



JUN 27 2011

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

THROUGH: PETER J. MONTALI (b) (6)
Acting Director of Accountability for
Mine Safety and Health Administration

FROM: ARLIE A. WEBB (b) (6)
JERRY J. KISSELL (b) (6)
Accountability Specialists

SUBJECT: MSHA Office of Accountability Audit, MNM South Central District,
Rolla-South Field Office, Rolla, Missouri, and (b) (6)
(b) (6)

Introduction

This memorandum summarizes the Office of Accountability (OA) audit of the Metal and Non Metal South Central District, Rolla, Missouri (Rolla – South) field office. Audit subjects included MSHA field activities, level of enforcement, Field Activity Reviews (FARs), Accompanied Activities (AAs), MSHA supervisory and managerial oversight, and the conditions and practices at the mine. The audit was conducted by Arlie A. Webb and Jerry J. Kissell during the week of (b) (6) through (b) (6). Positive findings as well as issues requiring attention are included in this audit report.

Overview

The administrative (field office) portion of the audit was conducted on (b) (6) and included an examination of the mine files, regular inspection reports, hazard complaint inspections, Field Activity Review reports, and Accompanied Activity reports.

The mine-site portion of the audit was conducted on (b) (6), and included an examination of the mine office, mine records, mine map, mobile equipment including front end loaders, forklifts, and bobcats (brakes, lights, backup alarm, tires, steering, etc.), access ladders and back guards, elevated platforms and walkways, handrails, the bag house, hydrators, driers, crushers, ball mill, electrical installations, classifier, the hydrate loading dock, the research and development building, haul roads and access roads.

Accompanying the audit team was Rolla-South (b) (6)

S&S Rate Comparison

During FY 2010, the S&S rates for this field office were comparable to the district, but slightly lower than the national average.

S&S Rate Comparison

Fiscal Year	Rolla-South Field Office	South Central District	National Average
2009	31%	27%	20%
2010	35%	36%	38%

Time and Activity Comparison

A comparison of FY 2009 and FY 2010 time distribution at the Rolla – South field office shows that time in the other category has increased for inspections at surface facilities and is above the national average. On-site time has increased for inspections at surface facilities and is above the national average.

Time Distribution (%) – E01 Inspections at Surface Facilities

	Travel	Other*	Total On-Site**	Citations Issued On-Site	Citations Issued Off-Site	Total Percent
FY 2009	19%	10%	64%	1%	7%	100%
Nat'l Avg FY 2009	20%	11%	62%	4%	7%	100%
FY 2010	19%	11%	65%	1%	5%	100%
Nat'l Avg FY 2010	20%	10%	62%	4%	8%	100%

* Includes calibration of gas detection equipment, sampling equipment, and preparation and mailing of samples.

** Total On-Site time includes citations written on-site

A comparison of FY 2009 and FY 2010 time distribution at the Rolla – South field office shows that time in the other category has increased for inspections at surface mines and is above the national average. On-site time has decreased for inspections at surface mines but is above the national average.

Time Distribution (%) – E01 Inspections at Surface Mines

	Travel	Other*	Total On-Site**	Citations Issued On-Site	Citations Issued Off-Site	Total Percent
FY 2009	23%	9%	62%	2%	6%	100%
Nat'l Avg FY 2009	26%	12%	56%	3%	6%	100%
FY 2010	23%	14%	60%	2%	3%	100%
Nat'l Avg FY 2010	25%	12%	56%	4%	7%	100%

* Includes calibration of gas detection equipment, sampling equipment, and preparation and mailing of samples.

** Total On-Site time includes citations written on-site

A comparison of FY 2009 and FY 2010 time distribution at the Rolla – South field office shows that time in the other category has increased for inspections at underground mines but is below the national average. On-site time has remained the same and is above the national average.

Time Distribution (%) – E01 Inspections at Underground Mines

	Travel	Other*	Total On-Site**	Citations Issued On-Site	Citations Issued Off-Site	Total Percent
FY 2009	18%	8%	68%	1%	5%	100%
Nat'l Avg FY 2009	24%	11%	60%	2%	5%	100%
FY 2010	18%	10%	68%	1%	4%	100%
Nat'l Avg FY 2010	23%	11%	60%	2%	6%	100%

* Includes calibration of gas detection equipment, sampling equipment, and preparation and mailing of samples.

** Total On-Site time includes citations written on-site

Audit Results

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

1. MSHA personnel conducted themselves in a professional and courteous manner at all times during the audit and during observed inspection activities.
2. Inspection activities conducted during the audit were thorough and in compliance with agency policies and procedures.
3. MSHA personnel demonstrated excellent communications skills with the mine operator.
4. Required Field Activity Reviews, Accompanied Activities, and Second-Level Reviews for the Rolla-South field office were well documented and were in compliance with agency policies and procedures.
5. During the mine-site portion of the audit, appropriate use of enforcement tools was observed.

This audit also revealed several issues that require corrective actions, including the following: (Supporting data for each issue can be found in the OA checklist and attachments)

1. Documentation in E01 inspection reports for FY 2010 did not always support the assertion that complete and thorough inspections were made in accordance with agency policy and procedures. Areas of the mine were listed in notes as not being inspected and equipment was listed as visual inspection only. (Checklist Item No.1)
2. Although all hazard complaints received at the Rolla-South field office during the audit period were investigated, the inspections were not always thorough. The report for an investigation of a complaint concerning alleged failure to provide personal protective equipment (PPE) while working with radioactive materials did not include any documentation of radiation monitoring, sampling of the materials being handled, or a review of the Material Safety Data Sheet (MSDS) for the materials. (Checklist Item No.1)
3. Citations issued during E01 inspections conducted during previous quarters did not always comply with agency policy and procedures. (Checklist Item No.2)

Attachments

A. Office of Accountability Checklist

B. Citations/Orders Issued During the Audit

- | | |
|------------|----------------|
| 1. (b) (6) | 57.15001 |
| 2. (b) (6) | 57.14101(a)(2) |
| 3. (b) (6) | 57.11012 |
| 4. (b) (6) | 57.20003(a) |
| 5. (b) (6) | 57.20003(a) |
| 6. (b) (6) | 57.20003(a) |
| 7. (b) (6) | 57.20003(c) |
| 8. (b) (6) | 57.4201(a)(2) |

D. Examples of Citations with Questionable Evaluations

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Office of Accountability

District Field Office Mine ID Date

Attachment A – Audit Checklist

1. Determine if complete and thorough inspections are being conducted and adequately documented
Adequate <input type="checkbox"/> Inadequate <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Comments Below <input type="checkbox"/>
<p>1. Although inspection notes for E01 event No.(b) (6) show the River Load Out could not be inspected due to high water, Form 4000-49B shows the entire mine was inspected.</p> <p>2. During E01 event No.(b) (6), inspection notes document that thirteen individual pieces of mobile equipment, including a forklift, a bobcat, and several trucks, were only visually inspected. There is no documentation to show examinations of brakes, steering, back-up alarms, etc, and no documentation that any of the equipment listed was out of service. MSHA Form 4000-49B was missing from the field office copy of this inspection report.</p> <p>3. The investigation of a complaint alleging failure to provide personal protective equipment (PPE) while working with radioactive materials was not thorough. There is no documentation of radiation monitoring, sampling of the materials being handled, or a review of Material Safety Data Sheet (MSDS) for those materials. Inspection notes show the mine operator stated the exposure was approximately 0.064 millirems (mrem) per hour, for a total of 0.0014 mrem per day. Based on an 8-hour day, this exposure would total at least 0.512 mrem per day.</p>

2. 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 type="checkbox"/> Inadequate <input checked="" type="checkbox"/> Not Applicable <input type="checkbox"/> Comments Below <input type="checkbox"/>
<p>A total of 53 citations and orders previously issued at this mine were reviewed.</p> <p>1. Citation (b) (6) was issued for a miner not wearing a safety belt while working on an elevated area. Although the termination and the inspection notes document the miner removed himself from the elevated area and was trained in the use of fall protection, there is no documentation that fall protection was provided to the miner. In addition, a 107(a) imminent danger order should have been considered.</p> <p>2. Citation (b) (6) was issued for fuel leaking from under a front end loader. The fuel spill was approximately 28 feet long by 3 feet wide. The location of the front end loader is not mentioned in the narrative of the citation.</p> <p>3. Citation (b) (6) was issued for a damaged power cord supplying 480 volt power to a floor fan near a kiln burner. The citation states the inner, energized conductors were exposed, but the inspection notes indicate there were no bare copper wires exposed.</p>

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Citations and accompanying notes should be consistent.

4. A 104(d)(1) Citation was issued more than a month after an alleged violation. During the investigation of a hazard complaint related to failure to use fall protection, the inspector observed numerous employees and contractors using personal protective equipment (PPE). Documentation in the inspection report shows a determination of negative findings regarding the allegations. The citation and accompanying notes show it to have been issued based on the statement of a former employee. There was no documentation to show how a determination was made the alleged condition or practice actually existed. The 104(d)(1) citation was terminated when the inspector discussed fall protection and PPE with the mine operator, rather than the operator taking corrective action.

(Additional examples are listed in Attachment C)

3. Evaluate the examination of required records and postings for compliance with applicable standards

Adequate Inadequate Not Applicable Comments Below

4. Evaluate the physical examination of active working areas of the mine and inspection of mining cycles during the audit.

Adequate Inadequate Not Applicable Comments Below

5. Evaluate an on-site contaminant assessment and documentation during the audit

Adequate Inadequate Not Applicable Comments Below

6. Evaluate examinations of electrical equipment, transformer stations, and/or electrical circuits during the audit.

Adequate Inadequate Not Applicable Comments Below

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

Adequate Inadequate Not Applicable Comments Below

8. Determine if Possible Knowing/Willful (PKW) forms are documented and processed according to agency policies and procedures.

Adequate Inadequate Not Applicable Comments Below

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

Adequate Inadequate Not Applicable Comments Below

10. Determine if Hazard complaint inspections/investigations are being conducted according to policy and procedures

Adequate Inadequate Not Applicable Comments Below

Ten hazard complaint (E03 / E04) inspection reports were selected at random for review. The audit revealed that all complaints received in the Rolla-South field office were investigated.

11. Determine if supervisors are monitoring inspector time and activity documentation to ensure proper use of time by inspector

Adequate Inadequate Not Applicable Comments Below

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12. Are required Office Reviews (FAR's) and supervisory follow-up being conducted and documented according to agency policy and procedure?
(One E-01/Inspector/every six months/FY – minimum)

Adequate Inadequate Not Applicable Comments Below

13. Are required Field Accompanied Activity Reviews (AAs) and supervisory follow-up being conducted and documented according to agency policy and procedure?
(One E-01/inspector/FY – minimum)

Adequate Inadequate Not Applicable Comments Below

14. Determine if a 104(d) tracking system is in place and being kept current at the office being audited

Adequate Inadequate Not Applicable Comments Below

15. Determine if required mine files are legible, up to date, and reviewed by supervisors.

Adequate Inadequate Not Applicable Comments Below

16. Determine if supervisors are visiting mines

Adequate Inadequate Not Applicable Comments Below

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

Adequate Inadequate Not Applicable Comments Below

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18. Determine if Assistant District Manager is conducting the required second-level reviews and holding supervisors accountable for oversight of Office Reviews, and Accompanied Activities
(b) (6)

19. Determine if district management personnel are reviewing work products for accuracy and completeness
Adequate Inadequate Not Applicable Comments Below

20. Determine if District Manager is using discretion in granting conferences and is monitoring the ACRI program to ensure that all decisions (including upholding, modifying or vacating citations) are properly documented and justified by the CLRs
Adequate Inadequate Not Applicable Comments Below
This audit did not include a review of the ACRI Program for the South Central District

21. Determine if District Manager is holding the Supervisory Special Investigator accountable for properly evaluating Possible Knowing/Willful (PKW) forms and initiating or denying potential cases
Adequate Inadequate Not Applicable Comments Below
The Special Investigations Program was not included in this audit.

22. Determine if managers and supervisors are using required standardized reports to review critical data relevant to inspections and investigations
Adequate Inadequate Not Applicable Comments Below

23. Determine if districts are conducting in-depth Peer Reviews in compliance with agency policy and procedures including monitoring of corrective action plans
Adequate Inadequate Not Applicable Comments Below
The most recent Peer Review in this office was thorough and well documented.

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24. 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 Inadequate Not Applicable Comments Below

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

Adequate Inadequate Not Applicable Comments Below

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

Adequate Inadequate Not Applicable Comments Below

See Checklist Item No. 2.

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District South Central Field Office Rolla South Mine ID (b) (6) Date (b) (6)

Attachment B – Citations Issued During the Audit

Mine Citation/Order		U.S. Department of Labor Mine Safety and Health Administration	
Section I—Violation Data			
1. Date Mo Da Yr (b) (6)	2. Time (24 Hr. Clock) (b) (6)	3. Citation/ Order Number (b) (6)	
4. Served To (b) (6)	5. Operator (b) (6)		
6. Mine (b) (6)	7. Mine ID (b) (6) (Contractor)		
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>	
<p>The parking brake on the Nissan fork lift (equipment #43) located at the bag warehouse would not hold the equipment on the steepest grade it traveled.</p> <p>This condition exposes miners to a hazard of unexpected movement of equipment.</p>			
See Continuation Form (MSHA Form 7000-3a) <input type="checkbox"/>			
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 57.14101a2
Section II—Inspector's Evaluation			
10. Gravity:			
A. Injury or illness (hes) (s): 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 type="checkbox"/> C. Moderate <input checked="" 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	F. Dated Mo Da Yr
15. Area or Equipment			
16. Termination Due			
A. Date Mo Da Yr (b) (6)		B. Time (24 Hr. Clock) (b) (6)	
Section III—Termination Action			
17. Action to Terminate The parking brake was repaired. This citation is hereby terminated.			
18. Terminated			
A. Date Mo Da Yr (b) (6)		B. Time (24 Hr. Clock) (b) (6)	
Section IV—Automated System Data			
19. Type of Inspection (activity code) E01	20. Event Number (b) (6)	21. Primary or MUI P	
22. Signature (b) (6)		23. AR Number (b) (6)	

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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 Mine Safety and Health Administration
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District South Central Field Office Rolla South Mine ID (b) (6) Date (b) (6)

Mine Citation/Order

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



Section I--Violation Data

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

The ladder that leads to the spinner platform in the bag house did not have the ladder opening protected by a railing or barrier.
 This condition exposes miners to a fall hazard.

PHOTO TAKEN

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health Safety Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR <u>57.11012</u>
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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:			D. Number of Persons Affected:			
Yes <input type="checkbox"/>		No <input checked="" type="checkbox"/>	001			
11. Negligence (check one)						
A. None <input type="checkbox"/>		B. Low <input type="checkbox"/>	C. Moderate <input checked="" type="checkbox"/>	D. High <input type="checkbox"/>	E. Reckless Disregard <input type="checkbox"/>	
12. Type of Action <u>104a</u>			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 <u>(b) (6)</u>	B. Time (24 Hr. Clock) <u>(b) (6)</u>
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Section III--Termination Action

17. Action to Terminate A chain guard was installed. This citation is hereby terminated.

18. Terminated	A. Date Mo Da Yr <u>(b) (6)</u>	B. Time (24 Hr. Clock) <u>(b) (6)</u>
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Section IV--Automated System Data

19. Type of Inspection (activity code) <u>E01</u>	20. Event Number <u>(b) (6)</u>	21. Primary or Mill <u>P</u>
22. Signature <u>(b) (6)</u>		23. AR Number <u>(b) (6)</u>

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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District South Central Field Office Rolla South Mine ID (b) (6) Date (b) (6)

Mine Citation/Order

U.S. Department of Labor
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Section I—Violation Data

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

The lower elevated walkway of the hydrator in bagging area had tools left lying in the walkway.

This condition exposes miners to a trip and fall hazard.

PHOTOGRAPHS

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health Safety Other <input type="checkbox"/>	B. Section of Act	C. Para/Section of Title 30 CFR	57.20003a
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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: 00	
11. Negligence (check one)	A. None <input type="checkbox"/>	B. Low <input type="checkbox"/>	C. Moderate <input type="checkbox"/>	D. High <input checked="" 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	F. Dated Mo Da Yr
15. Area or Equipment				

18. Termination Due	A. Date Mo Da Yr <u>(b) (6)</u>	B. Time (24 Hr. Clock) <u>(b) (6)</u>
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Section III—Termination Action

17. Action to Terminate The tools were removed. This citation is hereby terminated.

18. Terminated	A. Date Mo Da Yr <u>(b) (6)</u>	B. Time (24 Hr. Clock) <u>(b) (6)</u>
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Section IV—Automated System Data

19. Type of Inspection (activity code) E01	20. Event Number <u>(b) (6)</u>	21. Primary or Mill P
22. Signature <u>(b) (6)</u>	23. AR Number <u>(b) (6)</u>	

MSHA Form 7000-3, Apr 03 (revised) . In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1995, 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 Ombudsmen annually evaluate enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

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

District South Central Field Office Rolla South Mine ID (b) (6) Date (b) (6)

Mine Citation/Order

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



Section I - Violation Data

1. Date Mo Da Yr <u>(b) (6)</u>	2. Time (24 Hr. Clock) <u>(b) (6)</u>	3. Citation/ Order Number <u>(b) (6)</u>
4. Served To <u>(b) (6)</u>	5. Operator <u>(b) (6)</u>	
6. Mine <u>(b) (6)</u>	7. Mine ID <u>(b) (6)</u> <small>(Contractor)</small>	
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>

The 1st level walkway of hydrator #1 at Vertical was not being maintained in safe condition. 4 inch minus material was allowed to accumulate for a distance of approximately 5 feet.

This condition exposes miners to trip and fall hazard.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health Safety Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR <u>57.20003a</u>
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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: <u>001</u>		
11. Negligence (check one)	A. None <input type="checkbox"/>	B. Low <input type="checkbox"/>	C. Moderate <input type="checkbox"/>	D. High <input checked="" type="checkbox"/>	E. Reckless Disregard <input type="checkbox"/>
12. Type of Action <u>104a</u>	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					F. Dated Mo Da Yr

16. Termination Due	A. Date Mo Da Yr <u>(b) (6)</u>	B. Time (24 Hr. Clock) <u>(b) (6)</u>
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Section III - Termination Action

17. Action to Terminate The material has been cleaned up. This citation is hereby terminated.

18. Terminated	A. Date Mo Da Yr <u>(b) (6)</u>	B. Time (24 Hr. Clock) <u>(b) (6)</u>
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Section IV - Automated System Data

19. Type of Inspection (activity code) <u>E01</u>	20. Event Number <u>(b) (6)</u>	21. Primary or Mill <u>P</u>
22. Signature <u>(b) (6)</u>		23. AR Number <u>(b) (6)</u>

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, 408 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

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

District South Central Field Office Rolla South Mine ID (b) (6) Date (b) (6)

Mine Citation/Order

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



Section I--Violation Data			
1. Date Mo Da Yr (b) (6)	2. Time (24 Hr. Clock) (b) (6)	3. Citation/ Order Number (b) (6)	
4. Served To (b) (6)		5. Operator (b) (6)	
6. Mine (b) (6)		7. Mine ID (b) (6) (Contractor)	
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>	

The walkway of the small sly dust level at Vertical was not being maintained in safe condition. A air hose was left lying in the walkway.
 This condition exposes miners to a trip and fall hazard.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health Safety Other <input type="checkbox"/>	B. Section of Act	C. Part/Section of Title 30 CFR 57.20003a
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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 type="checkbox"/> C. Moderate <input type="checkbox"/> D. High <input checked="" type="checkbox"/> E. Reckless Disregard <input type="checkbox"/>			
12. Type of Action 104ii		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) (6)	B. Time (24 Hr. Clock) (b) (6)
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Section III--Termination Action

17. Action to Terminate The hose was picked up and hung on hanger. This citation is hereby terminated.

18. Terminated	A. Date Mo Da Yr (b) (6)	B. Time (24 Hr. Clock) (b) (6)
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Section IV--Automated System Data

19. Type of Inspection (activity code) R01	20. Event Number (b) (6)	21. Primary or Mill P
22. Signature (b) (6)		23. AR Number (b) (6)

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.

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

District Field Office Mine ID Date

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 <input checked="" type="checkbox"/> <input type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr (b) (6)	3. Citation/Order Number (b) (6)
4. Served To (b) (6)	5. Operator (b) (6)	
6. Mine (b) (6)	7. Mine ID (b) (6)	(Contractor)

Section II--Justification for Action

Change	From	To
18. A. Terminated Date	(b) (6)	(b) (6)
Reason (b) (6)	was entered in error.	

See Continuation Form

Section III--Subsequent Action Taken

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

9. Type of Inspection E01	10. Event Number (b) (6)		
11. Signature (b) (6)	AR Number (b) (6)	12. Date Mo Da Yr (b) (6)	13. Time (24 Hr. Clock) (b) (6)

MSHA Form 7000-3a, Mar 86 (revised)

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

District South Central Field Office Rolla South Mine ID (b) (6) Date (b) (6)

Mine Citation/Order

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



Section I--Violation Data			
1. Date Mo Da Yr <u>(b) (6)</u>	2. Time (24 Hr. Clock) <u>(b) (6)</u>	3. Citation/ Order Number: <u>(b) (6)</u>	
4. Served To <u>(b) (6)</u>	5. Operator <u>(b) (6)</u>		
6. Mine <u>(b) (6)</u>	7. Mine ID <u>(b) (6)</u>	(Contractor)	
8. Condition or Practice		8a. Written Notice (103g) <input type="checkbox"/>	

A drain cover in the floor near the material bin for classifier (old PCC) had been removed exposing opening.
 This condition exposes miners to a trip and fall hazard.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health Safety Other	B. Section of Act	C. Part/Section of Title 30 CFR	57.11012
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Section II--Inspector's Evaluation				
10. Gravity:				
A. Injury or illness (has) (is): No Likelihood <input type="checkbox"/> Unlikely <input type="checkbox"/> Reasonably Likely <input checked="" 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 checked="" type="checkbox"/> No <input type="checkbox"/>				D. Number of Persons Affected: 001
11. Negligence (check one) A. None <input type="checkbox"/> B. Low <input type="checkbox"/> C. Moderate <input checked="" 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	F. Dated Mo Da Yr
15. Area or Equipment				

16. Termination Due	A. Date Mo Da Yr <u>(b) (6)</u>	B. Time (24 Hr. Clock) <u>(b) (6)</u>
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Section III--Termination Action	
17. Action to Terminate The cover has been replaced. This citation is hereby terminated.	

18. Terminated	A. Date Mo Da Yr <u>(b) (6)</u>	B. Time (24 Hr. Clock) <u>(b) (6)</u>
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Section IV--Automated System Data		
19. Type of Inspection (activity code) E01	20. Event Number <u>(b) (6)</u>	21. Primary or Multi P
22. Signature <u>(b) (6)</u>		23. AR Number <u>(b) (6)</u>

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, 408 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

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

District South Central Field Office Rolla South Mine ID (b) (6) Date (b) (6)

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 <input checked="" type="checkbox"/>	2. Dated (Original Issue) Mo Da Yr (b) (6)	3. Citation/Order Number (b) (6)
4. Served To (b) (6)	5. Operator (b) (6)	
6. Mine (b) (6)	7. Mine ID (b) (6)	(Contractor)

Section II--Justification for Action

Change	From	To
9. C. Part/Section	57.11012	57.20001c

Reason The wrong Part/Section was entered in error.

See Continuation Form

Section III--Subsequent Action Taken

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

9. Type of Inspection E01	10. Event Number (b) (6)		
11. Signature (b) (6)	AR Number (b) (6)	12. Date Mo Da Yr (b) (6)	13. Time (24 Hr Clock) (b) (6)

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

United States Department of Labor
 Mine Safety and Health Administration
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District South Central Field Office Rolla South Mine ID (b) (6) Date (b) (6)

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

Section I--Violation Data		
1. Date <u>(b) (6)</u>	2. Time (24 Hr. Clock) <u>(b) (6)</u>	3. Citation/Order Number <u>(b) (6)</u>
4. Served To <u>(b) (6)</u>		5. Operator <u>(b) (6)</u>
6. Mine <u>(b) (6)</u>		7. Mine ID <u>(b) (6)</u> (Contractor)
8. Condition or Practice 6a. Written Notice (103g) <input type="checkbox"/>		

The fire extinguisher located near slurry bins (old PCC) was out annual inspection. Last documented inspection was December 2009.
 Not maintaining inspections on fire fighting equipment creates a hazard of not being able to fight fires in there early stages.

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	57.4201a2
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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 Debilitating <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: 003	
11. Negligence (check one) A. None <input type="checkbox"/> B. Low <input type="checkbox"/> C. Moderate <input checked="" 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"/>				F. Citation/Order Number	
15. Area or Equipment					

16. Termination Due	A. Date <u>(b) (6)</u>	B. Time (24 Hr. Clock) <u>(b) (6)</u>
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Section III--Termination Action
 17. Action to Terminate The fire extinguisher was removed from service. This citation is hereby terminated,

18. Terminated	A. Date <u>(b) (6)</u>	B. Time (24 Hr. Clock) <u>(b) (6)</u>
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Section IV--Automated System Data		
19. Type of Inspection (activity code) R01	20. Event Number <u>(b) (6)</u>	21. Primary or Mill P
22. Signature <u>(b) (6)</u>		23. AR Number <u>(b) (6)</u>

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 Agency Regulatory Ombudsman and 10 Regional Business 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, 408 3rd Street, SW MC 2120, Washington, DC 20415. 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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District South Central Field Office Rolla South Mine ID (b) (6) Date (b) (6)

Attachment C – Examples of Citations with Questionable Evaluations

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	Affect	Neg
(b) (6)	(b) (6)	(b) (6)	104(a) Citation	57.12008	N	UL	FTL	1	Mod
<p>The power cord for the 220 volt heater located in the #2 Nash pump house at the Mississippi rotary plant does not enter the frame of the heater through a proper bushing. The insulation has stripped back exposing the inner conductors.</p> <p>Were the inner conductors insulated? Was the heater energized? How long had the condition existed?</p>									

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	Affect	Neg
(b) (6)	(b) (6)	(b) (6)	104(a) Citation	56.12004	N	UL	FTL	1	Mod
<p>The positive welding lead located on the #29 welder located at the pebble bagging area of the Mississippi rotary has an opening exposing the inner conductors. The opening is approximately .25 inches by .5 inches. This condition exposes miners to the hazard of shock/burn.</p> <p>Was the welder energized? Where was the opening in the insulation located?</p>									

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	Affect	Neg
(b) (6)	(b) (6)	(b) (6)	104(a) Citation	57.12004	N	UL	FTL	1	Mod
<p>The power cord for the 480 volt floor fan located by the #5 kiln burner floor has been damaged. This exposes the energized inner conductors. This condition exposes miner to the hazard of electrocution.</p> <p>The narrative of the citation supports a finding of S&S, but does not describe the extent of damage to the power cord.</p>									

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	Affect	Neg
(b) (6)	(b) (6)	(b) (6)	104(a) Citation	57.14207	N	UL	LD	1	Mod
<p>The unattended pickup truck parked on a grade outside the maintenance office does not have the wheels chocked or turned into the rib. The #550 truck has the transmission in park and the engine it running. This condition exposes miners to the hazard of the equipment moving unexpectedly.</p> <p>The narrative of the citation supports an S&S evaluation. Was the park brake provided/set? Who was operating the truck last?</p>									

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	Affect	Neg
(b) (6)	(b) (6)	(b) (6)	104(a) Citation	57.14112(b)	N	UL	FTL	1	Low
<p>The #7 kiln dust chamber accesses hatch was found to be open. The opening on the dust chamber measured approximately 24 inches in diameter. This condition exposed the miner to a fall hazard. One miner accesses this area as needed for scrubber cleaning.</p> <p>What is the distance a miner would fall? How often is the area accessed? This section of 30 CFR was cited 12 times at this mine during the previous 24 months.</p>									

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

District Field Office Mine ID Date

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	Affect	Neg
(b) (6)	(b) (6)	(b) (6)	104(a) Citation	57.14112(a)(1)	N	UL	PD	1	Mod
<p>The guard on the drive motor for the #1 oselating pan conveyor has openings exposing the moving machine parts. The opening is approximately 4 inches by 8 inches. This conditon exposes miners to an entanglement hazard.</p>									
<p>This section of 30 CFR was cited (b) (6) at this mine during the previous 24 months.</p>									

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	Affect	Neg
(b) (6)	(b) (6)	(b) (6)	104(a) Citation	56.15005	Y	RL	PD	1	Mod
<p>The miner standing in the middle of the 2x12 board on the second story of the MCC at the river load out area was not wearing a safety belt and line. The miner on the other end of the board was wearing fall protection. The 2x12 is approximately 5 feet above the floor. The floor of this area contains several large pieces of equipment. This condition exposes miners to the hazard of falling.</p>									
<p>Was consideration given to issuing this as a 107(a) imminent danger order? Neither the citation nor the inspection notes indicate that fall protection was provided.</p>									

Mine ID	Violation	Issued	Type	30 CFR	S&S	Likely	Injury	Affect	Neg
(b) (6)	(b) (6)	(b) (6)	104(d)(1) Citation	56.15005	Y	RL	FTL	1	High
<p>(b) (6) had worked from a elevated pipe tray on (b) (6) installing a plastic two inch water line. This was on the pipe tray that runs between the dewatering screens and the wash tower. This was approximately a six inch beam with a opening approximately twenty-four inches wide to the other six inch beam located on the other side of the tray. The beam was located approximately twenty feet from ground level. If (b) (6) were to fall he would land on the concrete pad below. The company policy states that all persons will use proper PPE/tie off when working where there is a danger of falling. This violation is an unwarrantable failure to comply with a mandatory standard. The plastic water line was approximately two to three hundred feet long.</p>									
<p>Citation was issued more than a month after it was alleged to have occurred. Notes do not document why the citation was issued (condition or practice was not observed). Citation was terminated after the inspector discussed fall protection with the mine operator.</p>									

INTERNAL REVIEW AUDIT MATRIX SCORING SYSTEM - ROLLA - SOUTH FIELD OFFICE AUDIT, MARCH 07, 2011										
CAT	Applies to Program Area	Internal Review Findings	Summation or Examples	Category Base Point Value	Base Points Value	RESPONSIBILITY			SUM	Internal Review Category Percentage
						Inspector = 1	Supervisor = 2	District = 3		
1	C/MNM	MSHA failed to identify the deviations in approved plans	All plans, training, escape, roof, ventilation, anything that requires approval	5	0	0	0	0	0	0%
2	C/MNM	Incomplete or inadequate inspections	Not following policy, procedures, failure to cite violations, inspecting all areas/equipment, conducting 103(i) inspections	5	5	1	2	0	8	73%
3	C/MNM	Supervisors did not provide adequate oversight	No review/lax review of inspection reports/ PKW/SAR/FAR/AA	5	0	N/A	0	0	0	0%
4	C/MNM	Improper evaluation of gravity, negligence, type of enforcement action	Self evident/ Inadequate documentation/note taking	5	5	1	2	0	8	73%
5	C/MNM	Peer Reviews were inadequate	Did not include audit reviews, follow up, FARs/AAs	4	0	N/A	0	0	0	0%
6	C/MNM	Weakness in the ACRI Program	Not following ACRI policy/handbook, management oversight of ACRI program, ACRI program consistent with Mine Act, 30 CFR, MSHA policy	3	0	N/A	N/A	0	0	0%
7	C/MNM	MSHA Data not used/reviewed	Key Indicators, Mine Profile, Inspection Completion Statistics, Databases not maintained	2	0	0	0	0	0	0%
8	C/MNM	Lack of Unwarrantable Failure Tracking System	Self Explanatory	1	0	N/A	0	0	0	0%
9	C/MNM	Conflict of Interest	Prior employment, supervision of relatives, etc.	1	0	0	0	0	0	0%
10	C/MNM	Failure to comply with Hazard Complaints procedures	Hazard Complaint handbook, policies, procedures not being followed	1	0	0	0	0	0	0%
11	C	Failure to conduct investigations for multi-phase plans	No on-site investigations	1	0	N/A	N/A	0	0	0%
12	C	Failure to observe retreat mining	Wherever retreat mining is conducted (except longwall mining)	1	0	0	0	0	0	0%
TOTAL SCORE									16	

Minimum Score = 0
Coal Maximum Score = 96
MNM Maximum Score = 85

Summary:

- A) The audit revealed the Rolla-South field office had 2 of the 12 most common issues found in the internal review reports as issues identified by the audit team.
- B) 2 of the 10 internal review categories that relate to the metal-nonmetal program area were identified during this audit.