



MAY - 6 2015

MEMORANDUM FOR PATRICIA W. SILVEY
Deputy Assistant Secretary for Operations
Mine Safety and Health Administration [REDACTED]

THROUGH: KEVIN G. STRICKLIN [REDACTED]
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SUBJECT: MSHA Office of Accountability Review
Coal District 8, Vincennes, Indiana 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 evaluation of MSHA field activities; level of enforcement; conditions and practices at the mine; Field Activity Reviews (FARs); Accompanied Activities (AAs); second level reviews; 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 as well as issues requiring attention are included in this accountability review report.

Overview

Office of Accountability Specialists, Jerry Kissell and Mark Odum, conducted the review of Coal District 8 and the Vincennes, Indiana Field Office from [REDACTED]. This review focused on inspection activities during FY 2014 (October 2013 through September 2014) and the first quarter of FY 2015 (October 2014 through December 2014). The review focused specifically on documentation of the regular E01 inspection, Event No. [REDACTED], conducted by the Vincennes, Indiana Field Office of the [REDACTED]. The Office of Accountability selected the Vincennes Field Office and the [REDACTED] because the mine had an increase in the number of violations issued, including [REDACTED] during FY 2014. The [REDACTED] is an underground coal mine located in Greene County, Indiana and mined coal from the [REDACTED]. The status of the mine changed during the time of this review from producing to non-producing. Therefore, as part of this review, on [REDACTED] Accountability Specialist Mark Odum conducted a mine visit at the [REDACTED] a different mine also inspected by the Vincennes Field Office. The mine visit focused on general mine conditions; whether conditions at the mine corresponded with enforcement levels; and observations of work practices at the mine site.

Mine Visit

On [REDACTED] the Office of Accountability Specialist accompanied the Vincennes Field Office Supervisor, an inspector, and the Assistant District Manager - Enforcement to the [REDACTED], on a 103(i) Spot inspection (E02). The [REDACTED] is an underground coal mine located in [REDACTED] which accesses the [REDACTED] from a box cut [REDACTED]. The mine employs about [REDACTED] and uses two continuous mining machines with shuttle car haulage on each of three split ventilation sections with two mechanized mining units (MMUs) on each section. The inspection group traveled to the No. 2 active working section, MMUs 003-0 and 004-0. The review included observations of the following: inspections of the No. 2 Section; examinations of the working faces for imminent dangers; methane tests at the faces; air readings; ventilation; rock dusting and cleanup; roof and rib conditions; fire protection; communications; and a check of the No. 3 Joy continuous mining machine methane monitor. The inspector conducted safety, health, and best practice discussions and questioned miners to determine their knowledge and adequacy of training concerning the roof control and ventilation plans. Outby inspections included a portion of the primary escapeway, the refuge alternative; the No. 2 Section belt drive and head transfer area; and the 1st Main West seals. Other observations during the inspection included the travelway/alternate escapeway signage, lifelines, and dates, times, and initials. The on-site review also included observations of the check-in/check-out system, escapeway maps, communication and tracking system, and closeout discussions. No violations were observed during the mine visit.

Review Results

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

- Inspectors' notes were descriptive and organized
- Inspectors documented safety talks and discussions with miners on knowledge and training regarding roof control plans and ventilation plans
- Inspectors documented checks of multi-gas detectors
- Inspectors used sample bag numbers on the rock dust tracking map for best tracking capabilities
- The inspector, during the mine visit, recognized miners for good safety practices and work methods and suggested methods for improvement in work practices regarding safety and health
- The [REDACTED] used 103(i) spot calendars with color coded blocks for tracking

This accountability review did not reveal any issues that required corrective actions.

Attachments

- A. Office of Accountability Checklist
- B. Citations/Orders issued during this review
(No citations issued during this review)
- C. Examples of Citations Issued During Previous E01 Inspections
(No issues were identified during this review)
- D. District Corrective Action Plan
(No corrective action required)

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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/specialist examination of required record books and postings for compliance with applicable standards.

Adequate Corrective Action Needed Comments Below

5. Evaluate inspector/specialist examination of the operator's maps (on-site) for accuracy, escapeway locations, etc.

Adequate Corrective Action Needed Comments Below

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6. Evaluate, upon arrival on the working section, inspector/specialist examination of all working faces for imminent dangers.

Adequate Corrective Action Needed Comments Below

7. Evaluate the inspector/specialist observation of the work cycle and conditions on the working section during the review.

Adequate Corrective Action Needed Comments Below

8. Evaluate the inspector/specialist air quantity, quality, and gas checks during the review.

Adequate Corrective Action Needed Comments Below

9. Evaluate inspector/specialist examination of equipment electrical cables during the review.

Adequate Corrective Action Needed Comments Below

10. Evaluate inspector/specialist examination for permissibility during the review.

Adequate Corrective Action Needed Comments Below

Methane monitor inspected on continuous mining machine during mine visit.

11. Determine if previous E01 inspections include examinations of the condition and maintenance of conveyor belts, belt entries, belt drives, fire detection and suppression systems, and separation of belt entries from other air courses.

Adequate Corrective Action Needed Comments Below

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District

Coal District 8

Field Office

Vincennes
Indiana Field
Office

Mine ID



Date



12. Evaluate, during the review, the inspection of at least one set of seals, including methods for obtaining samples from sealed area.

Adequate Corrective Action Needed Comments Below

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

Adequate Corrective Action Needed Comments Below

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

Adequate Corrective Action Needed Comments Below

15. 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

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

Adequate Corrective Action Needed Comments Below

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Determine if supervisors are monitoring inspector time and activity to
17. ensure proper use of time, including off-shift and weekend work, by all
inspectors.
Adequate Corrective Action Needed Comments Below

Determine if required Field Activity Reviews (FARs) and supervisory
18. follow-ups are being conducted and documented according to agency
policy and procedures?
Adequate Corrective Action Needed Comments Below

Determine if Accompanied Activities (AAs) and supervisory follow-ups are
19. being conducted and documented according to agency policy and
procedures?
Adequate Corrective Action Needed Comments Below

20. Determine if a 104(d) tracking system is in place and being kept current at
the office being reviewed.
Adequate Corrective Action Needed Comments Below

21. Determine if the Uniform Mine File books are being maintained and
reviewed according to current agency policy and procedures.
Adequate Corrective Action Needed Comments Below

22. Determine if supervisors are thoroughly reviewing Uniform Mine Files at
least annually?
Adequate Corrective Action Needed Comments Below

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23. Determine if supervisors are visiting each active underground mine at least annually.

Adequate Corrective Action Needed Comments Below

24. Determine if all sections where retreat mining is occurring (not to include longwall mining) are being inspected at least monthly?

Adequate Corrective Action Needed Comments Below

No retreat mining conducted at mines inspected by Vincennes Field Office.

25. Determine if documentation of staff meetings/safety meetings are effective and relevant to current issues and the Agency's mission.

Adequate Corrective Action Needed Comments Below

26. Determine, after an in-mine visit, if approved plans (ventilation, roof control, training, ERP, etc.) are compatible with mining conditions and equipment.

Adequate Corrective Action Needed Comments Below

27. Determine if approved plans are being revised or updated to reflect changes in conditions and/or equipment.

Adequate Corrective Action Needed Comments Below

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28. Determine if plan reviews are in compliance with current agency policy and procedures (performed within required timeframes, tracked from the date of submission, properly documented, and contain input from all affected departments and field offices).

Adequate Corrective Action Needed Comments Below

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

30. Determine if district management personnel are reviewing work products and reports for accuracy and completeness.

Adequate Corrective Action Needed Comments Below

31. Determine if District Managers, Assistant District Managers, and supervisors are conducting required mine visits and properly completing the required spreadsheet.

Adequate Corrective Action Needed Comments Below

32. Determine if District Manager is using discretion in granting conferences and monitoring the ACR program to ensure that all decisions (including upholding, modifying or vacating citations) are properly documented and justified by the CLRs.

Adequate Corrective Action Needed Comments Below

Not reviewed as a part of this review.

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Determine if District Manager is holding the Supervisory Special
33. Investigator accountable for properly evaluating and initiating or denying potential cases.

34. 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

Determine if Districts are conducting reviews in compliance with agency
35. policy and procedures including follow-up to determine the effectiveness of corrective actions.
Adequate Corrective Action Needed Comments Below

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

Determine if District Managers are using the Report Center to identify
37. overdue responses from operators and take appropriate actions.

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38. Determine if a complete permissibility inspection of each longwall system is being conducted by electrical specialists or inspectors who hold a current MSHA electrical qualification card on at least an annual basis.

Adequate Corrective Action Needed Comments Below

No longwall mines inspected by Vincennes Field Office.

39. Determine if a proper examination of the AMS system and/or AMS systems that operate CO sensors for the purposes of 75.1101 is being conducted. A complete inspection includes those items in the revised GIPH (AMS checklist).

Adequate Corrective Action Needed Comments Below

40. Determine if SSIs are maintaining a memorandum detailing the reasons for not conducting a special investigation when the district manager decides to take no further action, in accordance with the Special Investigations Procedures Handbook.

Adequate Corrective Action Needed Comments Below

41. Determine if proper procedures for conducting, documenting, and reviewing MSHA respirable dust surveys are being followed. Proper documentation to include blue cards, 2000-86's, etc.

Adequate Corrective Action Needed Comments Below

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District	Coal District 8	Field Office	Vincennes Indiana Field Office	Mine ID	[REDACTED]	Date	[REDACTED]
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42. Determine if District Managers and Assistant District Managers are providing acting field office supervisors with the level of oversight necessary to manage their work groups on a temporary basis including an online distance learning training course with a knowledge check for temporarily promoted supervisors. The guidance will be included in each District's SOP for training newly promoted field office supervisors.

[REDACTED]

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Attachment B – Citations/Orders Issued During This Review

No citations were issued during this review.

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

District	Coal District 8	Field Office	Vincennes Indiana Field Office	Mine ID	[REDACTED]	Date	[REDACTED]
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Attachment C – Examples of Citations Issued During Previous Inspections

No issues identified during this review.

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Office of Accountability

District Coal District 8 Field Office Vincennes
Indiana Field
Office Mine ID [REDACTED] Date [REDACTED]

Attachment D – Corrective Action Plan

No issues identified during this review.