

ISSUE DATE: April 9, 2026

PROGRAM INFORMATION BULLETIN NO. P26-01

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SUBJECT: Silica Enforcement for Metal and Nonmetal and Coal Mines

Who needs this information?

Mine Safety and Health Administration (MSHA) enforcement personnel, coal mine operators, metal and nonmetal (MNM) mine operators, miners, miners' representatives, and interested parties need this information.

What is the purpose of this bulletin?

This Program Information Bulletin (PIB) informs mine operators that MSHA continues to enforce existing standards on respirable crystalline silica or quartz exposure in title 30 Code of Federal Regulations (30 CFR) parts 56, 57, 70, 71, 72, 75, and 90.

MSHA's 2024 final rule titled, "*Lowering Miners' Exposure to Respirable Crystalline Silica and Improving Respiratory Protection*," published at 89 FR 28218 (2024 Silica Rule), would have added a new Part 60 and revised those existing standards with conforming amendments.

However, the United States Court of Appeals for the Eighth Circuit (Court) stayed compliance with MSHA's 2024 Silica Rule on April 11, 2025, before the effective dates for the conforming amendments for coal (April 14, 2025) and MNM (April 8, 2026). In accordance with the Court-ordered stay, MSHA continues to enforce the existing coal and MNM standards in effect at the time of the stay.

Information for MNM mine operators

MSHA will continue to enforce the existing MNM standards in place at the time of the Court-ordered stay, in 30 CFR sections 56.5001, 56.5005, 57.5001, and 57.5005, which remain unchanged and are preserved under the stay.

Accordingly, MSHA is issuing a notice in the *Federal Register* to delay the effective date of the conforming amendments to the existing MNM standards.

Information for coal mine operators

MSHA will continue to enforce the existing coal standards in place at the time of the Court-ordered stay, in 30 CFR sections 70.2, 70.101, 70.205, 70.206, 70.207, 70.208, 70.209, Tables 70-1 and 70-2 to Subpart C of Part 70, 71.2, 71.101, 72.205, 71.206,

71.300, 71.301, 72.710, 72.800, 75.350, 90.2, 90.3, 90.100, 90.101, 90.102, 90.104, 90.205, 90.206, 90.207, 90.300, and 90.301.

MSHA will issue a forthcoming notice in the *Federal Register* for coal to reprint these existing standards in 30 CFR, which remain unchanged and are preserved under the Court-ordered stay.

When will the 2024 Silica Rule’s changes take effect?

Enforcement of the 2024 Silica Rule is stayed by the Court’s order. When the Court’s stay is resolved, MSHA will publish a notice in the *Federal Register* advising the public of the termination of the stay and any further action taken by MSHA.

What is the background for this PIB?

On April 18, 2024, MSHA published the 2024 Silica Rule to amend its existing standards to better protect miners against occupational exposure to respirable crystalline silica. The 2024 Silica Rule established 30 CFR part 60, a standalone standard for respirable crystalline silica which lowers the permissible exposure limit (PEL) for respirable crystalline silica at coal and MNM mines.

As part of the 2024 Silica Rule, MSHA made several conforming amendments in 30 CFR parts 56, 57, 70, 71, 72, 75, and 90 to align with the new part 60. Part 60 took effect on June 17, 2024, but the conforming amendments to 30 CFR parts 70, 71, 72, 75 and 90 for coal mines were not scheduled to take effect until April 14, 2025, and parts 56 and 57 for MNM mines were not scheduled to take effect until April 8, 2026.

Following publication of the 2024 Silica Rule, industry groups filed petitions in the United States Court of Appeals for the Eighth Circuit. On April 11, 2025, the Court issued an order staying the 2024 Silica Rule’s compliance deadlines. In accordance with the Court order, MSHA has delayed enforcement of the requirements in the 2024 Silica Rule. MSHA continues to enforce the existing standards in place before the 2024 Silica Rule’s changes were to take effect.

What is MSHA’s authority for this PIB?

The Federal Mine Safety and Health Act of 1977, as amended, 30 U.S.C. § 801 et seq.

Is this PIB on the internet?

This PIB may be viewed on the internet by accessing the MSHA home page ([MSHA Home page](#)) then choosing “Regulations,” then “Policy and Procedures,” and “Program Information Bulletins.”

Who is the MSHA contact person for this PIB?

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Who will receive this PIB?

MSHA Program Policy Manual Holders

Metal and Nonmetal Mine Operators

Coal Mine Operators

Metal and Nonmetal Special Interest Groups

Coal Special Interest Groups