

U.S. Department of Labor

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



MAY - 4 2016

MEMORANDUM FOR PATRICIA W. SILVEY

Deputy Assistant Secretary for Operations
Mine Safety and Health

THROUGH:

KEVIN G. STRICKLIN
Administrator for
Coal Mine Safety and Health

FROM:

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

SUBJECT:

Mine Safety and Health Administration (MSHA) Office of
Accountability Review, Coal District 8, Litchfield, Illinois Field
Office, and

Introduction

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

Purpose

The purpose of this accountability review is to: 1) Determine whether MSHA enforcement policies, procedures, and guidance are being followed consistently; 2) Assess whether mission critical enforcement activities are accomplished effectively; and 3) To evaluate and improve the overall performance of MSHA's enforcement program. The major outcome expected from the Office of Accountability review program is to identify potential or actual areas for improvement and the subsequent implementation of effective corrective actions to address any identified issues.

Office of Accountability Specialists Jerry Kissell and Troy Davis conducted the review of Coal District 8 and the Litchfield, Illinois Field Office from [REDACTED]. This review focused on inspection activities during FY 2016 (October 2015 through September 2016). The review concentrated specifically on documentation of the regular E01 inspection, Event No. [REDACTED] conducted by the Litchfield, Illinois Field Office of the [REDACTED], an underground coal mine.

Overview

This review of the District 8 Litchfield, IL Field Office was conducted in accordance with the annual accountability review plan schedule. The [REDACTED] was selected for review because the mine received [REDACTED] 104(d) actions issued at mines assigned to the Litchfield Field Office during FY 2015.

As a part of this review, the Review Team conducted a mine visit focusing on general mine conditions; whether conditions at the mine are commensurate with enforcement levels documented in the inspection reports reviewed; and to observe work practices at the mine site.

This accountability review revealed material weaknesses¹ that required corrective actions. The Review Team also identified some non-material issues² along with inspection best practices as described in the General Inspection Procedures Handbook (GIPH) during the review. A general outline of discussion points is included in an attachment to this memorandum.

Positive findings are included in this report; two issues were identified during the review which required a corrective action plan.

¹ The Accountability Program Handbook, AH13-III-1, defines material weaknesses as those that, if left unaddressed, would likely result in continuing deficient operations, and are important enough to warrant a corrective action.

² According to the Accountability Program Handbook, non-material deficiencies are deficiencies identified during the reviews but are not determined to be material weaknesses. These non-material deficiencies should be discussed with management during the accountability review closeout conferences but do not need to be included as deficiencies in the accountability review reports.

Mine Visit

The Review Team accompanied the Assistant District Manager and an inspector to the [REDACTED] on [REDACTED] as part of a Regular Safety and Health Inspection (E01).

The [REDACTED] is located in [REDACTED]. It is a large operation with worked out areas. The mine employs approximately [REDACTED] miners working two eight-hour production shifts and one maintenance shift per day, five days per week. The mine has two active working sections that produce an average of [REDACTED] of raw coal daily. The mining process involves the use of Joy continuous mining machines; Joy flexible conveyor train haulage systems and ram car haulage. The coal is extracted using the room and pillar method. Coal is transported from the mine by conveyor belts to the surface, then to a processing plant where it is prepared for shipment to the customer via over-the-road trucks and rail haulage.

The inspection group traveled to the No. 2 Working Section, which was in active production. The mine visit included observations of the following: inspections of the working section; examinations of the working section and faces for imminent dangers; methane tests; air readings; ventilation; rock dusting and cleanup activities; roof and rib conditions; the communication and tracking system; the section belt tailpiece; the mining cycle; a permissibility inspection of the right side double boom roof bolting machine; and the Strata refuge alternative for the working section. The group observed the inspector conduct safety talks with miners and also question miners concerning the ventilation and roof control plans to evaluate the effectiveness of their training.

Outby inspections included the travelway and alternate escapeway from the portal to the No. 2 working section, signage, lifelines and dates, times, and initials of required examinations; approaches to the 7 Right 1 Left Main South (7R1LMS) worked-out area adjacent to the primary escapeway for the No. 2 working section; a portion of the primary escapeway, the No. 2 working section belt drive and associated fire protection system; and visual observations of the belt conveyor entry incidental to traveling to the No. 2 working section. Other observations during the inspection included the check-in/check-out system; escapeway maps located on the surface and on the No. 2 working section, outby self-contained self-rescuers (SCSRs) stored in the alternate escapeway of 4R1LMS entries; Micon 120 psi seals Nos. 1-6 located at the 1 Right Main South; and the inspector's post inspection discussions with the operator. One enforcement action was issued to the mine operator during the mine visit.

Review Results

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

- The Tracking Map and Rockdust Map were organized and easy to follow from the inspection notes.

- The inspectors field notes were documented clearly and correlated with the Inspection Tracking System (ITS) and Tracking Map in most instances.
- The inspector documented all major air splits and their locations on the Tracking Map.

This Review Team identified two issues that required a Corrective Action Plan (See Attachment A for Checklist Items for corrective actions). The Review Team also identified some other issues along with inspection best practices as described in the General Inspection Procedures Handbook (GIPH)³ during the review, and a general outline of discussion topics is included in an attachment to this memorandum. Topics discussed included the following: Documentation of Enforcement Actions; the ITS; Respirable Dust Surveys; Ventilation Plan; Roof Control Plan; Standard Operating Procedure (SOP) for tracking other inspection events that contribute to the E01 Inspection. These issues did not require a corrective action plan. (See Attachment E)

A corrective action plan from the District Manager to address the issues requiring corrective actions is attached to this report. (See Attachment F)

The district, along with the Review Team, analyzed the findings identified during this review to determine the root cause of the noted issues. Item No. 1 was collectively a result of insufficient training in the requirements of examinations for non-pillared worked-out areas, and insufficient supervisory oversight/feedback to inspectors regarding examinations of non-pillared worked-out areas. Some confusion existed as to the pre-shift requirements for approaches to worked-out areas that are adjacent to intake aircourses used to ventilate a working section. Item No. 2 was collectively a result of inspectors insufficient attention to detail, not recognizing all items that needed to be documented, and insufficient supervisory oversight/feedback to inspectors regarding inspection documentation.

As a part of the review, enforcement levels of the mine and field office were compared with the district and national averages. The [REDACTED] had the following statistics:

- a significant and substantial (S&S) rate of 29 percent during FY 2015 where the mine received [REDACTED] 104(a) citations; [REDACTED] 104(b) order; and [REDACTED] 104(d) actions; compared to the Field Office S&S rate of 25 percent; a district S&S rate of 22 percent; and a national S&S rate of 25 percent.

This comparison of FY 2015 showed the S&S rate for the mine was higher than the average S&S rate of the field office, district and the national rate.

The inspection event reviewed, Event No. [REDACTED] had [REDACTED] issuances and an S&S rate of 41 percent. There were [REDACTED] 104(d) actions issued during the event. Based on the review of Event No. [REDACTED] and observations during the mine visit, enforcement levels were appropriate for the mining conditions and work practices at the mine.

³ See Coal Mine Safety and Health General Inspection Procedures Handbook, PH13-IV-1, PREFACE for reference.

Attachments

- A. Office of Accountability Checklist
- B. Citations/Orders issued during this review
Citation No. [REDACTED] 75.360(b)(4)
- C. Issues requiring a Corrective Action Plan
- D. Discussion Topics
- E. Corrective Action Plan

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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

See Attachment C

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

Adequate Corrective Action Needed Comments Below

See Attachment C

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

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

Adequate Corrective Action Needed Comments Below

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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

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

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

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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

NA – Not part of this review.

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

17. 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

18. Determine if required Accompanied Activities (AAs); Field Activity Reviews (FARs) and supervisory follow-ups are being conducted and documented according to agency policy and procedures?

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19. 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

20. 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

21. Determine if supervisors are thoroughly reviewing Uniform Mine Files at least annually?

Adequate Corrective Action Needed Comments Below

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

Adequate Corrective Action Needed Comments Below

23. 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

24. 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

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Determine, after an in-mine visit, if approved plans (Ventilation, Roof Control, Training, Emergency Response Plan (ERP), etc.) are compatible with mining conditions and equipment.

25. Adequate Corrective Action Needed Comments Below

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

26. Adequate Corrective Action Needed Comments Below

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).

27. Adequate Corrective Action Needed Comments Below

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.

28.

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

29. Adequate Corrective Action Needed Comments Below

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

Adequate Corrective Action Needed Comments Below

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

Adequate Corrective Action Needed Comments Below

NA – Not part of this review.

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

Adequate Corrective Action Needed Comments Below

NA – Not part of this review.

33. Determine if managers and supervisors are using 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
34. policy and procedures including follow-up to determine the effectiveness of corrective actions.

Adequate Corrective Action Needed Comments Below

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Coal District 8

Field Office

Litchfield, IL
Field Office

Mine ID

[REDACTED]

Date

[REDACTED]

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

Adequate

Corrective Action Needed

Comments Below

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

[REDACTED]

37. 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

38. Determine if a proper examination of the Atmospheric Monitoring System (AMS) and/or AMS systems that operate Carbon Monoxide (CO) sensors for the purposes of 75.1101 is being conducted. A complete inspection includes those items in the Coal General Inspection Procedures Handbook (GIPH) AMS checklist.

Adequate

Corrective Action Needed

Comments Below

39. 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

NA – Not part of this review.

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

Adequate

Corrective Action Needed

Comments Below

Determine if District Managers and Assistant District Managers are
providing acting field office supervisors with the level of oversight
41. 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 Standard Operating Procedure (SOP) for training newly promoted
field office supervisors.

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Attachment B – Citations/Orders Issued During This 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) Mo Da Yr	3. Citation/Order Number Mo Da Yr
4. Served To Mo Da Yr		5. Operator Mo Da Yr
6. Mine Mo Da Yr		7. Mine ID Mo Da Yr (Contractor)
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

Approaches to worked-out areas along intake air courses and the entries used to carry air into worked-out areas when the intake air passing the approaches is used to ventilate working sections shall be preshifted. The operator has performed an inadequate preshift examination of the ILMS (Main East) intake where it ventilates the 7RILMS worked out panel. The preshift examination recorded only showed that an examination with one air quality reading had been taken in the ILMS intake from cross-cut 9-18. The proper examination requires 5 air quality readings with proper direction shown to be taken in this area.

Management removed everyone from the mine until an adequate examination could be performed.

See Continuation Form (MSHA Form 7000-3a) <input type="checkbox"/>			
9. Violation	A. Health Safety <input type="checkbox"/> Other <input checked="" type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR 75.360(b)(4)

Section II—Inspector's Evaluation					
10. Gravity:					
A. Injury or illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input checked="" type="checkbox"/> Reasonably Likely <input type="checkbox"/> Highly Likely <input type="checkbox"/> Occurred <input type="checkbox"/>					
B. Injury or illness could reasonably be expected to be: No Lost Workdays <input type="checkbox"/> Lost Workdays Or Restricted Duty <input type="checkbox"/> Permanently disabling <input type="checkbox"/> Fatal <input checked="" type="checkbox"/>					
C. Significant and Substantial: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>				D. Number of Persons Affected: 009	
11. Negligence (check one) A. None <input type="checkbox"/> B. Low <input checked="" type="checkbox"/> C. Moderate <input type="checkbox"/> D. High <input type="checkbox"/> E. Reckless disregard <input type="checkbox"/>					
12. Type of Action 104(a)			13. Type of issuance (check one) Citation <input checked="" type="checkbox"/> Order <input type="checkbox"/> Safeguard <input type="checkbox"/> Written Notice <input type="checkbox"/>		
14. Initial Action A. Citation <input type="checkbox"/> B. Order <input type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/>				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 An adequate examination was performed and recorded in the books with 5 measuring points in the proper locations with proper direction added to the examinations.

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 Mo Da Yr	21. Primary or Mili
22. AR Name Mo Da Yr		23. AR Number Mo Da Yr

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 20418. 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.

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Attachment C – Issues requiring a Corrective Action Plan

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

1. The inspector did not properly evaluate the mine operator's examination of the non-pillared worked areas as follows:
 - Pre-shift requirements for approaches to worked-out areas off the No. 2 working section intake located at the entrance of 7R1LMS worked out area-the mine operator was not examining the approaches per 30 CFR 75.360(b)(4). This condition had existed since the completion of mining in the 7R1LMS panel.
 - Weekly examination requirements of measurement point locations at the deepest point of penetrations of 1R1LMS; 2R1LMS and 7R1LMS worked out areas-No air quantity or air quality measurements were taken at each required location described in the ventilation plan.

Requirements: GIPH pages 3-50 and 51 states in part "Non-Pillared Worked Out Areas. The inspector shall evaluate the mine operator's examination of non-pillared worked-out areas. Non-pillared worked-out areas shall be inspected to the point of deepest penetration or to alternative evaluation locations approved in the mine ventilation plan, to determine compliance with applicable standards and approved plans, including attention to ventilation controls, mine roof conditions, rock dust application, examination certifications, and any equipment being operated in the worked-out area."

GIPH Pages 3-66 and 67 state in part "Additionally, the inspector shall determine the direction and quantity of airflow, and test for the presence of methane (CH₄) and oxygen (O₂) deficiency, at the following locations:

13. At the measurement points specified in the mine ventilation plan for evaluating bleeders systems and worked-out areas, including where air enters and leaves the worked-out areas" *Documentation Required: Methane (CH₄) and oxygen (O₂) tests shall be taken at each required location and recorded as a percentage. The air velocity and area (height and width of location where the required measurement was taken) shall be recorded with the air quantity calculated.*

Checklist item #2 - Determine if documentation for inspections is complete and thorough.

1. MSHA Form 2000-22 - Sections 13C, D, and F were not completed correctly. The numbers of samples taken during the inspection were not accurately recorded. (Rockdust surveys = 57 recorded; 62 were taken as per analytical results; Respirable Dust = 29 recorded; 24 samples taken plus 4 control filters; Other = 0 records; 2 diesel surveys were taken)

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Requirement: GIPH pages 2-13 and 14 states in part "Mine Activity Data Form (MSHA Form 2000-22). The Lead inspector shall complete and submit an MSHA Form 2000-22 as a cover page for all types of inspection or investigative activity reports... All items (boxes) must be filled out by entering either the appropriate information or by entering zeros (0)."

GIPH pages 2-16 and 17 states in part: "Item 13. Number of Samples Collected. This section summarizes the type(s) and total number of samples taken during the period covered by the inspection report."

- Item 13.c. Rock Dust Surveys. Enter the number of individual rock dust samples collected. Each bag collected and submitted counts as one sample.
- Item 13.d. Respirable Dust. Enter the total number of individual respirable dust samples collected, both valid and invalid.
- Item 13.f. Other. Include any other type of health sample collected individually. If this item contains a value, show specific types of samples taken in Item 17.

2. Rockdust Map – Three samples taken in the Main South headings did not include the sample collection dates.

Requirement: GIPH Page 5-19 states in part "A map of each mine will be maintained at the field office showing ventilation air courses, float coal dust sources, sample locations, sample collection dates, dust violations and other pertinent information."

3. Inspection Report File did not contain printouts of the SCSR inventory and Diesel inventory.

Requirement: GIPH page 6-10 states in part "Forms and Information Needed in an E01 Inspection Report." Checklist items - Diesel Equipment Inventory Records (print out) and SCSRs Inventory Records (print out).

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Attachment D – Discussion Topics

Topics discussed with the district not requiring corrective action plans:

- Documentation of Enforcement Actions – Justification of gravity determination for violations of 75.400, 75.403, and standards that affect emergency escape/evacuation of miners – See Citation and Order Writing Handbook For Coal Mines and Metal and Nonmetal Mines, PH13-I-1(1), page 11; Coal Mine Safety and Health General Inspection Procedures Handbook, PH13-V-1 (GIPH), pages 2-19, 20 and 21.
- Inspection Tracking System (ITS) – The inspection of all in-use and available for use haulage, mobile, and portable equipment should be documented and maintained in the ITS. Some equipment documented as inspected in the notes was not listed in the ITS. Also some equipment documented in the ITS as inspected was not documented in the inspection notes. See GIPH, pages 3-51 and 52.
- Respirable Dust Surveys – Dust parameters measured while sampling exceeded 120 percent of the ventilation plan requirements. See Coal Mine Health Inspection Procedures Handbook, PH89-V-1; pages 1-25 and 26.
- Ventilation Plan – Terminology pertaining to worked-out areas (measurement point locations verses evaluation points). Also air volume requirements in the last open crosscut when the permanent stopping line is maintained to the fourth open crosscut as compared to operating in rooms.
- Roof Control Plan – Plan parameters specific to skin control on the No. 2 working section
- Standard Operating Procedure (SOP) – Recommended the district develop an SOP to ensure inspection activities on other inspection codes that contribute to the E01 are identified.

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Mine ID



Date



Attachment E – Corrective Action Plan

U.S. Department of Labor

Mine Safety and Health Administration
2300 Willow Street
Suite 200
Vincennes, Indiana 47591-5416



March 16, 2016

MEMORANDUM FOR TED SMITH
Supervisor, Office of Accountability

FROM: RONALD W. BURNS
District Manager
Coal District 8



SUBJECT: Proposed Corrective Actions

This is a response to the review conducted by the Office of Accountability from [REDACTED] at the Litchfield, Illinois Field Office and the [REDACTED]. The results of your review identified two deficiencies, which are required to be addressed by this district.

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

1. The inspector did not properly evaluate the mine operator's examination of the non-pillared worked areas as follows:
 - Pre-shift requirements for approaches to worked-out areas off the No. 2 working section intake located at the entrance of 7R1LMS worked out area- The mine operator was not examining the approaches per 30 CFR 75.360(b)(4). This condition has existed since the completion of mining in the 7R1LMS panel in
 - Weekly examination requirements of measurement point locations at the deepest point of penetrations of 1R1LMS, 2R1LMS and 7R1LMS worked out areas- No air quantity or air quality measurements were taken at each required location described in the ventilation plan.

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- ROOT CAUSE:

Checklist Item 1 deficiency was collectively a result of insufficient training in the requirements of examinations in non-pillared worked-out areas and insufficient supervisory oversight/feedback to inspectors regarding examinations of non-pillared worked-out areas.

- PROPOSED CORRECTIVE ACTIONS:

Corrective Action for deficiencies specifically identified during the OA Review conducted from

Focused training will be provided to all CMIs and Supervisors on the requirements listed in the General Inspection Procedures Handbook (GIPH) for the items specifically identified during the OA review. All participants will sign an attendance roster and a record of the training will be kept with the corrective actions for this review.

Additionally, a guidance sheet with all the identified items will be provided to all Field Office Supervisors to use to assist them during reviews of E01 inspections.

- The ADM Enforcement will be responsible for implementing the Corrective Actions.

- TIMEFRAME FOR COMPLETION OF EACH CORRECTIVE ACTION:

Training for Supervisors took place on March 02, 2016. Training for all ARs and ROE inspection personnel will be conducted during monthly staff meetings at each Field Office during the 3rd Quarter FY 2016 and will be completed by June 30, 2016.

- METHOD FOR DETERMINING SUCCESS:

Review of implementation will be conducted during the quarterly supervisory review of the E01s that are completed. After the end of the 3rd Quarter FY 2016, a FAR will be conducted on a complete E01 inspection from a mine out of the Litchfield Field Office. Supervisory personnel from the District will assist the Litchfield Field Office Supervisor in the review of this inspection. The purpose of the review will be to determine if the corrective actions for this OA review were successful. Further retraining will occur of any deficiency identified during the FAR that was also found during this OA review. The ADM Enforcement will oversee this review and will provide input back to the DM through a 2nd Level Review.

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Litchfield, IL
Field Office

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Date



Checklist item #2 - Determine if documentation for inspections is complete and thorough.

1. MSHA Form 2000-22 - Sections 13C, D, and F were not completed correctly. The numbers of samples taken during the inspection were not accurately recorded. (Rockdust surveys = 57 recorded; 62 were taken as per analytical results; Respirable Dust = 29 recorded; 24 samples taken plus 4 control filters; Other = 0 records; 2 diesel surveys were taken)
2. Rockdust Map – Three samples taken in the Main South headings did not include the sample collection dates.
3. Inspection Report File did not contain printouts of the SCSR inventory and Diesel inventory.

• ROOT CAUSE:

Checklist Item 2 deficiency was collectively a result of a combination of inspectors' insufficient attention to detail and not recognizing all items needed to be documented; and due to insufficient supervisory oversight/feedback to inspectors regarding inspection documentation.

• PROPOSED CORRECTIVE ACTIONS:

Corrective Action for deficiencies specifically identified during the OA Review conducted from

Focused training will be provided to all CMI's and Supervisors on the requirements listed in the General Inspection Procedures Handbook (GIPH) for the items specifically identified during the OA review. All participants will sign an attendance roster and a record of the training will be kept with the corrective actions for this review.

Additionally, a guidance sheet with all the identified items will be provided to all Field Office Supervisors to use to assist them during reviews of E01 inspections.

- The ADM Enforcement will be responsible for implementing the Corrective Actions.

- TIMEFRAME FOR COMPLETION OF EACH CORRECTIVE ACTION

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Coal District 8

Field Office

Litchfield, IL
Field Office

Mine ID



Date



Training for Supervisors took place on March 02, 2016. Training for all ARs and ROE inspection personnel will be conducted during monthly staff meetings at each Field Office during the 3rd Quarter FY 2016 and will be completed by June 30, 2016.

• METHOD FOR DETERMINING SUCCESS:

Review of implementation will be conducted during the quarterly supervisory review of the E01s that are completed. At the end of the 3rd Quarter FY 2016, a FAR will be conducted on a complete E01 inspection from a mine out of the Litchfield Field Office. Supervisory personnel from the District will assist the Litchfield Field Office Supervisor in the review of this inspection. The purpose of the review will be to determine if the corrective actions for this OA review were successful. Further retraining will occur if any deficiency identified during the FAR that was also found during this OA review. The ADM Enforcement will oversee this review and will provide input back to the DM through a 2nd Level Review.

A DESCRIPTION OF THE DOCUMENTATION THAT WILL DEMONSTRATE CLOSURE OF THE CORRECTIVE ACTION.

The District Manager will send a memorandum to Alfred L. Clayborne, Deputy Director, Office of Assessments, Accountability, Special Enforcement and Investigations through Ted Smith, Supervisor, Office of Accountability upon completion and evaluation of the corrective actions.