



OCT - 5 2018

MEMORANDUM FOR PATRICIA W. SILVEY

Deputy Assistant Secretary for
Mine Safety and Health Administration

THROUGH:

TIMOTHY R. WATKINS
Deputy Administrator for
Coal Mine Safety and Health



FROM:

THOMAS W. CHARBONEAU
Director, Office of Assessments



SUBJECT:

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



████████████████████ ID No. ██████████

Introduction

This memorandum summarizes the Office of Accountability's review of the Coal District 8, Marion, Illinois Field Office. The review focused on enforcement activities at the ██████████
██████████ This review included MSHA field activities, level of enforcement, conditions and practices at the mine, Accompanied Activities, Field Activity 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 to assess 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 schedule. The review concentrated on one Regular Safety and Health Inspection (E01), of the [REDACTED] (ID No. [REDACTED], Event No. [REDACTED]). The OA selected the mine for review because it is an underground mine operation with five producing Mechanized Mining Units (MMUs). The Review Team conducted the on-site review from [REDACTED] through [REDACTED]. The review focused on enforcement activities during FY 2017 and included a review of supervisory oversight activities.

Mine Visit

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

The mine is located in [REDACTED] and employs approximately [REDACTED] working two nine-hour production shifts and one nine-hour maintenance shift per day. The mine produces an average of [REDACTED] of raw coal daily. Coal is mined with continuous mining machines and transported with coal haulers to a conveyor system routed to the surface to an offsite preparation plant. During the mine 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 areas:

- pre-inspection discussions with mine operator
- mine examination records and postings
- escapeway map
- roads, ramps and berms
- highwalls
- fuel containment installation

Underground Working Section MMU 005-0:

- examinations of the working section for imminent dangers, methane tests, air readings and evidence of examinations being conducted
- ventilation, rock dusting, cleanup, and roof and rib conditions
- mining cycle and work practices
- visual observations of the section power center
- visual observations of the proximity detection system on the continuous mining machine
- a functional test of the post-accident communication and tracking system
- Self-Contained Self-Rescuers (SCSRs) cache
- escapeway map located at the working section's refuge alternative (RA)
- 30 man RA

Underground Outby areas:

- Examination of the 3rd South belt conveyer entry
- 3rd South belt drive (firefighting equipment, guarding, function tested fire suppression system)
- alternate escapeway traveled from surface to the working section – lifelines and signage observed
- observed general conditions of outby areas (ventilation, rock dusting, cleanup, and roof and rib conditions)
- examined one outby SCSR cache
- a functional test of the post-accident communication and tracking system
- observed branch lines off the lifelines to SCSR caches and RAs
- one seal set consisting of five 120 psi seals located in the main return aircourse

During this mine visit, the inspector issued one enforcement action. (Attachment E)

Review Results

The review revealed positive findings in the following areas:

- For E01 Event [REDACTED] the inspection tracking and rockdust maps were documented per procedures.
- The six month roof control plan review was conducted as part of the E01 inspection. The inspector documented thoroughly the in-mine portion of the review and prepared a comprehensive document for post-inspection conference with the mine operator and miner's representative.

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

Issue 1: The approved Emergency Response Plan (ERP) was not revised or updated for the [REDACTED] to reflect changes in conditions and/or equipment. (Office of Accountability Checklist Item #26)

- The current approved ERP has not been updated to include an accurate listing of the RAs at the mine on page 8 and also Appendix H (RA Locations).

Issue 2: The District Roof Control and Ventilation departments did not communicate on plan approvals for areas of the plan that affect both departments. (Office of Accountability Checklist Item #27)

- The approved ventilation and roof control plans for the mine are not in agreement concerning the maximum cut depth and maximum bolt spacing from the rib.

Issue 3: Proper procedures for conducting and documenting MSHA respirable dust surveys were not always followed. (Office of Accountability Checklist Item #39)

- 2000-86 forms were not always completed in their entirety for surveys conducted on the MMUs and on two surveys, the 2000-86 form was not completed.
- Samples were not properly voided in the cases where the minimum sampling time had not been met.
- Dust parameters during sampling exceeded 120% of plan parameters.

The Review Team discussed with District personnel some inspection and procedural best practices as described in the Coal 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 25 percent in FY 2017 compared to the Field Office S&S rate of 26 percent; a District S&S rate of 25 percent; and the national S&S rate of 22 percent. While the S&S rate for the mine was higher than the national average, 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] 75.370(a)(1)

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Attachment A - Corrective Action Plan

U.S. Department of Labor

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



April 24, 2018

MEMORANDUM FOR TED SMITH
Supervisor, Office of Accountability

THROUGH: TIMOTHY R. WATKINS [REDACTED]
Deputy Administrator for Coal Mine Safety and Health
MARCUS A. SMITH [REDACTED]
Supervisor, Accident Investigation/
Special Investigations/ACR Group

FROM: RONALD W. BURNS [REDACTED]
District Manager
District 8 Coal

SUBJECT: Proposed Corrective Actions

This is a response to the review conducted by the Office of Accountability from [REDACTED] at the Marion, IL. Field Office, District 8, and the [REDACTED] ID No. [REDACTED]. The results of your review identified three deficiencies, which are required to be addressed by this district.

Issue 1: The approved Emergency Response Plan (ERP) was not revised or updated for the [REDACTED] to reflect changes in conditions and/or equipment.

- The current approved ERP has not been updated to include an accurate listing of the refuge alternatives (RA) at the mine on page 8 and also Appendix H (RA Locations). Page 8 lists mine RAs and was last updated March 10, 2017. Appendix H depicts 8 RAs located in the mine and was last updated June 29, 2015. At the time of the EOI reviewed there were 7 RAs in service at the mine. The last six month review of the ERP was conducted September 28, 2017 and found to be adequate.

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- ROOT CAUSE:

Issue 1 was collectively the result of a combination of insufficient training on Emergency Response Plan (ERP) reviews and insufficient supervisory oversight/feedback to specialists and CMI's who are responsible for conducting the reviews.

- PROPOSED CORRECTIVE ACTIONS:

Corrective Action for Issue 1 specifically identified during the OA Review conducted from ██████████

The mine operator submitted the required revisions to the Emergency Response Plan to correct the identified deficiencies. The district approved the revisions ██████████

Focused training will be provided to all AR's and supervisors on the Emergency Response Plan Review Form, MSHA Form 2000-223, specifically Item 7, Additional Plan Content Provisions. Emphasis will be placed on identifying and recording deficiencies so that they can be addressed timely.

An attendance roster will be signed by all participants and a record of the training will be kept with the corrective actions for this review.

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

The Assistant District Manager -- Technical will be responsible for implementing the corrective actions.

- TIMEFRAME FOR COMPLETION OF EACH CORRECTIVE ACTION:

Training for supervisors will be conducted May 22, 2018. Training for all AR's will be conducted during monthly staff meetings at each field office during the 4th Quarter FY 2018 and will be completed by August 31, 2018.

- METHOD FOR DETERMINING SUCCESS:

Review of the implementation will be conducted during the quarterly supervisory review of the E01s that are completed. At the end of the 4th Quarter FY 2018, a FAR will be conducted on a complete E01 inspection from a mine out of the Marion Field Office. Supervisory personnel from the District will assist the Marion Field Office Supervisor in the review of this inspection. Particular emphasis will be given to the review of the MSHA Form 2000-223, Emergency Response Plan Review for this E01 inspection. The purpose of this 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 Assistant District Manager -

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Enforcement will oversee this review and will provide input back to the DM through a 2nd Level Review of the FAR.

Issue 2: The District Roof Control and Ventilation departments did not communicate on plan approvals for areas of the plan that affect both departments.

- The approved ventilation and roof control plans for the ██████████ are not in agreement concerning the maximum cut depth and maximum bolt spacing from the rib. The inspector identified deficiencies in the two plans on MSHA Form 2000-204 dated October 2, 2017. The ventilation plan allows maximum mining distance for crosscuts of 45 feet while the roof control plan allows maximum mining distance for crosscuts of 44.5 feet. The approved ventilation plan allows maximum bolt spacing from the rib to be 4 feet maximum, while the approved roof control plan allows maximum bolt spacing from the rib to be 3.5 feet maximum.
- ROOT CAUSE:

Issue 2 was collectively the result of a combination of insufficient training on Handbook Number PH13-V-4, Roof Control Plan Approval and Review Procedures, lack of communication between Technical Groups, and insufficient supervisory oversight/feedback to specialists and CMI's who are responsible for conducting the reviews.

- PROPOSED CORRECTIVE ACTIONS:

Corrective Action for Issue 2 specifically identified during the OA Review conducted from ██████████

The mine operator submitted the required revisions to the Ventilation Plan to correct the identified deficiencies. The district approved the revisions ██████████

Focused training will be provided to all AR's and supervisors on Handbook Number PH13-V-4, Roof Control Plan Approval and Review Procedures. Specifically, Chapter 3, Item 10.

All participants will sign an attendance roster and a record of the training will be kept with the corrective actions for this review.

Additionally, the District 8 SOP for Ventilation Plan Approval and the SOP for Roof Plan Approval now contain a requirement that states "When a spacing is changed in roof support or cut depth due to plan addendums/revisions which may conflict with the existing approved roof/ventilation plan, a coordinated review will be conducted between

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both the roof/ventilation supervisors to ensure that consistency in the plans is maintained.”

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

The Assistant District Manager – Technical will be responsible for implementing the corrective actions.

- TIMEFRAME FOR COMPLETION OF EACH CORRECTIVE ACTION:

Training for supervisors will be conducted May 22, 2018. Training for all AR’s will be conducted during monthly staff meetings at each field office during the 4th Quarter FY 2018 and will be completed by August 31, 2018.

- METHOD FOR DETERMINING SUCCESS:

During the 4th Quarter FY18 and the 1st Quarter FY19 the Assistant District Manager – Technical will review a representative number of Roof Control Plans and Ventilation Plans to ensure that the distances for roof bolt spacing and the distances of cut depths do not conflict with each other. The ADM Technical will report their findings in a memo to the District Manager. The memo will be placed into the file where this Office of Accountability review is located.

Issue 3: Proper procedures for conducting and documenting MSHA respirable dust surveys were not always followed.

- 2000-86 forms were not completed for surveys conducted on the MMU 004-0 on August 1 and 2, 2017. On these dates the operator did not reach 80% production and the samples for occupations surveyed were voided as PRO but the intake samples for these two surveys were not voided. On the August 1, 2017 survey the sampling time was 136 minutes which should have voided the intake sample.
- The 2000-86 form was not completed in its entirety. Section 17B was not completed on August 7, 8, 14, 28 and 29, 2017. Section 17C was not completed on August 7, 2017. Section 19 was not completed on August 29, 2017 to include the ventilation plan parameters for water pressure on the continuous mining machine.
- Dust Parameters during sampling exceeded 120% of plan parameters on August 7, 8, 14, 28 and 29, 2017. Examples are water pressures 70psi vs 125psi, scrubber readings and air readings at the line curtain while cutting and loading.
- On August 28, 2017 there was no documentation in the field notes or on the 2000-86 form that the 2nd half dust parameter checks for the continuous mining machines were conducted.

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- ROOT CAUSE:

Issue 3 was collectively the result of a combination of insufficient training on MSHA Form 2000-86 Respirable Dust Sampling and Monitoring Data and insufficient supervisory oversight/feedback to specialists and CMI's who are responsible for recording the respirable dust control parameters that are observed and measured during inspection activities involving either the collection of respirable dust samples or the monitoring of the operator's dust sampling program.

- PROPOSED CORRECTIVE ACTIONS:

Corrective Action for Issue 3 specifically identified during the OA Review conducted from ██████████

Focused training will be provided to all AR's and supervisors on MSHA Form 2000-86 Respirable Dust Sampling and Monitoring Data. It is essential that the information/data recorded on MSHA Form 2000-86 accurately reflect the dust control measures and practices being used and the actual quantities measured, and is consistent with Chapter 1 – Respirable Dust as the completed form will serve as supporting documentation when plan changes are required and/or enforcement actions are taken.

All participants will sign an attendance roster and a record of the training will be kept with the corrective actions for this review.

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

The Assistant District Manager - Enforcement and Assistant District Manager - Technical will be responsible for implementing the corrective actions.

TIMEFRAME FOR COMPLETION OF EACH CORRECTIVE ACTION:

Training for supervisors will be conducted May 22, 2018. Training for all AR's will be conducted during monthly staff meetings at each field office during the 4th Quarter FY 2018 and will be completed by July 31, 2018.

- METHOD FOR DETERMINING SUCCESS:

Review of the implementation will be conducted during the quarterly supervisory review of the E01s that are completed. At the end of the 4th Quarter FY 2018, a FAR will be conducted on a complete E01 inspection from a mine out of the Marion Field Office. Supervisory personnel from the District will assist the Marion Field Office Supervisor in the review of this inspection. Particular emphasis will be given to the review of the MSHA Form 2000-86 for this E01 inspection. The purpose of this review will be to determine if the corrective actions for this OA review were successful. Further retraining

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will occur of any deficiency identified during the FAR that was also found during this OA review. The Assistant District Manager – 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 ACTIONS:

The District Manager will send a memorandum to Thomas W. Charboneau, Director, Office of Assessments through Ted Smith, Supervisor, Office of Accountability, through Timothy R. Watkins, Deputy Administrator for Coal Mine Safety and Health, and through Marcus A. Smith, Supervisor, Accident Investigation/Special Investigations/ACR Group upon completion and evaluation of the corrective actions.

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Attachment B - Issues Requiring Corrective Action Plan

Issue 1: The approved Emergency Response Plan (ERP) was not revised or updated for the ██████████ to reflect changes in conditions and/or equipment. (Office of Accountability Checklist Item #26)

- The current approved ERP has not been updated to include an accurate listing of the refuge alternatives (RA) at the mine on page 8 and also Appendix H (RA Locations). Page 8 lists nine RAs and was last updated March 10, 2017. Appendix H depicts 8 RAs located in the mine and was last updated June 29, 2015. For E01 Event Number ██████████ there were 7 RAs in service at the mine. The last six month review of the ERP was conducted September 28, 2017, and found to be adequate.

Requirement: GIPH, page 3-6, Item 6 Refuge Alternatives, refer to instructions for completion of the 2000-223 form ERP 6 month reviews: “The purpose of the Plan Review Form 2000-223 is to document the completion of a 6-month Emergency Response Plan (ERP) review conducted by a regular inspector or specialists and to permit comment by the inspectors on the adequacy of the plan.” Plan Review Form 2000-223 Instructions state “ITEMS 1 - 7 Determine if plan content is adequate for the mine conditions, layout and equipment being utilized. Check the appropriate box to indicate if the plan is adequate or deficient in the area being reviewed.”

Issue 2: The District Roof Control and Ventilation departments did not communicate on plan approvals for areas of the plan that affect both departments. (Office of Accountability Checklist Item #27)

- The approved ventilation and roof control plans for the mine are not in agreement concerning the maximum cut depth and maximum bolt spacing from the rib. The inspector identified deficiencies in the two plans on MSHA Form 2000-204 dated October 2, 2017. The ventilation plan allows maximum mining distance for crosscuts of 45 feet while the roof control plan allows maximum mining distance for crosscuts of 44.5 feet. The approved ventilation plan allows maximum bolt spacing from the rib to be 4 feet maximum, while the approved roof control plan allows maximum bolt spacing from the rib to be 3.5 feet maximum.

Requirement: Roof Control Plan Approval Procedures Handbook PH13-V-4, Chapter 3, Plan Reviews pages 6 and 7 states in part “The Roof Control Supervisor or Specialist will review the plan as follows: The Reviewer communicates with other plan approval groups concerning common issues in a plan.”

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Issue 3: Proper procedures for conducting and documenting MSHA respirable dust surveys were not always followed. (Office of Accountability Checklist Item #39)

- 2000-86 forms were not completed for surveys conducted on the MMU 004-0 on August 1 and 2, 2017. On these dates the operator did not reach 80% production and the samples for occupations surveyed were voided, the intake samples for these two surveys were not voided. On the August 1, 2017, survey the sampling time was 136 minutes which should have voided the intake sample.
- The 2000-86 form was not completed in its entirety. Section 17B was not completed on August 7, 8, 14, 28 and 29, 2017. Section 17C was not completed on August 7, 2017. Section 19 was not completed on August 29, 2017, to include the ventilation plan parameters for water pressure on the continuous mining machine.
- Dust parameters during sampling exceeded 120% of plan parameters on August 7, 8, 14, 28 and 29, 2017. Examples are water pressures 70 psi vs 125psi, scrubber readings and air readings at the line curtain while cutting and loading.
- On August 28, 2017 there was no documentation in the field notes or on the 2000-86 form that the 2nd half dust parameter checks for the continuous mining machines were conducted.

Requirement: Health Handbook PH-89-V-1(27) (June 2016)

Page 26 - When an inspector is conducting a health-related inspection activity (collecting respirable coal mine dust samples, monitoring the mine operator’s sampling program, or conducting a respirable dust technical investigation) he/she shall complete in its entirety, MSHA Form 2000-86. A separate MSHA Form 2000-86 shall be completed for each producing MMU and shift that the inspector visits. A copy of the completed MSHA Form 2000-86 shall be filed with the appropriate inspection or investigation report as currently required.

Page 32, Item 3 – Post Survey Reviews - Complete all applicable sections of MSHA Form 2000-86 and send it to the appropriate office to be included in the inspection report.

Page 29, Item 17 - MSHA samples collected for an MMU will be valid if production is at least 80% of the average of the previous 30 production shifts. MSHA samples must be voided with the production (PRO) void code on the dust data card by the inspector if the production is less than the 80% level prior to the samples being submitted to the Pittsburgh laboratory.

Page 31, Item “q” - All MSHA samples shall be considered valid by the inspector, except the following:

PRO - Production less than 80% of the last 30-shift average

TME - Invalid Time (less than 360 minutes or greater than full shift plus 15 minutes)

Page 9, Item 6 - Explain to mine management that MSHA is conducting the survey as an evaluation of the minimum dust control parameters in the ventilation plan and request that the operator keep values at levels not to exceed 120% of the values in the plan.

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Page 17, Item 12 - Since the primary sampling objective is to assess the effectiveness of the control parameters in the approved ventilation plan, when an operator is operating with any parameters that exceed 120% of the quantities/volumes specified in the approved ventilation plan, the inspector should inform the operator that he/she may adjust the parameters to levels that do not exceed 120% of the specified quantities/volumes.

Page 18, Item 13 - At least twice during the sampling shift, the inspector must verify that all dust control parameters stipulated in the approved ventilation plan are in place and functioning properly and make other necessary measurements as detailed below. These checks must be initiated at least at the beginning of the shift and between the 4th and 5th hour of operation. When checking air quantities and velocities, the inspector must take measurements in as many working places as practical and immediately prior to the operation of the mining machine in that place, recording the results on MSHA Form 2000-86.

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Attachment C - Discussion Topics

Topics discussed with the District that do not require a corrective action plan are as follows:

- **Worked Out Areas:** Air quantity measurements were not being conducted at measurement point locations located at the deepest points of penetration. The District had recognized the ventilation plan does not specifically require the measurement. The District has communicated with the mine operator to submit revisions to the ventilation plan.
- **Noise Surveys:** Nine samples were taken during the E01 Inspection of which five were on MMU 005-0 and four on the Surface. No sound level readings were recorded or indicated that any were taken by the inspector during the inspection.
- **Enforcement Action Review:** Citations issued did not always have adequate negligence documentation in the field notes. It was limited to one inspector and the issue was defining moderate negligence vs. high negligence. The inspector consistently documented no mitigating circumstances with a finding of moderate negligence.
- **Possible Knowing and Willful (PKW) Detail Report:** 1 of 31 PKWs reviewed was greater than 30 days for the District Manager to reach decision. It was a training violation and the inspector did not understand the violation met the criteria for possible knowing and willful evaluation.
- **103i Spot Inspections (E02):** The spot calendars do not include the shift the inspection was conducted. All other information is being recorded on the calendar. On one E02 inspection the imminent danger examination for the MMU was counted as part of the ongoing E01 inspection. Randomly, while conducting 103(i) inspections, the inspector should observe the mine operator calibrating the methane monitor of face equipment.
- **MSHA Form 2000-204 (Plan Review):** The inspector completed the form for ██████ on October 2, 2017, and identified deficiencies between the approved ventilation plan and the approved roof control plan. The specialists group supervisors did not determine if the deficiencies listed justified a revision to the plan(s). The supervisors did not give proper notification to the inspector and District Manager.
- **Mine Information Form 2000-209:** The methane liberation for ██████ is not being updated in MSHA's Standardized Information System each quarter. All other information is being updated as required.

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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 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

6. Evaluate, upon arrival to the working section, inspector/specialist examination of all working areas and highwalls 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 in the active 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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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

Not Applicable – No retreat mining conducted.

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

Attachment B

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

Attachment B

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. [REDACTED]

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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30. 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

31. Determine if District Manager is using discretion in granting conferences and monitoring the Alternative Case Resolution (ACR) program to ensure 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

Not Applicable – not part of this review

32. Determine if managers and supervisors are using standardized reports to review critical data relevant to inspections and investigations.

Adequate Corrective Action Needed Comments Below

33. Determine if Districts are conducting reviews in compliance with agency policy and procedures including follow-up to determine the effectiveness of corrective actions.

Adequate Corrective Action Needed Comments Below

34. 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

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

District	Coal District 8	Field Office	Marion, IL Field Office	Mine ID	██████	Date	██████████
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35. Determine if District Managers are using the Report Center to identify overdue responses from operators and take appropriate actions.

36. 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

37. Determine if a proper examination of the Atmospheric Monitoring System (AMS) and/or AMS systems that operate Carbon Monoxide (CO) sensors 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

38. 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.

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

Adequate Corrective Action Needed Comments Below

Attachment B

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

District	Coal District 8	Field Office	Marion, IL Field Office	Mine ID	██████	Date	██████
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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.

40. The guidance will be included in each District's Standard Operating Procedure (SOP) for training newly promoted Field Office Supervisors.

Adequate Corrective Action Needed Comments Below

The Roof Control Plan SOP should comply with the established Program Policy Manual requirements as identified by the OIG report to address deficiencies identified in the Internal Review report. The SOPs should account for:

41.

- checking that required information is submitted
- checking for communication with other plan approval groups
- assuring that designated MSHA personnel contact the operator for additional information
- discussing results of on-site evaluations with the operator and identified miners' representatives.

Adequate Corrective Action Needed Comments Below

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

District	Coal District 8	Field Office	Marion, IL Field Office	Mine ID		Date	
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Attachment D - Citations issued during Mine Visit

Mine Citation/Order U.S. Department of Labor
 Mine Safety and Health Administration

Section I - Citation 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		9. Written Notice (1902)

The mine operator was not complying with the mine's approved ventilation plan

Standard 75.370(a)(1) was cited

See Citation Form (MSHA Form 7030-10)

8. Violation	A. Health Safety Other	B. Section of Act	C. Part/Section of Title 30 CFR
			75.370(a)(1)

Section I - Inspector's Estimate

10. Gravity

A. Injury or illness (this) 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	Permanent Disability	Fatal	
C. Significant and Substantial:	Yes	No	D. Number of Persons Affected: 002		

11. Negligence (check one)

A. None	B. Low	C. Moderate	D. High	E. Reckless/Deceitful
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12. Type of Action: 104(a)

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.
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15. Area of Equipment

16. Termination Due

A. Date	Mo. Da. Yr.	B. Time (24 Hr. Clock)
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Section II - Termination Action

17. Action to Terminate

18. Termination

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)	20. Event Number	21. Priority or MR
B01		
22. AR Name	23. AR Number	

MSHA Form 7030-10, Apr 98 (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 rulemaking actions. The Ombudsman actively solicits comments and takes such agency's responsiveness to small business. If you wish to comment on the rulemaking action of MSHA, you may call 1-888-RDC-FAIR (1-888-724-3247), or write The Ombudsman at Small Business Administration, Office of the National Ombudsman, 430 1st Street, SW, MC 3183 Washington, DC 20416. Please note, however, that your agreement to file a comment with the Ombudsman or in writing in any other form, including the right to comment on rules and proposed rules, does not constitute a binding contract with the Federal Mine Safety and Health Review Commission.