

From the Assistant Secretary's Desk

In January 2010, MSHA launched "Rules to Live By," a fatality prevention program that focused on 24 standards in nine accident categories frequently cited in fatal accident investigations from Jan. 1, 2000 through Dec. 31, 2008.

In November 2010, MSHA launched the second phase of the MSHA's centerpiece fatality reduction program: "Rules to Live by II: Preventing Catastrophic Accidents," that focused on 9 frequently cited standards at major and potentially major coal mine accidents that contributed to one or more of 8 accidents and resulted in 5 or more deaths in the last 10 years.

Today, January 31, 2012, I am announcing the third phase of MSHA's fatality prevention program, "Rules to Live by III: Preventing Common Mining Deaths." This is our next step toward reducing deaths and injuries in our nation's mines.

"Rules to Live By III: Preventing Common Mining Deaths" focuses on 14 safety standards – 8 in coal mining and 6 in metal and nonmetal mining – cited as a result of at least five mining accidents and resulting in at least five deaths during the 10-year period from January 1, 2001, to December 31, 2010. The goal of "Rules to Live By III: Preventing Common Mining Deaths" is to reduce deaths and injuries from the targeted standards by having mine operators identify and correct all hazardous conditions, having miners trained in the types of conditions leading to deaths, and MSHA directing enforcement toward confirming that violations related to these conditions are not present at mines

Between January 1, 2001, and December 31, 2010, there were 8 Coal standards that stood out as having contributed to at least 5 deaths and were cited in at least 5 fatal accident investigations. In all, these violations contributed to 58 deaths in Coal.

Coal

75.362(a)(1)	On-shift examination
77.404(a)	Machinery and equipment; operation and maintenance
77.405(b)	Performing work from a raised position; safeguards
77.1000	Highwalls, pits and spoil banks; plans
77.1605(b)	Loading and haulage equipment; installations
77.1606(a)	Loading and haulage equipment; inspection and maintenance
77.1607(b)	Loading and haulage equipment; operation
77.1713(a)	Daily inspection of surface coal mine; certified person; reports of inspection

Between January 1, 2001, and December 31, 2010, there were 6 Metal/Nonmetal standards that stood out as having contributed to at least 5 deaths and were cited in at least 5 fatal accident investigations. In all, these violations contributed to 47 deaths in MNM.

Metal and Nonmetal

46.7(a)	New task training
56.3130	Wall, bank, and slope stability
56.3200	Correction of hazardous conditions
56.14100(b)	Safety defects; examination, correction and records

56.15020	Life jackets and belts
57.14100(b)	Safety defects; examination, correction and records

As with the initial 24 standards highlighted during the first “Rules to Live By” initiative, and the 9 standards in the second segment, outreach and training are important components.

Beginning today, through a single-source page for Rules to Live by III, we will make available the same training that is being provided to our inspectors. We are also asking our state grant partners and MSHA-approved instructors to include information on these standards in their own training.

Beginning April 1, 2012, MSHA will increase scrutiny for violations of these standards and instruct inspectors to carefully evaluate gravity and negligence – consistent with the seriousness of the violation – when citing violations of standards that may cause or contribute to mining fatalities.

In 2011, mining fatalities fell to the second-lowest annual total on record – a testament to the commitment of miners, mine operators, miners’ representatives, labor and industry organizations, state grantees, members of the mining community, and MSHA personnel. While the mining community achieved near-record low numbers of mining fatalities in the United States and has seen a significant decline in fatal mining accidents during the past 10 years, too many miners still lose their lives in preventable accidents. The loss of even one miner causes devastation and pain to the victim’s family, friends and co-workers.

From CY 2001 – 2010, 609 miners lost their lives in our nation’s mines: 328 miners died in coal mine accidents; 281 miners died at metal and nonmetal mines. While mining fatalities were indeed at near-historic lows in 2011, we are still losing miners to preventable accidents. We must build on our successes of the past and move toward our ultimate goal of zero fatalities in the mining industry in this country.

All of us – MSHA, mine operators, miners, independent contractors, and miners’ representatives, state agencies and other stakeholders – must focus on why these accidents happen and how to prevent them. As part of our outreach, the agency will provide operators program and resource information. MSHA will also reach out to engage miners and miners’ representatives during the course of MSHA inspections in the prevention of injuries and fatalities. This includes dissemination of compliance assistance materials and other information resources so that mine operators and miners have information available to address and eliminate workplace hazards.

Compliance with safety and health standards is the responsibility of mine operators. While MSHA supports education and outreach efforts to assist the mining industry in improving mine safety and health, MSHA is charged with ensuring consistent and compliance with safety and health standards, and expects operators to foster a culture of zero tolerance for violations in their operations, including violations by independent contractors. Please visit MSHA’s “Rules to Live By” single-source web page for detailed information on all our “Rules to Live By” initiatives.

One death is too many. Working together, we can end these fatalities in the nation’s mines. I look forward to working with the mining community to improve mine safety and health for the nation’s miners.