

# News Release



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## **U.S. Labor Department's MSHA publishes final asbestos exposure rule** *Regulation reduces general permissible exposure limit to 1/20<sup>th</sup> of previous level*

**ARLINGTON, Va.** – The U.S. Department of Labor's Mine Safety and Health Administration (MSHA) today published a final rule in the *Federal Register* that revises MSHA's existing health standards for asbestos exposure at metal and nonmetal mines, surface coal mines and surface areas of underground coal mines. Exposure to asbestos has been associated with lung cancer, mesothelioma and other cancers, as well as asbestosis and other nonmalignant respiratory diseases.

“This final rule will help improve health protection for miners who work in an environment where asbestos is present,” said Richard E. Stickler, acting assistant secretary of labor for mine safety and health. “Furthermore, it will help lower the risk of material impairment of health or functional capacity over a miner's working lifetime.”

Requirements of the Asbestos Exposure Limit rule:

- The final rule retains MSHA's existing definition of asbestos, which is the same as that of the Labor Department's Occupational Safety and Health Administration (OSHA).
- The final rule lowers MSHA's Permissible Exposure Limit (PEL) for asbestos 95 percent, from two fibers per cubic centimeter (f/cc) to 0.1 f/cc, which is the same as OSHA's; and lowers the excursion limit for brief exposures to higher levels from 10 f/cc (for 15 minutes) to one f/cc (for 30 minutes), which is the same as OSHA's. These lower PELs will significantly reduce the risk to miners.
- The final rule retains MSHA's existing method for analyzing asbestos samples (phase-contrast microscopy or PCM) and the existing counting criteria (particles 5 micrometers or longer with a length to diameter ratio of at least 3 to 1), which are the same as OSHA's.
- By policy, MSHA will continue to use transmission electron microscopy (TEM) to confirm samples that exceed the PEL (0.1 f/cc).

MSHA published the proposed rule for asbestos exposure limit in July 2005 and held two public hearings in October 2005 in Denver, Colo., and Arlington, Va.

There are no operating asbestos mines in the United States, and a few operating mines currently have asbestos in the ore. MSHA sampling data show that only five metal and nonmetal mines – 2 percent of the 207 mines sampled since 2000 – have had an asbestos exposure over the final rule's limit.

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