



**SECTION 9**

**COMPLIANCE WITH HEALTH AND SAFETY STANDARDS**

**LIST OF REVISIONS DURING PERMIT TERM**

| <b>REV.</b>   |                             | <b>DATE</b>     |
|---------------|-----------------------------|-----------------|
| <b>NUMBER</b> | <b>REVISION DESCRIPTION</b> | <b>APPROVED</b> |

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## **SECTION 9 COMPLIANCE WITH HEALTH AND SAFETY STANDARDS**

The U.S. Department of Labor's Mine Safety and Health Administration (MSHA) is the federal regulatory agency that oversees mine employees health and safety and derives its authority from the Federal Mine Safety and Health Act of 1977. In 2006, the Mine Improvement and New Emergency Response Act of 2006, also known as the MINER Act, was signed into law. This legislation amends the MSHA of 1977 and contains a number of provisions to improve safety and health in America's mines.

In addition to the MINER Act, Navajo Transitional Energy Company (NTEC) will also comply with various Parts of the Code of Federal Regulation, Title 30; Part 48, which outlines requirements for training and retraining of miners; Part 62, which addresses occupational noise exposure; and Part 77, which covers mandatory safety standards for surface coal mines.

In accordance with 30 CFR Part 48, Section 48.22(a)(1), MSHA requires that an MSHA identification number be obtained prior to the extraction and production process, which is when miners are considered to be regularly exposed to mine hazards. MSHA originally issued Utah Construction and Mining (NTEC's precursor) identification (ID) number 29-00097, on May 6, 1963. The MSHA identification number was then reissued to BHP Navajo Coal Company on April 2, 1984. As of December 31, 2013, NTEC is the current controller of MSHA Mine ID number 29-00097.