

(Pub. L. 87-851, § 8, Oct. 23, 1962, 76 Stat. 1128.)

§ 709. Disposition of payments and fees

Payments of filing fees and survey costs, and the payments of the purchase price for patents in fee shall be disposed of by the Secretary of the Interior as are such fees, costs, and purchase prices in the disposition of public lands. All payments and fees for occupancy in conveyances of less than the fee, or for permits for life or shorter periods, shall be disposed of by the administering department or agency as are other receipts for the use of the lands involved.

(Pub. L. 87-851, § 9, Oct. 23, 1962, 76 Stat. 1128.)

CHAPTER 21—METAL AND NONMETALLIC MINE SAFETY

§§ 721 to 740. Repealed. Pub. L. 95-164, title III, § 306(a), Nov. 9, 1977, 91 Stat. 1322

This chapter, covering the operation of only metal and nonmetallic mines, is covered by section 801 et seq. of this title following the enactment of Pub. L. 95-164 which brought the operation of all coal and other mines under a single legislative canopy.

Section 721, Pub. L. 89-577, § 2, Sept. 16, 1966, 80 Stat. 772, defined "commerce", "mine", "operator", "Secretary", and "Board". See section 802 of this title.

Section 722, Pub. L. 89-577, § 3, Sept. 16, 1966, 80 Stat. 773, described mines to be covered and empowered Secretary of the Interior to decline jurisdiction if effect of the mine on commerce was not sufficiently substantial. See section 801 et seq. of this title.

Section 723, Pub. L. 89-577, § 4, Sept. 16, 1966, 80 Stat. 773, related to investigations of metal and nonmetallic mines to obtain information relating to health and safety conditions. See section 811 of this title.

Section 724, Pub. L. 89-577, § 5, Sept. 16, 1966, 80 Stat. 773, related to admission of investigators to mines. See section 813 of this title.

Section 725, Pub. L. 89-577, § 6, Sept. 16, 1966, 80 Stat. 774, related to development of health and safety standards. See section 811 of this title.

Section 726, Pub. L. 89-577, § 7, Sept. 16, 1966, 80 Stat. 775, related to advisory committees. See section 812 of this title.

Section 727, Pub. L. 89-577, § 8, Sept. 16, 1966, 80 Stat. 775, related to findings and orders. See section 814 of this title.

Section 728, Pub. L. 89-577, § 9, Sept. 16, 1966, 80 Stat. 777, related to review of orders by Secretary of the Interior. See section 815 of this title.

Section 729, Pub. L. 89-577, § 10, Sept. 16, 1966, 80 Stat. 778, created Federal Metal and Nonmetallic Mine Safety Board of Review. See section 823 of this title.

Section 730, Pub. L. 89-577, § 11, Sept. 16, 1966, 80 Stat. 779, related to review functions of Federal Metal and Nonmetallic Mine Safety Board of Review. See section 823 of this title.

Section 731, Pub. L. 89-577, § 12, Sept. 16, 1966, 80 Stat. 781, related to judicial review of final orders of Federal Metal and Nonmetallic Mine Safety Board of Review. See section 816 of this title.

Section 732, Pub. L. 89-577, § 13, Sept. 16, 1966, 80 Stat. 782, related to accident and related reports to Secretary of the Interior. See section 813 of this title.

Section 733, Pub. L. 89-577, § 14, Sept. 16, 1966, 80 Stat. 782, related to penalties to be imposed for violations of the chapter. See section 820 of this title.

Section 734, Pub. L. 89-577, § 15, Sept. 16, 1966, 80 Stat. 782, related to programs of education and training for employers and employees. See section 825 of this title.

Section 735, Pub. L. 89-577, § 16, Sept. 16, 1966, 80 Stat. 782, related to State plans and cooperation with State agencies. See section 811 of this title.

Section 736, Pub. L. 89-577, § 17, Sept. 16, 1966, 80 Stat. 783, related to administration of chapter by Bureau of

Mines of Department of the Interior. See section 557a of Title 29, Labor.

Section 737, Pub. L. 89-577, § 18, Sept. 16, 1966, 80 Stat. 784, related to non-applicability of Administrative Procedure Act to proceedings under chapter. See section 815 of this title.

Section 738, Pub. L. 89-577, § 19, Sept. 16, 1966, 80 Stat. 784, related to effect of chapter on State laws. See section 811 of this title.

Section 739, Pub. L. 89-577, § 20, Sept. 16, 1966, 80 Stat. 784, related to annual report of Secretary of the Interior to Congress. See section 557a of Title 29, Labor.

Section 740, Pub. L. 89-577, § 21, Sept. 16, 1966, 80 Stat. 784, authorized appropriations necessary to carry out chapter. See section 824 of this title.

EFFECTIVE DATE OF REPEAL

Repeal effective 120 days after Nov. 9, 1977, see section 307 of Pub. L. 95-164, set out as an Effective Date of 1977 Amendment note under section 801 of this title.

CHAPTER 22—MINE SAFETY AND HEALTH

Sec.

- 801. Congressional findings and declaration of purpose.
- 802. Definitions.
- 803. Mines subject to coverage.
- 804. Interim Compliance Panel.

SUBCHAPTER I—GENERAL

- 811. Mandatory safety and health standards.
- 812. Advisory committees.
- 813. Inspections, investigations, and record-keeping.
- 814. Citations and orders.
- 815. Procedure for enforcement.
- 816. Judicial review of Commission orders.
- 817. Procedures to counteract dangerous conditions.
- 818. Injunctions.
- 819. Posting of orders and decisions.
- 820. Penalties.
- 821. Entitlement of miners to full compensation.
- 822. Representation of Secretary in civil litigation by Solicitor of Labor.
- 823. Federal Mine Safety and Health Review Commission.
- 823a. Principal office in District of Columbia; proceedings held elsewhere.
- 824. Authorization of appropriations.
- 825. Mandatory health and safety training.
- 826. Limitation on certain liability for rescue operations.

SUBCHAPTER II—INTERIM MANDATORY HEALTH STANDARDS

- 841. Mandatory health standards for underground mines; enforcement; review; purpose.
- 842. Dust concentration and respiratory equipment.
- 843. Medical examinations.
- 844. Rock dust and gas hazards; controls.
- 845. Dust standards in presence of quartz.
- 846. Noise standards; promulgation of new standards; tests; procedures; protective devices.

SUBCHAPTER III—INTERIM MANDATORY SAFETY STANDARDS FOR UNDERGROUND COAL MINES

- 861. Mandatory safety standards for underground mines.
- 862. Roof support.
- 863. Ventilation.
- 864. Combustible materials and rock dusting.
- 865. Electrical equipment.
- 866. Trailing cables.
- 867. Grounding of equipment.
- 868. Underground high-voltage distribution.
- 869. Underground low- and medium-voltage alternating current circuits.

- Sec. 870. Trolley wires and trolley feeder wires.
- 871. Fire protection.
- 872. Maps.
- 873. Blasting and explosives.
- 874. Hoisting and mantrips.
- 875. Emergency shelters; construction; contents; implementation plans.
- 876. Communication facilities; locations and emergency response plans.
- 877. General safety provisions.
- 878. Definitions.

SUBCHAPTER IV—BLACK LUNG BENEFITS

PART A—GENERAL PROVISIONS

- 901. Congressional findings and declaration of purpose; short title.
- 902. Definitions.
- 903. Field offices.
- 904. Repealed.

PART B—CLAIMS FOR BENEFITS FILED ON OR BEFORE DECEMBER 31, 1973

- 921. Regulations and presumptions.
- 922. Payment of benefits.
- 923. Filing of notice of claim.
- 924. Time for filing claims.
- 924a. Repealed.
- 925. Procedure for the determination of claims during transition period.

PART C—CLAIMS FOR BENEFITS AFTER DECEMBER 31, 1973

- 931. Benefits under State workmen's compensation laws.
- 932. Failure to meet workmen's compensation requirements.
- 932a. Appointment of qualified individuals to hear and determine claims for benefits.
- 933. Duties of operators in States not qualifying under workmen's compensation laws.
- 934. "Fund" defined; liability of operators to United States for repayments to fund; procedures applicable; rate of interest.
- 934a. Repealed.
- 935. Utilization of services of State and local agencies.
- 936. Regulations and reports.
- 937. Contracts and grants.
- 938. Miners suffering from pneumoconiosis; discrimination prohibited.
- 939. Authorization of appropriations.
- 940. Applicability of amendments to part B of this subchapter to this part.
- 941. Penalty for false statements or representations.
- 942. Miner benefit entitlement reports; penalty for failure or refusal to file.
- 943. Black lung insurance program.
- 944. Statement of reasons for denial of claim.
- 945. Repealed.

SUBCHAPTER V—ADMINISTRATIVE PROVISIONS

- 951. Studies and research.
- 951a. Health, Safety, and Mining Technology Research program.
- 952. Training and education.
- 953. Assistance to States.
- 954. Appointment of administrative personnel and inspectors; qualifications; training programs.
- 955. State laws.
- 956. Applicability of administrative procedure provisions.
- 957. Promulgation of regulations.
- 958. Annual reports to Congress; contents.
- 959. Study of coordination of Federal and State activities; report.
- 960. Limitation on issuance of temporary restraining order or preliminary injunction.

- Sec. 961. Functions transferred under 1977 amendments.
- 962. Acceptance of contributions and prosecution of projects; cooperative programs to promote health and safety education and training; recognition and funding of Joseph A. Holmes Safety Association; use of funds for costs of mine rescue and survival operations.
- 963. Technical Study Panel.
- 964. Scholarships.
- 965. Brookwood-Sago Mine Safety Grants.
- 966. Retention of fees.

§ 801. Congressional findings and declaration of purpose

Congress declares that—

(a) the first priority and concern of all in the coal or other mining industry must be the health and safety of its most precious resource—the miner;

(b) deaths and serious injuries from unsafe and unhealthful conditions and practices in the coal or other mines cause grief and suffering to the miners and to their families;

(c) there is an urgent need to provide more effective means and measures for improving the working conditions and practices in the Nation's coal or other mines in order to prevent death and serious physical harm, and in order to prevent occupational diseases originating in such mines;

(d) the existence of unsafe and unhealthful conditions and practices in the Nation's coal or other mines is a serious impediment to the future growth of the coal or other mining industry and cannot be tolerated;

(e) the operators of such mines with the assistance of the miners have the primary responsibility to prevent the existence of such conditions and practices in such mines;

(f) the disruption of production and the loss of income to operators and miners as a result of coal or other mine accidents or occupationally caused diseases unduly impedes and burdens commerce; and

(g) it is the purpose of this chapter (1) to establish interim mandatory health and safety standards and to direct the Secretary of Health and Human Services and the Secretary of Labor to develop and promulgate improved mandatory health or safety standards to protect the health and safety of the Nation's coal or other miners; (2) to require that each operator of a coal or other mine and every miner in such mine comply with such standards; (3) to cooperate with, and provide assistance to, the States in the development and enforcement of effective State coal or other mine health and safety programs; and (4) to improve and expand, in cooperation with the States and the coal or other mining industry, research and development and training programs aimed at preventing coal or other mine accidents and occupationally caused diseases in the industry.

(Pub. L. 91-173, § 2, Dec. 30, 1969, 83 Stat. 742; Pub. L. 95-164, title I, §102(a), Nov. 9, 1977, 91 Stat. 1290; Pub. L. 96-88, title V, §509(b), Oct. 17, 1979, 93 Stat. 695.)