

1 A RESOLUTION urging the United States Department of Labor Mine Safety and
2 Health Administration (MSHA) to adopt its proposed rule on permissible exposure limits
3 of silica dust.

4 WHEREAS, black lung disease, otherwise known as coal workers' pneumoconiosis,
5 is a debilitating illness that causes scarred lung tissue, difficulty breathing, and other
6 serious and sometimes life-threatening ailments; and

7 WHEREAS, experts agree that black lung disease is largely preventable because it
8 is caused by prolonged exposure to respirable crystalline silica, also known as toxic silica
9 dust; and

10 WHEREAS, toxic silica dust is a known carcinogen the exposure to which may
11 cause several severe illnesses, including emphysema, kidney disease, and lung cancer, in
12 addition to black lung disease; and

13 WHEREAS, inhalation of toxic silica dust is a common and known occupational
14 hazard that all miners face, and the recent increase in occurrence rates of black lung
15 disease in Kentucky can be traced to higher exposure levels of toxic silica dust within
16 coal mines; and

17 WHEREAS, in 2016, the federal Occupational Safety and Health Administration
18 (OSHA) established a permissible exposure limit regulation for construction and general
19 industry; and

20 WHEREAS, MSHA has proposed a new rule to lower its existing exposure limits
21 for toxic silica dust for miners to be consistent with the OSHA 2016 final rule and with
22 the National Institute for Occupational Safety and Health recommendations; and

23 WHEREAS, the MSHA proposed rule would align mine safety standards with those
24 of other industries, protecting coal miners in the Commonwealth of Kentucky; and

25 WHEREAS, the House of Representatives acknowledges that black lung disease is
26 a devastating and debilitating disease that is currently on the rise amongst Kentucky coal
27 miners, now affecting about one-in-five coal miners, and that it is important to reduce the

1 risks of exposure and disability;

2 NOW, THEREFORE,

3 *Be it resolved by the House of Representatives of the General Assembly of the*
4 *Commonwealth of Kentucky:*

5 ➔Section 1. The Kentucky House of Representatives urges the United States
6 Department of Labor Mine Safety and Health Administration to review and adopt the
7 proposed rule Lowering Miners' Exposure to Respirable Crystalline Silica and Improving
8 Respiratory Protection, 88 Fed. Reg. 44,852 (July 13, 2023).

9 ➔Section 2. The Clerk of the House of Representatives is directed to transmit a
10 copy of this Resolution and notification of its adoption to the Secretary of Labor at the
11 United States Department of Labor, the Director of the Office of Standards, Regulations,
12 and Variances at the Mine Safety and Health Administration, the Speaker of the United
13 States House of Representatives, the Majority Leader of the United States Senate, and
14 Kentucky's Congressional delegation.