

APRIL 10, 2025 | MSHA LEADERSHIP, RULEMAKING & STANDARDS

MSHA Announces Temporary Stay of Silica Rule Compliance Deadline for Coal Mining

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In a significant turn of events for the coal mining sector, the Mine Safety and Health Administration (MSHA) has announced a temporary enforcement pause on its stringent respirable crystalline silica regulation. This announcement follows a year of escalating anxiety in the industry since the final rule, officially titled “Lowering Miners’ Exposure to Respirable Crystalline Silica and Improving Respiratory Protection,” became effective on June 17, 2024.

Initially, coal operators faced an April 14, 2025, compliance deadline, significantly shorter than the two-year grace period granted to the Metal/Nonmetal (M/NM) industry, which has until April 8, 2026. However, as legal challenges from multiple industry associations loom over the rule, and the agency goes through a transition to the new administration, the landscape for compliance became fraught with uncertainty and lack of guidance. The challenges against the rule—currently consolidated in the 8th Circuit Court of Appeals—raise questions among stakeholders about whether the Court will uphold, vacate, or remand the final rule back to MSHA for revision and what impact that decision will have on compliance obligations.

Despite the impending arrival of this first compliance deadline, MSHA has offered little guidance or support, leaving coal operators to grapple with the ambiguities of the new regulations. The agency’s produced a frequently asked questions document, which proved too surface level and was insufficient guidance for those navigating the complexities of compliance. Amid this turmoil, MSHA announced a series of stakeholder meetings just weeks before the compliance date, which felt like too little, too late.

Recognizing the mounting pressures on the coal industry, particularly amid an ongoing leadership transition, MSHA has wisely decided to exercise its enforcement discretion. Yesterday, the [agency temporarily paused the impending compliance deadline for coal operators](#), extending the enforcement deadline to **August 18, 2025**. This four-month reprieve provides essential breathing room for coal operators to better prepare for compliance.

In an exercise of its enforcement discretion, the Mine Safety and Health Administration (MSHA), within the U.S. Department of Labor, announces a temporary enforcement pause of its final rule titled, “Lowering Miners’ Exposure to Respirable Crystalline Silica and Improving Respiratory Protection,” 89 Fed. Reg. 28,218 (April 18, 2024) (“Silica Rule”). MSHA will temporarily pause enforcement of the requirements in 30 C.F.R. part 60 for coal mine

operators until August 18, 2025, four months from the original compliance date of April 14, 2025.

It's crucial to note that this administrative stay applies solely to coal operators; the compliance deadline for M/NM companies remains unchanged on April 8, 2026 (*at least for now*). Industry associations representing Coal and M/NM operators requested a judicial stay, a request filed last week. This request remains pending with the 8th Circuit Court. We will provide updates on the [MSHA Defense Report](#) as briefing on the request unfolds and a decision is released.

This just in time announcement offers a crucial window of opportunity for coal mine operators and independent contractors, granting them additional time to devise compliance strategies and ultimately improve safety standards across the industry. The hope is that MSHA will take advantage of this period to engage meaningfully with the industry, addressing the myriad of questions surrounding the final rule and ultimately fostering a more collaborative approach to compliance.

We will keep you updated on any developments regarding MSHA's final rule on respirable crystalline silica as we continue to monitor this situation closely. Also, check out our earlier [analysis](#) of the final rule and recent [webinar](#) for an in-depth breakdown of the rule and its implications or reach out to our [MSHA Workplace Safety team](#).

In addition, CMC is hosting a [Midwest Workplace Safety \(OSHA/MSHA\) and Labor and Employment Law Summit](#) on June 5, 2025, where we will cover these developments in detail. See below for more information and to register.

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Conn Maciel Carey's [Midwest Workplace Safety \(MSHA / OSHA\) and Labor and Employment Law Summit in Detroit, MI](#) is an in-person program hosted by the attorneys in CMC's national [MSHA / OSHA](#) Workplace Safety and [Labor • Employment](#) Practice Groups based out of our Midwest Region offices (Chicago, Detroit, and Columbus), and joined by their colleagues from Washington, DC and California. This program is designed to update employers on important developments from federal OSHA, MSHA, and the State OSH Plans in the Midwest (i.e., Michigan OSHA, Indiana OSHA, Iowa OSHA, and Minnesota OSHA), as well as important labor and employment law issues.

Conn Maciel Carey LLP's

Midwest Workplace Safety and Labor and Employment Law Summit in Detroit, MI

The Latest Rulemaking,
Legislative, and Enforcement
Updates in the Midwest Region

Thursday, June 5, 2025



A New Era of Workplace Law and Deregulation: Key Updates and Compliance Strategies

This comprehensive event will provide essential updates on federal and state OSHA and MSHA enforcement and rulemaking, the latest developments from the National Labor Relations Board (NLRB), and enforcement trends in wage and hour investigations and other employment law topics under the second Trump administration. Our panel of legal and compliance experts from both private industry and the regulatory community will offer valuable insights and practical strategies to help businesses remain compliant and mitigate risks in a shifting regulatory landscape, including:

- An enforcement and rulemaking update about the Midwest State OSH Plans.
- An analysis of labor policy developments under the new administration and its implications for workplace regulations and employer obligations, as well as wage and hour enforcement trends.
- In-depth exploration of workplace audits, investigations, and attorney-client privilege.
- Strategies for reviewing and strengthening DEI programs within legal and organizational frameworks under the rise of anti-DEI rules.
- The evolving landscape of workplace safety and labor relations, including the Worker Walkaround Rule and its implications for labor environments.
- Strategies for identifying, evaluating, and controlling workplace health hazards in manufacturing and construction worksites.
- A simulated OSHA inspection, including a third-party union organizer under the Worker Walkaround Rule.

Check out the [agenda](#) for more information about the program. Also, visit the [event website](#) for official updates and register today to take advantage of our early bird ticket pricing!

