

**U.S. Department of Labor**

Mine Safety and Health Administration  
201 12th Street South  
Arlington, Virginia 22202-5452



**FEB 16 2016**

**MEMORANDUM FOR PATRICIA W. SILVEY**

Deputy Assistant Secretary for Operations  
Mine Safety and Health

**THROUGH:**

[REDACTED]  
**NEAL H. MERRIFIELD**  
Administrator for  
Metal and Nonmetal Mine Safety and Health

**THOMAS W. CHARBONEAU**  
Acting Director, Office of Assessments, Accountability, Special  
Enforcement and Investigations

**FROM:**

**ALFRED L. CLAYBORNE**  
Deputy Director, Office of Accountability, Special  
Enforcement and Investigations

**SUBJECT:**

MSHA Office of Accountability Review, Metal and Nonmetal  
South Central District, Denham Springs, Louisiana Field Office  
and [REDACTED]

Introduction

This memorandum summarizes the Office of Accountability's review of the subject district office, field office, and mine. The review included MSHA field activities; level of enforcement; conditions and practices at the mine; Field Accompanied Reviews (FARs); Office Reviews (ORs) and MSHA supervisory and managerial oversight. The accountability review also included evaluations to determine if there were any deficiencies in areas commonly identified during Agency internal reviews of MSHA's actions following past mine disasters.

Positive findings are included in this accountability review report; no issues were identified during the review which required specific corrective attention.

## Overview

Accountability Specialist Jerry Kissell (reviewer) conducted a review of the Metal and Nonmetal (M/NM) South Central District and the Denham Springs, Louisiana Field Office from [REDACTED]. The review focused on inspection activities during FY 2015 (October 2014 through September 2015) and specifically involved the review of two regular health and safety inspections (E01 event numbers [REDACTED] an underground [REDACTED]).

The Denham Springs Field Office was selected in part because during FY 2015 it had the following enforcement rates related to the Metal and Nonmetal sector:

- a significant and substantial (S&S) issuance rate of 33% compared to the national average rate of 26%,
- an elevated enforcement rate of 12.6% compared a national average of 9.9%, and
- a Violations Per inspection Hour (VPIH) rate of 0.26, compared to the national average of 0.23.

(Note: The Denham Springs Field Office has not been reviewed by the Office of Accountability previously.)

The [REDACTED] was selected in part because the S&S rates were notably higher than the national S&S average, the elevated enforcement was notably less than the national average and the VPIH was much lower than the national average as the statistics show for FY 2015:

- an S&S issuance rate of 35%, compared to the national average rate of 26%,
- an elevated enforcement rate of 5.5 %, compared a national average of 9.9%, and
- a VPIH rate of 0.14 compared to the national average of 0.23.

The reviewer conducted a mine visit to: focus on general mine conditions; determine whether conditions at the mine are commensurate with enforcement levels documented in the inspection reports reviewed; and to observe company work practices at the mine site.

Mine Visit [REDACTED]

As part of this review, the reviewer accompanied the Field Office Supervisor and a mine inspector to the [REDACTED] for a regular safety and health inspection (E01).

The mine is located in [REDACTED], and employs approximately [REDACTED] persons producing approximately [REDACTED] per year. The [REDACTED] is mined by room-and-pillar mining techniques, with drilling and blasting as the primary means to break the [REDACTED] material. The [REDACTED] is then loaded with rubber tire loaders and transported by haul trucks to a primary dump point, and then through conveyor belts is transported to the underground screening plant before being brought to the surface by skip buckets, where it is prepared for interstate commerce and subsequent shipping by barge.

The mine has multiple levels, (measured in feet from the surface of the mine) including the 500, 700, 900, 1100, 1300, 1600, and 1850 foot levels. The levels are connected by declined roadways which are the primary and secondary escape routes from the lower levels to the 500 level. Access to the underground workings is provided via a personnel hoist (the Steam Hoist) to the 500 level and then travel by rubber tire transportation to the different areas of the mine.

The reviewer observed the areas of the mine inspected, which included the following areas: the Steam Hoist, the active faces on the 1850 level, including observation of under-cutter machine activities, face drilling patterns, bench drilling activities, front end loader operations, loading of haul trucks, dump point operations, ground conditions, roadways, signage and primary and secondary escapeway indicators. Additional observations during the inspection included mobile mining equipment inspections; an under-cutter mining machine, a Caterpillar 980K Front End Loader (FEL), A Getman lube and service buggy, a Caterpillar 992B FEL, a Caterpillar 775 Haul truck, a Bobcat, skid steer, a Caterpillar 272D skid steer, a Caterpillar D-8 Dozer, and a Fletcher 830 Vertical/Bench Drill. The inspection included three conveyor belts at the Screen Plant, four single deck screens, a compressor and the adjacent walkways along these areas. Housekeeping, firefighting equipment, mobile portable power supply centers and electrical disconnect panels for the screen plant were also inspected. Work procedures and mining cycles observed included drilling, ore haulage, maintenance and clean-up activities, and the primary and secondary escapeways.

The reviewer observed communications between the mine operator and MSHA personnel during the inspection, and observed discussions with miners and company officials regarding work practices, safety topics, and enforcement actions.

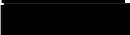
## Review Results

**Positive Findings:** The accountability review revealed positive findings in several areas, including the following:

1. Enforcement personnel conducted themselves in professional and courteous manner at all times during the review and inspection.
2. Inspection procedures observed during the review appeared in compliance with MSHA policy and procedures.
3. Enforcement personnel used appropriate enforcement tools during the mine site visit.
4. The inspector demonstrated an in-depth knowledge of mining systems used at the mine and held discussions with mine management and miners on violations, evaluations and terminations.
5. Air readings were taken and documented throughout the inspection.
6. The [REDACTED] conducted a minimum of one additional Office Review on each Authorized Representative in his work group for the review period.
7. Staff meetings were documented and showed updates and reviews on MSHA policy and procedure memoranda.
8. The review did not reveal any systemic issues requiring corrective actions.

The reviewer did identify two areas where the district could implement improvements in order to strengthen enforcement processes, which were documentation of enforcement actions and hazard complaint investigation procedures. These matters were discussed with the district in terms of applying best practices, however it was determined that no remedial action plan was required.

## Attachments

- A. Office of Accountability Checklist
- B. Citations/Orders issued during this review
  -  57.4102
  -  57.4201a2
  -  57.20011
  -  57.14112a1
  -  57.14112a1
- C. Issues identified with corresponding requirements  
(No issues were identified during this review)
- D. District Corrective Action Plan  
(N/A - No issues were identified during this review which required a Corrective Action Plan)

United States Department of Labor  
Mine Safety and Health Administration  
Office of Accountability

District  Field Office  Mine ID  Date

Attachment A – Office of Accountability Checklist

1. Determine if complete and thorough E01 inspections are being conducted and /or if policy and procedures were properly followed.

Adequate  Corrective Action Needed  Comments Below

2. Determine if documentation for inspections is complete and thorough.

Adequate  Corrective Action Needed  Comments Below

3. Determine if citations and orders issued during previous inspections were properly evaluated for gravity, negligence, level of enforcement, number of persons affected, and supported by documentation.

Adequate  Corrective Action Needed  Comments Below

4. Evaluate inspector(s) examination of required records and postings for compliance with applicable standards.

Adequate  Corrective Action Needed  Comments Below

5. Evaluate the inspector(s) physical examination of the active working areas of the mine and inspection of all mining cycles.

Adequate  Corrective Action Needed  Comments Below

6. Evaluate the inspector(s) on-site contaminant assessment and documentation.

Adequate  Corrective Action Needed  Comments Below

United States Department of Labor  
Mine Safety and Health Administration  
Office of Accountability

District  Field Office  Mine ID  Date

7. Evaluate inspector(s) examination of electrical equipment, transformer stations, and/or electrical circuits.

Adequate  Corrective Action Needed  Comments Below

8. Determine if adequate close-out conferences are being conducted at the end of each inspection.

Adequate  Corrective Action Needed  Comments Below

9. Determine if Possible Knowing/Willful (PKW) Forms are documented and processed according to agency policy and procedures.

Adequate  Corrective Action Needed  Comments Below

No PKW's were issued or reviewed during this review.

10. Evaluate 103(i) spot inspection (E02) reports for the office/district being reviewed for compliance with agency policies and procedures, including compliance with time frames and separating E02 inspections from other events.

Adequate  Corrective Action Needed  Comments Below

The Field Office has three mines in 103(i) status

11. Determine if Hazard Complaint inspections/investigations are being conducted according to policy and procedures.

Adequate  Corrective Action Needed  Comments Below

12. Determine if supervisors are monitoring inspector time and activity to ensure proper use of time, including off-shift and weekend work, by all inspectors.

Adequate  Corrective Action Needed  Comments Below



United States Department of Labor  
Mine Safety and Health Administration  
Office of Accountability

District  Field Office  Mine ID  Date

19. Determine if Assistant District Manager is conducting the required second level reviews and holding supervisors accountable for oversight of Office Reviews and Field Accompanied Activity Reviews.

20. Determine if district management personnel are reviewing work products and reports for accuracy and completeness.  
Adequate  Corrective Action Needed  Comments Below

21. Determine if managers and supervisors are using required standardized reports to review critical data relevant to inspections and investigations.  
Adequate  Corrective Action Needed  Comments Below   
Key indicators and district internal reports are used

22. Determine if Districts, when required, are conducting in-depth peer reviews in compliance with agency policy and procedures including follow-up to determine the effectiveness of corrective actions.  
Adequate  Corrective Action Needed  Comments Below   
No review required as OA completed a review last year in the SC district

23. Is information (mine status, methane liberation, number of employees, etc.) being entered into the MSHA Standardized Information System (MSIS) accurately and in a timely manner?  
Adequate  Corrective Action Needed  Comments Below

24. Determine if inspectors have sufficient equipment and supplies to conduct thorough inspections.  
Adequate  Corrective Action Needed  Comments Below

United States Department of Labor  
Mine Safety and Health Administration  
Office of Accountability

District  Field Office  Mine ID  Date

25. Evaluate the overall condition of the mine relative to the level of enforcement documented in previously completed inspections.

Adequate  Corrective Action Needed  Comments Below

26. Determine if inspectors have an understanding of when a violation of Section 103(a) for Advance Notice occurs and whether appropriate citations are issued for Advance Notice.

Adequate  Corrective Action Needed  Comments Below

27. Determine if the management resource tracking tool is being used to track resources regarding Special Investigations.

Adequate  Corrective Action Needed  Comments Below

Not part of this review.

28. Determine if retraining of supervisors, inspectors, and specialists is being tracked.

Adequate  Corrective Action Needed  Comments Below

United States Department of Labor  
 Mine Safety and Health Administration  
 Office of Accountability

District South Central Field Office Denham Springs, LA, Mine ID [REDACTED] Date [REDACTED]

**Attachment B - Citations issued during the Review**

Mine Citation/Order

U.S. Department of Labor  
 Mine Safety and Health Administration



Section I--Violation Data

1. Date	Mo Da Yr	2. Time (24 Hr. Clock)		3. Citation/Order Number	[REDACTED]
4. Served To			5. Operator		
6. Mine			7. Mine ID		
8. Condition or Practice			8a. Written Notice (103g)		

Flammable or combustible liquid spillage or leakage shall be removed in a timely manner or controlled to prevent a fire hazard. The boom roll gear box on the #40 under cutter had a seal leaking hydraulic oil. The under cutter parked in O-15 had been used prior to the inspection. The condition could expose miners to burn injuries.

PHOTO TAKEN

Standard 57.4102 was cited [REDACTED]

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health Safety Other	B. Section of Act	C. Part/Section of Title 30 CFR	57.4102
--------------	------------------------	-------------------	---------------------------------	---------

Section II--Inspector's Evaluation

10. Gravity:				
A. Injury or illness (has) (is): No Likelihood      Unlikely <input checked="" type="checkbox"/> Reasonably Likely      Highly Likely      Occurred				
B. Injury or illness could reasonably be expected to be: No Lost Workdays      Lost Workdays Or Restricted Duty <input checked="" type="checkbox"/> Permanently Disabling      Fatal				
C. Significant and Substantial:      Yes      No <input checked="" type="checkbox"/>			D. Number of Persons Affected: 001	
11. Negligence (check one)      A. None      B. Low      C. Moderate <input checked="" type="checkbox"/> D. High      E. Reckless Disregard				
12. Type of Action 104a		13. Type of Issuance (check one)      Citation <input checked="" type="checkbox"/> Order      Safeguard      Written Notice		
14. Initial Action		E. Citation/Order Number		F. Dated
A. Citation		B. Order		C. Safeguard      D. Written Notice
15. Area or Equipment				

16. Termination Due	A. Date	Mo Da Yr	B. Time (24 Hr. Clock)	
---------------------	---------	----------	------------------------	--

Section III--Termination Action

17. Action to Terminate

18. Terminated	A. Date	Mo Da Yr	B. Time (24 Hr. Clock)	
----------------	---------	----------	------------------------	--

Section IV--Automated System Data

19. Type of Inspection (activity code)	E01	20. Event Number	[REDACTED]	21. Primary or Mill	P
22. AR Name				23. AR Number	

MSHA Form 7000-3, Apr 08 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

United States Department of Labor  
 Mine Safety and Health Administration  
 Office of Accountability

District **South Central** Field Office **Denham Springs, LA,** Mine ID **[REDACTED]** Date **[REDACTED]**

Mine Citation/Order

U.S. Department of Labor  
 Mine Safety and Health Administration



Section I—Violation Data

1. Date Mo Da Yr [REDACTED]	2. Time (24 Hr. Clock) [REDACTED]	3. Citation/ Order Number [REDACTED]
4. Served To [REDACTED]	5. Operator [REDACTED]	
6. Mine [REDACTED]	7. Mine ID [REDACTED]	(Contractor)
8. Condition or Practice		8a. Written Notice (103g)

At least once every twelve months, maintenance checks shall be made of mechanical parts, the amount and condition of extinguishing agent and expellant, and the condition of the hose, nozzle, and vessel to determine that the fire extinguisher will operate effectively. The ten (10) pound dry chemical fire extinguisher on the 980 K wheeled-loader (1742) had the last annual inspection on [REDACTED]. Miners could be exposed to burn injuries.

PHOTO TAKEN

Standard 57.4201a2 was cited [REDACTED].

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health Safety Other	B. Section of Act	C. Part/Section of Title 30 CFR	57.4201a2
--------------	------------------------	-------------------	---------------------------------	-----------

Section II—Inspector's Evaluation

10. Gravity:

A. Injury or illness (has) (is): No Likelihood    Unlikely     Reasonably Likely    Highly Likely    Occurred

B. Injury or illness could reasonably be expected to be: No Lost Workdays    Lost Workdays Or Restricted Duty     Permanently Disabling    Fatal

C. Significant and Substantial: Yes    No

D. Number of Persons Affected: 001

11. Negligence (check one)    A. None    B. Low    C. Moderate     D. High    E. Reckless Disregard

12. Type of Action    104a    13. Type of Issuance (check one)    Citation     Order    Safeguard    Written Notice

14. Initial Action    A. Citation    B. Order    C. Safeguard    D. Written Notice    E. Citation/Order Number    F. Dated    Mo Da Yr

15. Area or Equipment

16. Termination Due    A. Date    Mo Da Yr    B. Time (24 Hr. Clock)    [REDACTED]

Section III—Termination Action

17. Action to Terminate    A unit with a current annual inspection was installed on the loader.

18. Terminated    A. Date    Mo Da Yr    B. Time (24 Hr. Clock)    [REDACTED]

Section IV—Automated System Data

19. Type of Inspection (activity code)    E01    20. Event Number    [REDACTED]    21. Primary or Mill    P

22. AR Name    [REDACTED]    23. AR Number    [REDACTED]

MSHA Form 7000-3, Apr 08 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

United States Department of Labor  
 Mine Safety and Health Administration  
 Office of Accountability

District South Central Field Office Denham Springs, LA, Mine ID [REDACTED] Date [REDACTED]

Mine Citation/Order

U.S. Department of Labor  
 Mine Safety and Health Administration



Section I—Violation Data

1. Date	Mo Da Yr	2. Time (24 Hr. Clock)		3. Citation/Order Number	
4. Served To		5. Operator			
6. Mine		7. Mine ID			(Contractor)
8. Condition or Practice				8a. Written Notice (103g)	

Areas where health or safety hazard exist that are not immediately obvious to employees shall be barricaded, or warning signs shall be posted at all approaches. The barricade at the entrance to H-12 (1600') did not warn miners of the exposed 60' open bench ahead. The barricade at the entrance had been run over and was not readily visible to miners. The room was in the process of being drilled although the drill operator was not present at the time. Miners entering the room could be exposed to a fatal fall over the bench.  
 PHOTO TAKEN

Standard 57.20011 was cited [REDACTED]

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health Safety Other	B. Section of Act	C. Part/Section of Title 30 CFR		57.20011
--------------	------------------------	-------------------	---------------------------------	--	----------

Section II—Inspector's Evaluation

10. Gravity:							
A. Injury or illness (has) (is):		No Likelihood	Unlikely	Reasonably Likely <input checked="" type="checkbox"/>	Highly Likely	Occurred	
B. Injury or illness could reasonably be expected to be:		No Lost Workdays	Lost Workdays Or Restricted Duty	Permanently Disabling	Fatal <input checked="" type="checkbox"/>		
C. Significant and Substantial:		Yes <input checked="" type="checkbox"/>	No	D. Number of Persons Affected: 001			
11. Negligence (check one)		A. None	B. Low	C. Moderate <input checked="" type="checkbox"/>	D. High	E. Reckless Disregard	
12. Type of Action		104a		13. Type of Issuance (check one)			
				Citation <input checked="" type="checkbox"/>	Order	Safeguard	Written Notice
14. Initial Action		A. Citation		B. Order	C. Safeguard	D. Written Notice	
		E. Citation/Order Number		F. Dated		Mo Da Yr	
15. Area or Equipment							

16. Termination Due	A. Date	Mo Da Yr	B. Time (24 Hr. Clock)		
---------------------	---------	----------	------------------------	--	--

Section III—Termination Action

17. Action to Terminate A new barricade was placed in the entrance to the room.

18. Terminated	A. Date	Mo Da Yr	B. Time (24 Hr. Clock)		
----------------	---------	----------	------------------------	--	--

Section IV—Automated System Data

19. Type of Inspection (activity code)	E01	20. Event Number	[REDACTED]	21. Primary or Mill	P
22. AR Name				23. AR Number	

MSHA Form 7000-3, Apr 08 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

United States Department of Labor  
 Mine Safety and Health Administration  
 Office of Accountability

District South Central Field Office Denham Springs, LA, Mine ID [REDACTED] Date [REDACTED]

Mine Citation/Order

U.S. Department of Labor  
 Mine Safety and Health Administration



Section I—Violation Data

1. Date	Mo Da Yr	2. Time (24 Hr. Clock)	3. Citation/Order Number
4. Served To	5. Operator		
6. Mine	7. Mine ID		(Contractor)
8. Condition or Practice			8a. Written Notice (103g)

Guards shall be constructed and maintained to withstand the vibration, shock, and wear to which they will be subjected during normal operation. The bell housing guard on 132 conveyor did not prevent access to the cooling fan blades. The 2" by 1 1/2 " opening along with the size of the expanded metal allowed contact. Miners access the area daily for clean up. Miners could be exposed to laceration or amputation injuries.

PHOTO TAKEN

Standard 57.14112a1 was cited [REDACTED]

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health Safety Other	B. Section of Act	C. Part/Section of Title 30 CFR
			57.14112a1

Section II—Inspector's Evaluation

10. Gravity:				
A. Injury or illness (has) (is):				
No Likelihood	Unlikely	Reasonably Likely <input checked="" type="checkbox"/>	Highly Likely	Occurred
B. Injury or illness could reasonably be expected to be:				
No Lost Workdays	Lost Workdays Or Restricted Duty	Permanently Disabling <input checked="" type="checkbox"/>	Fatal	
C. Significant and Substantial:				D. Number of Persons Affected:
Yes <input checked="" type="checkbox"/>	No			001
11. Negligence (check one)				
A. None	B. Low	C. Moderate <input checked="" type="checkbox"/>	D. High	E. Reckless Disregard
12. Type of Action		13. Type of Issuance (check one)		
104a		Citation <input checked="" type="checkbox"/>	Order	Safeguard
14. Initial Action		E. Citation/Order Number		F. Dated
A. Citation	B. Order	C. Safeguard	D. Written Notice	Mo Da Yr
15. Area or Equipment				

16. Termination Due	A. Date	Mo Da Yr	B. Time (24 Hr. Clock)

Section III—Termination Action

17. Action to Terminate A new bell housing cover has been installed on the motor.

18. Terminated	A. Date	Mo Da Yr	B. Time (24 Hr. Clock)

Section IV—Automated System Data

19. Type of Inspection (activity code)	E01	20. Event Number	[REDACTED]	21. Primary or Mill	P
22. AR Name	[REDACTED]	23. AR Number		[REDACTED]	

MSHA Form 7000-3, Apr 08 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

United States Department of Labor  
 Mine Safety and Health Administration  
 Office of Accountability

District South Central Field Office Denham Springs, LA, Mine ID [REDACTED] Date [REDACTED]

Mine Citation/Order

U.S. Department of Labor  
 Mine Safety and Health Administration



Section I--Violation Data

1. Date	Mo Da Yr	2. Time (24 Hr. Clock)	3. Citation/Order Number
4. Served To	5. Operator		
6. Mine	7. Mine ID		(Contractor)

8. Condition or Practice

8a. Written Notice (103g)

Guards shall be constructed and maintained to withstand the vibration, shock, and wear to which they will be subjected during normal operation. The 1462 air compressor on the screen deck in the screen plant had damaged guards. The 7 1/2" by 6 1/2" and 8 1/2" by 5" openings in the guard had deteriorated exposing the belt and pulley. Miners access the deck on a daily basis to use the compressor. Miners could be exposed to laceration or amputation injuries.

PHOTO TAKEN

Standard 57.14112a1 was cited

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health Safety Other	B. Section of Act	C. Part/Section of Title 30 CFR
			57.14112a1

Section II--Inspector's Evaluation

10. Gravity:

A. Injury or illness (has) (is):	No Likelihood	Unlikely	Reasonably Likely <input checked="" type="checkbox"/>	Highly Likely	Occurred
B. Injury or illness could reasonably be expected to be:	No Lost Workdays	Lost Workdays Or Restricted Duty	Permanently Disabling <input checked="" type="checkbox"/>	Fatal	
C. Significant and Substantial:	Yes <input checked="" type="checkbox"/>	No	D. Number of Persons Affected: 001		

11. Negligence (check one)	A. None	B. Low	C. Moderate <input checked="" type="checkbox"/>	D. High	E. Reckless Disregard
----------------------------	---------	--------	---	---------	-----------------------

12. Type of Action	104a	13. Type of Issuance (check one)	Citation <input checked="" type="checkbox"/>	Order	Safeguard	Written Notice
--------------------	------	----------------------------------	--	-------	-----------	----------------

14. Initial Action	E. Citation/Order Number			F. Dated	Mo Da Yr
A. Citation	B. Order	C. Safeguard	D. Written Notice		

15. Area or Equipment

16. Termination Due	A. Date	Mo Da Yr	B. Time (24 Hr. Clock)

Section III--Termination Action

17. Action to Terminate The openings have been guarded to prevent accidental contact.

18. Terminated	A. Date	Mo Da Yr	B. Time (24 Hr. Clock)

Section IV--Automated System Data

19. Type of Inspection (activity code)	E01	20. Event Number		21. Primary or Mill	P
22. AR Name		23. AR Number			

MSHA Form 7000-3, Apr 08 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

United States Department of Labor  
Mine Safety and Health Administration  
Office of Accountability

District  Field Office  Mine ID  Date

Attachment C – No Issues were identified that need a corrective action.

United States Department of Labor  
Mine Safety and Health Administration  
Office of Accountability

District  Field Office  Mine ID  Date

**Attachment D – District Corrective Action Plan**  
(N/A - No issues were identified during this review which required a Corrective Action Plan)