



AUG 13 2018

MEMORANDUM FOR PATRICIA W. SILVEY

Deputy Assistant Secretary for
Mine Safety and Health Administration

THROUGH:

KEVIN G. STRICKLIN
Acting Administrator for
Metal and Nonmetal Mine Safety and Health

FROM:

THOMAS W. CHARBONEAU
Director, Office of Assessments

SUBJECT:

Mine Safety and Health Administration (MSHA)
Office of Accountability Review
Metal and Nonmetal Southeast District
Franklin, Tennessee Field Office

Introduction

This memorandum summarizes the Office of Accountability's review of the Southeastern District, Franklin, Tennessee Field Office. The review focused on enforcement activities at the [REDACTED] This review included MSHA field activities, level of enforcement, conditions and practices at the mine, Field Accompanied Reviews, Office Reviews and MSHA supervisory and managerial oversight.

Purpose

The purpose of this accountability review is to determine whether MSHA enforcement policies, procedures and guidance are being followed consistently and whether mission critical enforcement activities are accomplished effectively. The accountability review also identifies areas for improvement and the subsequent implementation of effective corrective actions to address any identified issues.

Overview

Office of Accountability (OA) Supervisor Ted Smith and Specialist Troy Davis (Review Team) conducted the review in accordance with the annual accountability review plan schedule. The review concentrated on a Regular Safety and Health Inspection (E01) of the [REDACTED] [REDACTED] Event No. [REDACTED]. The mine was selected because it is a large surface operation. Mr. Smith and Mr. Davis conducted the on-site review from [REDACTED]. The review focused on enforcement activities during FY 2017 and the first half of FY 2018, and included review of supervisory oversight activities.

Mine Visit [REDACTED]

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

The mine is a surface [REDACTED] operation located in [REDACTED] and employs approximately [REDACTED] miners working one ten-hour shift per day, five days production and one day maintenance. [REDACTED] is mined by drilling and blasting and then loaded onto haul trucks and transported to the primary crusher on the property. The crushed material is deposited onto belt conveyors for transport to the plant for processing and delivery to the customer. During the visit, the Review Team evaluated general conditions at the mine, assessed whether conditions at the mine are commensurate with enforcement levels documented in the inspection reports reviewed, and observed work practices at the mine site.

The mine visit included inspections and observations of the following:

Surface

- pre-inspection discussions with the mine operator
- mine office
- examination records
- work practices
- open pit
- mining cycles (loading, haulage and dump)
- drill bench (no activity during the mine visit)
- primary crusher area and conveyor belts
- silo and screening tower
- haulroads and berms
- two 50 ton rear dump haul trucks
- one front-end loader

The inspector issued three enforcement actions. (Attachment E)

Review Results

This accountability review revealed positive findings in the following areas:

1. For E01 Event [REDACTED] the inspector documented sound level readings taken for various potentially high noise mining procedures and processes.
2. The Franklin, Tennessee Field Office is actively engaging and assisting its stakeholders in the consideration of forming a Tennessee Holmes Safety Council Chapter. In November 2017, 28 mine operators participated in a meeting to discuss the benefits of a potential chapter.

This accountability review identified one issue that required a corrective action plan. District staff along with the Review Team analyzed the findings identified during this review to determine the root cause of the issue. The corrective action plan memorandum outlining the root cause of the issue and corrective actions implemented is included in an attachment to this memorandum. (Attachment A)

Issue 1: Documentation for the Regular Health and Safety Inspection (E01) event [REDACTED] was not complete and thorough. (Office of Accountability Checklist Item #2)

- Work practices observed during the inspection were not documented in the field notes.

The Review Team also discussed with the District some inspection and procedural best practices as described in the Metal and Nonmetal General Inspection Procedures Handbook. A general outline of discussion topics is included in an attachment to this memorandum. (Attachment C)

As a part of the review, the OA compared enforcement levels of the mine with the Field Office, District, and national averages. The mine had a Significant and Substantial (S&S) rate of 40 percent in FY 2017 compared to the Field Office S&S rate of 23 percent; a District S&S rate of 24 percent; and the national S&S rate of 23 percent. While the S&S rate for the mine was higher than the average S&S rates of the Field Office, District and nation, the enforcement levels were appropriate with existing mining conditions and work practices based on the review and observations made during the mine visit.

Attachments

- A. **Corrective Action Plan**
- B. **Issues requiring Corrective Action**
- C. **Discussion Topics**
- D. **Office of Accountability Checklist**
- E. **Citations Issued during Mine Visit**
 - No. [REDACTED] 56.14107(a)
 - No. [REDACTED] 56.16005
 - No. [REDACTED] 56.14100(b)

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

District

Southeast

Field Office

Franklin, TN

Mine ID

Date

Attachment A – Corrective Action Plan

U.S. Department of Labor

Mine Safety and Health Administration
1030 London Drive, Suite 400
Birmingham, AL 35211-4542



May 31, 2018

MEMORANDUM FOR TED SMITH
Supervisor, Office of Accountability

THROUGH: EMILY K. HARGROVE
Acting Deputy Administrator for
Metal and Nonmetal Mine Safety and Health

FROM: SAMUEL PIERCE
District Manager
Southeastern District

SUBJECT: Proposed Corrective Actions

This is a response to the review conducted by the Office of Accountability from [redacted] at the Franklin, Tennessee Field Office, Southeast District (SE), and the [redacted]. The results of your review identified one deficiency, which is required to be addressed by this district.

Issue 1: Documentation for the Regular Health and Safety Inspection (E01) event [redacted] was not complete and thorough. (Office of Accountability Checklist Item #2)

Work practices observed during the inspection were not documented in the field notes.

• ROOT CAUSE:

The SE District had recently been reassigned an inspector from another District and found documentation procedures for work practices had not been confirmed.

• PROPOSED CORRECTIVE ACTIONS:

The Franklin Field Office Supervisor (FOS) met with the inspector individually immediately after the inspection to correct the issues and then with his staff to reassure that procedures for documenting work practices was understood.

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Mine Safety and Health Administration
Office of Accountability

District

Southeast

Field Office

Franklin, TN

Mine ID

Date

Additionally, the SE District Office will meet by teleconference with all supervisors on June 4, 2018 to address the concern of documenting work practices. All supervisors will discuss this during their June staff meeting with all inspectors.

- OFFICE OR POSITION RESPONSIBLE FOR IMPLEMENTING THE CORRECTIVE ACTION(S):

SE Assistant District Manager (ADM)

- TIMEFRAME FOR COMPLETION OF EACH CORRECTIVE ACTION:

June 22, 2018

- METHOD FOR DETERMINING SUCCESS:

In addition to meeting with supervisors on June 4, 2018, the SE FOSs will conduct office meetings with all Authorized Representatives during the June staff meetings. The documentation of work practices will be further reviewed through inspector audits and review of inspector reports through June 22, 2018. All Supervisors will report their findings to the SE ADM, Brian Thompson.

- A DESCRIPTION OF THE DOCUMENTATION THAT WILL DEMONSTRATE CLOSURE OF THE CORRECTIVE ACTION:

The District Manager will send a memorandum to Thomas W. Charboneau, Director, Office of Assessments through Ted Smith, Supervisor, Office of Accountability, and through Emily K. Hargrove, Acting Deputy Administrator for Metal and Nonmetal Mine Safety and Health upon completion and evaluation of the corrective actions.

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Mine Safety and Health Administration
Office of Accountability

District

Southeast

Field Office

Franklin, TN

Mine ID

[REDACTED]

Date

[REDACTED]

Attachment B – Issues requiring Corrective Action Plan

Issue 1: Documentation for the Regular Health and Safety Inspection (E01) event [REDACTED] was not complete and thorough. (Office of Accountability Checklist Item #2)

- Work practices observed during the inspection were not documented in the field notes.

Requirement: General Inspection Procedure Handbook page 49 – In particular, general field note documentation shall include all areas, equipment, ventilation, work practices, and other similar activities observed by inspectors during the regular inspection.

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Office of Accountability

District Field Office Mine ID Date

Attachment C – Discussion Topics

E01 Event No.

- Work Place exam records reviewed. The inspector documented that he reviewed the “past week” of workplace and equipment examination records. Metal and Nonmetal General Inspection Procedures Handbook, PH16-IV-1, June 2016 (GIPH) page 46 - Reviews of required on-site documentation should go back to the previous regular inspection conducted by MSHA.
- Inspection of All Work Shifts. No inspection occurred on the evening production shifts. The inspector was onsite three days conducting inspections during this event. GIPH page 33 - Inspectors should inspect on all work shifts of a mine (which includes mills) during every regular inspection. Inspectors are not required to inspect a second or third (e.g., night, graveyard) work shift where the only employees at the site are security staff. If an inspection is not conducted of a non-work shift, inspectors should assure that mining, maintenance, or similar activities are not occurring and that personnel at the site during these times are not exposed to potential risk.
- Mining Cycle Documentation. The blasting cycle was not observed or documented as to why it was not observed during the inspection. The inspector did document that the highwall drill was out of service because the mine operator currently did not have a miner qualified to operate the drill. GIPH page 33 - Mining cycles not observed during an inspection shall be documented in the inspector’s general field notes along with any specific observations and conversations regarding observed mining cycles.
- MSHA Form 4000-49A – The form was not completed accurately. Section - Office File Reviews item 1 “Past Inspection reports and MIS printouts reviewed?” was marked as “No.” The inspector documented the review in his field notes.
- Enforcement Action Documentation - Gravity was not always documented in the field notes to fully justify the level of likelihood of injury depicted on the citation. See Citation and Order Writing Handbook for Coal Mines and Metal and Nonmetal Mines, PH13-I-1(1), pages 10-18.

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Office of Accountability

District Field Office Mine ID Date

Attachment D: 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 <input checked="" type="checkbox"/> Corrective Action Needed <input type="checkbox"/> Comments Below <input checked="" type="checkbox"/>
Attachment C

2. Determine if documentation for inspections is complete and thorough. Adequate <input type="checkbox"/> Corrective Action Needed <input checked="" type="checkbox"/> Comments Below <input checked="" type="checkbox"/>
Attachment B

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 <input checked="" type="checkbox"/> Corrective Action Needed <input type="checkbox"/> Comments Below <input checked="" type="checkbox"/>
Attachment C

4. Evaluate inspector(s) examination of required records and postings for compliance with applicable standards. Adequate <input checked="" type="checkbox"/> Corrective Action Needed <input type="checkbox"/> Comments Below <input type="checkbox"/>

5. Evaluate the inspector(s) physical examination of the active working areas of the mine and inspection of all mining cycles. Adequate <input checked="" type="checkbox"/> Corrective Action Needed <input type="checkbox"/> Comments Below <input type="checkbox"/>
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6. Evaluate the inspector(s) on-site contaminant assessment and documentation. Adequate <input checked="" type="checkbox"/> Corrective Action Needed <input type="checkbox"/> Comments Below <input type="checkbox"/>
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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

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

NA – The Field Office does not have any mines in a 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

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Office of Accountability

District

Southeast

Field Office

Franklin, TN

Mine ID

[REDACTED]

Date

[REDACTED]

13. Are required Field Accompanied Reviews (FARs), Office Reviews (ORs) and supervisory follow-up reviews being conducted and documented according to agency policy and procedures?
(ORs – One E01/Inspector/every six months/FY; FARs – One/Inspector/FY)

[REDACTED]

14. 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

15. Determine if the Mine Files are legible, up to date, and reviewed by supervisors.

Adequate

Corrective Action Needed

Comments Below

16. Determine if supervisors are visiting active mines.

Adequate

Corrective Action Needed

Comments Below

17. Review documentation of staff meetings/safety meetings to determine their effectiveness and relevance to current issues and the Agency's mission.

Adequate

Corrective Action Needed

Comments Below

18. 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.

[REDACTED]

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District Field Office Mine ID Date

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

Adequate Corrective Action Needed Comments Below

20. 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

21. Determine if Districts, when required, are conducting in-depth accountability reviews in compliance with agency policy and procedures including follow-up to determine the effectiveness of corrective actions.

Adequate Corrective Action Needed Comments Below

22. 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

23. Determine if inspectors have sufficient equipment and supplies to conduct thorough inspections.

Adequate Corrective Action Needed Comments Below

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

Adequate Corrective Action Needed Comments Below

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Mine Safety and Health Administration
Office of Accountability

District

Southeast

Field Office

Franklin, TN

Mine ID

[REDACTED]

Date

[REDACTED]

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

Adequate

Corrective Action Needed

Comments Below

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

Adequate

Corrective Action Needed

Comments Below

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

Adequate

Corrective Action Needed

Comments Below

28. Determine if supervisors are rotating the mine assignments annually among inspectors
assigned to their Field Office.

Adequate

Corrective Action Needed

Comments Below

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

District Southeast Field Office Franklin, TN Mine ID [REDACTED] Date [REDACTED]

Attachment E – Citations Issued during Mine Visit

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 (Contractor) [REDACTED]

8. Condition or Practice Ba. Written Notice (103g)

The C-1 conveyor in the primary plant area had the paddle wheel roller guard missing. The area unguarded was 12 inches wide by 7 inches tall beside the catwalk. Miners access this catwalk to grease and clean catwalk while in operation. This condition creates a hazard of a miner coming in contact with moving parts.

Standard 56.14107a was cited [REDACTED]

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health <input type="checkbox"/> Safety <input type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR 56.14107a
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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 [REDACTED]	B. Time (24 Hr. Clock) [REDACTED]
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Section III—Termination Action

17. Action to Terminate

18. Terminated	A. Date Mo Da Yr [REDACTED]	B. Time (24 Hr. Clock) [REDACTED]
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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 Southeast Field Office Franklin, TN Mine ID [REDACTED] Date [REDACTED]

Mine Citation/Order
 Continuation

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



Section I—Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation [REDACTED]	2. Dated (Original Issue) [REDACTED]	Mo Da Yr [REDACTED]	3. Citation/Order Number [REDACTED]
4. Served To [REDACTED]		5. Operator [REDACTED]	
6. Mine [REDACTED]		7. Mine ID (Contractor) [REDACTED]	

Section II—Justification for Action

The operator shut down C-1 conveyor and started repairing the guard.

Section III—Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr [REDACTED]	B. Time (24 Hr. Clock) [REDACTED]	<input type="checkbox"/> C. Vacated <input type="checkbox"/> D. Terminated <input type="checkbox"/> E. Modified
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Section IV—Inspection Data

9. Type of Inspection E01	10. Event Number [REDACTED]		
11. AR Name [REDACTED]	AR Number [REDACTED]	12. Date Mo Da Yr [REDACTED]	13. Time (24 Hr. Clock) [REDACTED]

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

District Southeast Field Office Franklin, TN Mine ID [REDACTED] Date [REDACTED]

Mine Citation/Order
 Continuation

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



Section I—Subsequent Action/Continuation Data

1. Subsequent Action 1a, Continuation	2. Dated (Original Issue)	Mo Da Yr	3. Citation/Order Number
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
4. Served To		5. Operator	
[REDACTED]		[REDACTED]	
6. Mine		7. Mine ID (Contractor)	
[REDACTED]		[REDACTED]	

Section II—Justification for Action

The C-1 conveyor paddle wheel guard was repaired in the primary plant area.

Section III—Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	[REDACTED]
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Section IV—Inspection Data

9. Type of Inspection	10. Event Number		
E01	[REDACTED]		
11. AR Name	AR Number	12. Date Mo Da Yr	13. Time (24 Hr. Clock)
[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

MSHA Form 7000-3a, Mar 85 (revised)

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

District Southeast Field Office Franklin, TN 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)

The oxygen cylinder located in the secondary plant screen building is not secured in a safe manner. The cylinder was turned off pressure was release. A miner stuck by falling cylinder would likely receive serious foot or leg injuries.

Standard 56.16005 was cited [REDACTED]

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health <input type="checkbox"/> Safety <input type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR 56.16005
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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 [REDACTED]	B. Time (24 Hr. Clock) [REDACTED]
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Section III—Termination Action

17. Action to Terminate
 The oxygen cylinder located in the secondary plant screen building was secured in a safe manner.

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

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 Mine Safety and Health Administration
 Office of Accountability

District Southeast Field Office Franklin, TN 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) <input type="checkbox"/>

The Cat 988B (#506044) front end loader in the pit area had the torque key missing on the left front. The tire had not turned on rim. This condition create a hazard of tire turning on rim twisting the inside cords damaging them where tire could blow.

Standard 56.14100b was cited [REDACTED]

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health <input type="checkbox"/> Safety <input type="checkbox"/> Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR 56.14100b
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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 checked="" type="checkbox"/> Permanently Disabling <input type="checkbox"/> Fatal <input type="checkbox"/>				
C. Significant and Substantial: Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>			D. Number of Persons Affected: 001	
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 104a		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
15. Area or Equipment				

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

17. Action to Terminate

18. Terminated	A. Date Mo Da Yr	B. Time (24 Hr. Clock)
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Section IV—Automated System Data

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

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 Southeast Field Office Franklin, TN Mine ID [REDACTED] Date [REDACTED]

Mine Citation/Order
 Continuation

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



Section I—Subsequent Action/Continuation Data

1. Subsequent Action 1a. Continuation [REDACTED]	2. Dated (Original Issue)	Mo Da Yr [REDACTED]	3. Citation/Order Number [REDACTED]
4. Served To Timothy Presley Superintendent		5. Operator [REDACTED]	
6. Mine [REDACTED]		7. Mine ID [REDACTED] (Contractor)	

Section II—Justification for Action

The Cat 988B (#506044) Loader front end had the front left rim replaced and a torque key installed.

Section III—Subsequent Action Taken

8. Extended To	A. Date Mo Da Yr	B. Time (24 Hr. Clock)	[REDACTED]
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Section IV—Inspection Data

9. Type of Inspection E01	10. Event Number [REDACTED]		
11. AR Name [REDACTED]	AR Number [REDACTED]	12. Date Mo Da Yr [REDACTED]	13. Time (24 Hr. Clock) [REDACTED]