



MAR 23 2016  
MAR 23 2016

MEMORANDUM FOR PATRICIA W. SILVEY

Deputy Assistant Secretary for Operations  
Mine Safety and Health

THROUGH:

NEAL H. MERRIFIELD

Administrator for  
Metal and Nonmetal Mine Safety and Health

THOMAS W. CHARBONEAU

Acting Director, Office of Assessments, Accountability,  
Special Enforcement and Investigations

FROM:

ALFRED L. CLAYBORNE

Deputy Director, Office of Accountability, Special  
Enforcement and Investigations

SUBJECT:

Office of Accountability Review, Metal and Nonmetal Western  
District, Henderson, Nevada Field Office and

Introduction

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

Positive findings, as well as issues requiring attention, are included in this accountability review report.

## Overview

Accountability Supervisor Ted Smith and Accountability Specialist Troy Davis conducted a review of the Metal and Nonmetal (M/NM) Western District and Henderson, Nevada Field Office from [REDACTED]. The review focused on inspection activities conducted during FY 2014 (October 2013 through September 2014) and the first half of FY 2015 (October 2014 through March 2015), and specifically involved the review of the regular health and safety inspection (E01 event number [REDACTED]) conducted by the Henderson Field Office of the [REDACTED].

For the period of review, the Henderson Field Office enforcement levels related to the Metal and Nonmetal sector were:

- an elevated negligence level of 18.1% as compared to the national average of 11.6%.
- a Violations per On-Site Inspection Hour (VPIH) rate of 0.34 compared to the national 0.26 for FY 2014.

The time period reviewed is FY 2014 (October 2013 through September 2014) and the first half of FY 2015 (October 2014 through March 2015). The [REDACTED] was selected because the mine received [REDACTED] citations which included 104(d) actions in FY 2014. The mine had [REDACTED] enforcement actions in FY 2015 which included 107(a)'s, 104(d)'s and 104(g)'s with an S&S rate of 28.3%.

The review team conducted a mine visit focusing on general mine conditions; whether conditions at the mine are commensurate with enforcement levels documented in the inspection reports reviewed; and to observe company work practices at the mine site.

### Mine Visit [REDACTED]

As part of this review, the Review Team accompanied the Field Office Supervisor and an inspector to the mine site on [REDACTED], for a regular health and safety inspection (E01).

This rare earth [REDACTED] mine is located in [REDACTED] and employs approximately [REDACTED] persons. [REDACTED]

[REDACTED] is surfaced mined from an open pit by drilling, blasting, loading and haulage of material to a crusher plant to be sized and processed through various chemical plants to extract the minerals for distribution.

The Review Team observed areas of the mine which included the open pit, haulage roadways, drill benches, and loading/haulage and dump cycles. The processing plants were also observed, including the crusher facility, mill facility, crack facility, brine recovery area, chloralkali facility and finishing facility. The team observed inspection of contractors on property and mobile equipment associated with the contractors to include, a Genie 45/25L manlift, a plumbing service truck, a McElroy machine for fusing HDPE pipe, a clubcar personnel carrier and three service trucks (Ram 2500, Chevrolet 3500HD and Ford F 550). The Review Team conducted safety talks with 16 employees of [REDACTED] one employee of [REDACTED] (contractor); and four employees of [REDACTED]. The Review Team inspected contractors for associated equipment, work practices, and pre-operational records.

The team observed communications between the mine operator, contractors, union officials and MSHA personnel during the pre-inspection conference and observed discussions with miners and company officials during the inspection regarding work practices and enforcement actions.

### Review Results

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

1. Enforcement personnel conducted themselves in a professional and courteous manner at all times during the review and during the inspection.
2. Enforcement personnel used appropriate enforcement tools during the mine site visit.
3. The inspector conducted excellent safety talks with miners during the inspection.
4. Staff and safety meetings were documented and showed updates and reviews of MSHA initiatives and policy memoranda.
5. The Inspector monitored and participated in multiple training sessions with newly hired miners in conjunction with the ongoing regular health and safety inspection (E01).

This accountability review of the Western District and Henderson, Nevada Field Office revealed one issue requiring corrective action.

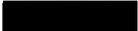
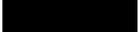
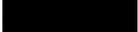
1. Checklist item #13 – Field Office Supervisors did not conduct the required number of Office Reviews for FY 2014. (See Attachment A and D for details)

The district staff along with the Review Team analyzed the findings identified during this review to determine the root cause of the noted deficiency. [REDACTED]

[REDACTED]

Corrective actions from the District Manager, to address the deficiency are included in the corrective action plan attached to this report. (See Attachment E)

Attachments

- A. Office of Accountability Checklist
- B. Citations/Orders issued during this review
  - 1.  48.27(a)(1)
  - 2.  56.14130(g)
  - 3.  56.14101(a)(2)
- C. Examples of Citations Issued During Previous E01 Inspections  
(No issues were identified during this review)
- D. Issues identified with corresponding requirements
- E. District Corrective Action Plan

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

District  Field Office  Mine ID  Date

Attachment A – Office of Accountability Checklist

1. Determine if complete and thorough E01 inspections are being conducted and /or if policy and procedures were properly followed.  
Adequate  Corrective Action Needed  Comments Below

2. Determine if documentation for inspections is complete and thorough.  
Adequate  Corrective Action Needed  Comments Below

3. Determine if citations and orders issued during previous inspections were properly evaluated for gravity, negligence, level of enforcement, number of persons affected, and supported by documentation.  
Adequate  Corrective Action Needed  Comments Below

4. Evaluate inspector(s) examination of required records and postings for compliance with applicable standards.  
Adequate  Corrective Action Needed  Comments Below

5. Evaluate the inspector(s) physical examination of the active working areas of the mine and inspection of all mining cycles.  
Adequate  Corrective Action Needed  Comments Below

6. Evaluate the inspector(s) on-site contaminant assessment and documentation.  
Adequate  Corrective Action Needed  Comments Below   
Health samples were taken during the E01 inspection event

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Mine Safety and Health Administration  
Office of Accountability

District  Field Office  Mine ID  Date

7. Evaluate inspector(s) examination of electrical equipment, transformer stations, and/or electrical circuits.

Adequate  Corrective Action Needed  Comments Below

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

Adequate  Corrective Action Needed  Comments Below

Field notes reviewed show daily and final close-outs are consistently conducted.

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

Adequate  Corrective Action Needed  Comments Below

NA - Not reviewed as a part of this review.

10. 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 separating E02 inspections from other events.

Adequate  Corrective Action Needed  Comments Below

No 103(i) mines are in the field office jurisdiction; however five E16 Spot Inspections were reviewed.

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

Adequate  Corrective Action Needed  Comments Below

12. Determine if supervisors are monitoring inspector time and activity to ensure proper use of time, including off-shift and weekend work, by all inspectors.

Adequate  Corrective Action Needed  Comments Below

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District  Field Office  Mine ID  Date

13. Are required Office Reviews (ORs) and supervisory follow-up reviews being conducted and documented according to agency policy and procedures?  
(One E-01/Inspector/every six months/FY –minimum)

Adequate  Corrective Action Needed  Comments Below

See attachment D

14. Are Field Accompanied Reviews (FARs) and supervisory follow-up reviews being conducted and documented according to agency policy and procedures?  
(one/inspector/year - minimum)

Adequate  Corrective Action Needed  Comments Below

15. 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

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

Adequate  Corrective Action Needed  Comments Below

17. Determine if supervisors are visiting active mines.

Adequate  Corrective Action Needed  Comments Below

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

Adequate  Corrective Action Needed  Comments Below

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Office of Accountability

District  Field Office  Mine ID  Date

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

[REDACTED]

[REDACTED]

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

Adequate  Corrective Action Needed  Comments Below

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

Adequate  Corrective Action Needed  Comments Below

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

Adequate  Corrective Action Needed  Comments Below

All reviews currently being conducted by OA.

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

Adequate  Corrective Action Needed  Comments Below

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District  Field Office  Mine ID  Date

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

Adequate  Corrective Action Needed  Comments Below

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

Adequate  Corrective Action Needed  Comments Below

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

Adequate  Corrective Action Needed  Comments Below

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

Adequate  Corrective Action Needed  Comments Below

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

Adequate  Corrective Action Needed  Comments Below

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District  Field Office  Mine ID  Date

Attachment B - Citations/Orders issued during this review

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

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

\_\_\_\_\_ is a employee of \_\_\_\_\_ was not aware of the safe operating procedures for the 45 foot Genie Man lift. He was unaware of how to test the machines tilt sensor without putting the machine on grade. The Operator is hereby ordered to withdraw \_\_\_\_\_ from the mine until he has received the required training. The Federal Mine Safety and Health Act of 1977 declares that an untrained miner is a hazard to himself and others.

9. Violation	A. Health Safety Other	B. Section of Act	C. Part/Section of Title 30 CFR
			48.27a)

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
				00)
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		13. Type of issuance (check one)		
[04g]		Citation <input type="checkbox"/> Order <input checked="" type="checkbox"/> Safeguard <input type="checkbox"/> Written Notice <input type="checkbox"/>		
14. Initial Action				F. Dated
A. Citation <input type="checkbox"/> B. Order <input type="checkbox"/> C. Safeguard <input type="checkbox"/> D. Written Notice <input type="checkbox"/>				Mo Da Yr
15. Area or Equipment				

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

17. Action to Terminate \_\_\_\_\_ has now received the required training on how to test the tilt sensor on the 45 foot Genie man lift, terminating this order.

18. Terminated	A. Date	Mo Da Yr	B. Time (24 Hr. Clock)
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Section IV--Automated System Data			
19. Type of Inspection (activity code)	20. Event Number	21. Primary or MIP	
E01		P	
22. AR Name			23. AR Number

MSHA Form 7000-3, Apr 08 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW, MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

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

District  Field Office  Mine ID  Date

Mine Citation/Order

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



Section I--Violation Data

1. Date Mo Da Yr [REDACTED]	2. Time (24 Hr. Clock) [REDACTED]	3. Citation/ Order Number [REDACTED]
4. Served To [REDACTED]	5. Operator [REDACTED]	
6. Mine [REDACTED]	7. Mine ID [REDACTED] (Contractor)	

8. Condition of Practice 8a. Written Notice (103g)   
 A contractor, [REDACTED] was observed driving his box truck and was not wearing his seatbelt. The employee uses this truck to travel throughout the mine to various areas. The door for the truck was open and this exposed the operator to serious injuries should he fall out and be ran over or strike another piece of mobile equipment or a fixed object. The box truck operates on various types of terrain, level, hilly, paved and dirt roads, some of which has rough terrain with steep grades. The equipment operator stated he knew he was supposed to wear the seat belt, and he has received training from Molycorp about wearing seatbelts.

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 56.14130g
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Section II--Inspector's Evaluation

10. Gravity

A. Injury or illness (has) (is): No Likelihood  Unlikely  Reasonably Likely  Highly Likely  Occurred

B. Injury or illness could reasonably be expected to be: No Lost Workdays  Lost Workdays Or Restricted Duty  Permanently Disabling  Fatal

C. Significant and Substantial: Yes  No

D. Number of Persons Affected: 001

11. Negligence (check one) A. None  B. Low  C. Moderate  D. High  E. Reckless Disregard

12. Type of Action: 104a

13. Type of Issuance (check one) Citation  Order  Safeguard  Written Notice

14. Initial Action: A. Citation  B. Order  C. Safeguard  D. Written Notice

E. Citation/Order Number

F. Dated: Mo Da Yr

15. Area or Equipment

15. Termination Due	A. Date Mo Da Yr [REDACTED]	B. Time (24 Hr. Clock) [REDACTED]
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Section III--Termination Action

17. Action to Terminate: The operator of the truck put his seat belt on and received additional training, terminating this citation.

18. Terminated	A. Date Mo Da Yr [REDACTED]	B. Time (24 Hr. Clock) [REDACTED]
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Section IV--Automated System Date

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

MSHA Form 7000-3, Apr 08 (revised) In accordance with the provisions of the Small Business Regulatory Enforcement Fairness Act of 1996, the Small Business Administration has established a National Small Business and Agriculture Regulatory Ombudsman and 10 Regional Fairness Boards to receive comments from small businesses about federal agency enforcement actions. The Ombudsman annually evaluates enforcement activities and rates each agency's responsiveness to small business. If you wish to comment on the enforcement actions of MSHA, you may call 1-888-REG-FAIR (1-888-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 400 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  
 Office of Accountability

District Western Field Office Henderson, NV Mine ID [REDACTED] Date [REDACTED]

Mine Citation/Order

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



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

When tested, the parking brake on Ford shop truck [REDACTED] was not capable of holding the truck with a typical load on the maximum grade it travels, approx. 7%. The shop truck normally parks on level areas. Miners were exposed to contusions and broken bones if the truck were to roll when parked. The operator was unaware of the parking brake problem as the brake was tested and a pre-op was done. The operator was testing the parking brake by setting it and placing the lever into drive and when this was done it did not roll. The operator was trained to do it this way. The vehicle was chocked when seen.

See Continuation Form (MSHA Form 7000-3a)

9. Violation	A. Health Safety Other	B. Section of Act	C. Part/Section of Title 30 CFR
			56.14101a2

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 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			E. Citation/Order Number		F. Dated Mo Da Yr	
A. Citation <input type="checkbox"/>			B. Order <input type="checkbox"/>		C. Safeguard <input type="checkbox"/>	
D. Written Notice <input type="checkbox"/>						

15. Area or Equipment

16. Termination Due	A. Date Mo Da Yr	B. Time (24 Hr. Clock)
		[REDACTED]

Section III--Termination Action

17. Action to Terminate The truck was taken to the mine shop for repairs. It was determined it could not be done on site. The truck had all equipment removed and it was taken off the property. Prior to its removal, the

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

Section IV--Automated System Data

19. Type of Inspection (activity code)	20. Event Number	21. Primary or Mill
E01	[REDACTED]	p
22. AR Name		23. AR Number
[REDACTED]		[REDACTED]

MSHA Form 7000-3, Apr 88 (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 (1-866-734-3247), or write the Ombudsman at Small Business Administration, Office of the National Ombudsman, 409 3rd Street, SW MC 2120, Washington, DC 20416. Please note, however, that your right to file a comment with the Ombudsman is in addition to any other rights you may have, including the right to contest citations and proposed penalties and obtain a hearing before the Federal Mine Safety and Health Review Commission.

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

Section II—Justification for Action

Continuation of 17. Action to Terminate

brakes had not been repaired by the operator. The mine operator was notified that, prior to resuming mining activities at this or another mine site, he is required to comply with the cited standard. If the operator does not comply, MSHA will consider his actions to be aggravated conduct constituting more than ordinary negligence.

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 type="checkbox"/> E. Modified
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Section IV—Inspection Data

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

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

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Mine Safety and Health Administration  
Office of Accountability

District  Field Office  Mine ID  Date

Attachment C - Examples of Citations Issued During Previous E01 Inspections  
(No issues were identified during this review)

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Office of Accountability

District  Field Office  Mine ID  Date

Attachment D - Issues identified with corresponding requirements

**Checklist Item #13 – Are required Office Reviews (ORs) and supervisory follow-up reviews being conducted and documented according to agency policy and procedures?**

- In FY 2014 supervisors had conducted OR's once annually for each inspector.

Requirement: Metal and Nonmetal Mine Safety and Health Supervisors Handbook Number AH09 - III - 1(1) page 4 states in part "Field office supervisors shall evaluate inspection documentation generated by inspectors assigned to them once every six months during a fiscal year. That review must include at least one recently completed regular (mandated) inspection or investigation for each inspector."

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

District  Field Office  Mine ID  Date

Attachment E - District Corrective Action Plan

U. S. DEPARTMENT OF LABOR

Mine Safety and Health Administration  
Western District Office  
991 Nut Tree Road  
Vacaville, CA 95687-4165



August 17, 2015

MEMORANDUM FOR ALFRED L. CLAYBORNE  
Deputy Director  
Office of Assessments, Accountability, Special Enforcement  
and Investigations

THROUGH: TED SMITH  
Supervisor  
Office of Accountability

FROM: WYATT ANDREWS [REDACTED]  
District Manager  
Western District Metal and Nonmetal

SUBJECT: Proposed Corrective Actions

This is a response to the review conducted by the Office of Accountability from [REDACTED], at the Henderson, Nevada field office and the [REDACTED]. The results of your review identified one deficiency, which is required to be addressed by this district.

DEFICIENCY

Checklist Item #13 – Are required Office Reviews (ORs) and supervisory follow-up reviews being conducted and documented according to agency policy and procedures?

- In FY 2014 supervisors had conducted OR's once annually for each inspector.

A. Requirement: Metal and Nonmetal Mine Safety and Health Supervisors Handbook Number AH09 - III - 1(1) page 4 states in part "Field office supervisors shall evaluate inspection documentation generated by inspectors assigned to them once every six months during a fiscal year. That review must include at least one recently completed regular (mandated) inspection or investigation for each inspector." [REDACTED]

United States Department of Labor  
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Office of Accountability

District  Field Office  Mine ID  Date

• ROOT CAUSE:

- A. Failure to comprehend the requirements as outlined on page 4 of the Supervisor's Handbook. [REDACTED]

• PROPOSED CORRECTIVE ACTIONS:

- A. Requirements to conduct two (2) Office Reviews (unaccompanied) was reviewed and discussed with the [REDACTED] who now understands the requirements. [REDACTED]

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

- A. Western District: Assistant District Manager

• TIMEFRAME FOR COMPLETION OF EACH CORRECTIVE ACTION:

- A. By September 30, 2015 (end of current FY)

• METHOD FOR DETERMINING SUCCESS:

- A. The method to determine compliance will be ensuring that each Field Office completes at least one unaccompanied Office Review by the end of the first half of the FY (March 31, 2016).

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

- A. Review of MSHA Form 4000-129 for each Field Office. Each Field Office is required to submit at least one 4000-129 showing an unaccompanied Office Review on each inspector by March 31, 2016.
- B. The District Manager will send a memorandum to Alfred L. Clayborne, Deputy Director, Office of Assessments, Accountability, Special Enforcement and Investigations through Ted Smith, Supervisor, Office of Accountability upon completion and evaluation of the corrective actions.