



## Memorandum

TO: Safety and Health Committee  
Coal Policy Task Force  
Minerals Policy Task Force  
Manufacturers and Services

FROM: Tawny Bridgeford, General Counsel & Senior Vice President,  
Regulatory Affairs  
Paul Krivokuca, Vice President, Health and Safety

DATE: August 15, 2025

SUBJECT: Clarification that Court Ordered Stay Prevents Enforcement  
of the Silica Standard

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As we previously reported, in April, the U.S. Court of Appeals for the Eighth Circuit issued an [order](#) granting the National Mining Association's motion to stay compliance deadlines in the Mine Safety and Health Administration's (MSHA) silica rule pending judicial review. As a result, MSHA cannot legally enforce the rule until litigation is resolved. Representatives from MSHA headquarters reaffirmed as recently as today that MSHA is adhering to the stay and has no current enforcement plans.

Some MSHA inspectors, however, may not fully understand the breadth of the court order. Potential confusion is likely a result of the expiration of MSHA's April [enforcement pause](#) on August 18. That expiration does not undermine the effectiveness of the court order. If an MSHA representative advises otherwise, you can provide them with a copy of the court order linked in this memo. If you have any questions about the court ordered stay, please contact Tawny at [tbridgeford@nma.org](mailto:tbridgeford@nma.org).

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