Subpart A: underground mines
- Subpart B: surface mines and surface areas of underground mines

For more information, reference: 48.1.

Q: Do instructors have to be MSHA approved under Part 48?

A: Yes, instructors shall be approved by the MSHA District Manager. Various ways of approval are included in 30 CFR 48.3 (h)

Q: I need to perform construction/contractor services at a mine. Do I need MSHA training?

A: Yes, anyone who is expecting to work at a mine, exposed to mine site hazards, regardless of the type of work performed, is required to receive MSHA New Miner Training.

Also, the answer is yes for construction and contractors that will be working on the mine site for more than 5 consecutive days or they have a pattern of frequently working at mine sites. This is true for both Part 46 and Part 48.

Both Part 46 and Part 48 also provide exemptions from the New Miner Training and Annual Refresher Training requirements for the following groups:

- Office or staff personnel;
- Scientific workers;
- Delivery workers;
- Customers, including commercial over-the-road truck drivers;
- Vendors or visitors.

IT Professionals who work in the office environments and are not exposed to the mining operation hazards would be considered office staff and would not be required to complete the New Miner Training. The same would be true of janitors and housekeepers.



Q: Do I need a training plan?

A: Mine owners and operators are required by MSHA to have a training plan, and in some cases, independent contractors must develop their own training plan. Refer to <https://www.msha.gov/training-education/developing-training-plan>

MSHA also provides a template for developing a Part 46 training plan for your mine or contractor in the Part 46 Starter Kit found at this link. <https://arlweb.msha.gov/training/PART46/PART46SKNF.PDF>

Q: Which training plan is right for me?

A: Part 46 is the right plan if your mine-site falls in these categories:

Surface nonmetal mines that are designated as shell dredging, sand, gravel, surface stone, surface clay, colloidal phosphate, and surface limestone mines are required to have a Part 46 training plan. Other types can include operations that produce marble, granite, sandstone, slate, shale, trap-rock, kaolin, cement, feldspar, and lime.

Q: Is MSHA approval required for a Part 46 training plan?

A: No, a Part 46 training plan does not have to be officially submitted for approval; however, training plan must include the minimum requirements as stated in 30 CFR 46.3 (b).

Q: Do instructors have to be MSHA approved under Part 48?

A: Yes, instructors shall be approved by the MSHA District Manager. Various ways of approval are included in 30 CFR 48.3 (h)

Q: Is MSHA approval required for a Part 48 training plan?

A: Yes, for Part 48, the training plan should be filed with the District Manager's Office for the area in which the mine is located. 48.23 (b)

All coal mines, all underground metal and nonmetal mines, and other surface metal and nonmetal mines (not included under Part 46) are required to have an approved Part 48 plan. 48.3(a)

Q: How do I obtain a MSHA training plan?

A: Visit MSHA's website and follow the training plan advisor to complete your plan. <https://www.msha.gov/training-education/developing-training-plan>. The MSHA Education Field Services and Small Mines office can also provide guidance on how to develop a training plan. <https://arlweb.msha.gov/epd/efsms/contact.asp>

Q: Where can I request a MSHA Mine ID?

A: Mine identification numbers may be requested by completing online Form 7000-51 or by contacting your local district office. Visit MSHA's website to file online. Click on "file online" to apply for your ID. Please note that all mine operations are required to apply for a MSHA mine identification number. An MSHA ID is required for each mine site and must be issued before any operations begin.

Q: Where can I request a MSHA Contractor ID?

A: Contractor identification numbers can be requested online by completing the Form 7000-52. Visit MSHA's website to file online. Click on "7000-52" to start the Contractor ID for a contractor. Please note that you cannot file for a training plan without a contractor ID.

Additional Part 46 FAQ's:

arlweb.msha.gov/training/part46/compguide/46.3.asp or www.msha.gov/training-education/frequently-asked-questions