The operator did not track the location of all miners as required in the Emergency Response Plan in accordance with the Mine Improvement and New Emergency Response Act of 2006 (Miner Act) following the August 16, 2007 accident. People underground relocated to areas of the mine without their changed location tracked. Miners entering or exiting the mine did not report their location. Three rescue personnel were killed during this accident, and it was reasonably likely that the failure to adequately track the location of other personnel could have led to additional fatalities.