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To: Joint Minerals, Business & Economic Development Committee

From: Director Robin Cooley, JD
State Mine Inspector, Heather Kroupa

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File Reference: RSC-23-017

Subject: Mine Inspector – Office and Operations

Statutory Authority

The Inspector of Mines is governed by Wyo. Stat. Ann. § 30-2-201 through 213. Wyo. Stat. Ann. § 30-2-205(a) (i) limits the State Mine Inspector’s rulemaking authority to “provide for consistency and equivalency but not more stringent than the rules and regulations adopted by the MSHA [Mine Safety and Health Administration] under Title 30 of the code of Federal Regulations, Parts 56, 57, 75, and 77... ” MSHA does not have any non-coal blasting regulations related to ground vibration, air blast, or other effects of such blasting on public or private property. MSHA’s current regulations are limited to the confines of Part 56.6000-56.6904, which pertain only to the storage, transportation, and safe handling of explosives on the mine site.

The State Mine Inspector enforces “all laws, rules and regulations pertaining to the safety of mine operations in this state.” Wyo. Stat. Ann. § 30-2-202(a)(vi). These laws, rules and regulations constitute the minimum standards for mining operations that are “necessary for the protection of the public interest and safety of employees and the general public.” Wyo. Stat. Ann. § 30-2-102; see also Wyo. Stat. Ann. § 30-2-205(a). The State Mine Inspector statutes do not provide authority to inspect or issue citations for any activity outside of the mining operation. Instead, the State Mine Inspector’s jurisdiction is limited to the confines of the mining operation and to the health and safety within the mining operation.

State Mine Inspector Responsibilities

The State Mine Inspector’s Office operates as a resource to the mining industry and the miners, through compliance assistance and education rather than punitive enforcement actions. While inspections can and do result in written citations for violations of safety rules and regulations, and those violative conditions are required to be corrected by the Mine Operator, State Statute

defines a maximum fine of \$750 and/or 6 months in jail and such action must be brought by the prosecuting attorney. Wyo. Stat. Ann. § 30-2-103.

Staffing

The State Mine Inspector's Office has seven positions including the State Mine Inspector, an Office Assistant, and five Deputy Inspectors that cover the entire state. The office has locations in Rock Springs, Lander, Gillette, and Douglas.