

News Release



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U.S. Labor Department's MSHA completes internal reviews into fatal accidents at Sago, Aracoma and Darby mines *Agency ushers in new era of accountability*

ARLINGTON, Va. – The U.S. Department of Labor's Mine Safety and Health Administration (MSHA) today released the results of its internal reviews into last year's disasters at the Sago, Aracoma and Darby mines. The reviews resulted in 153 recommendations that will improve MSHA's ability to administer the provisions of the Mine Act and enforce compliance with mandatory safety and health standards. Each of the three reviews also contains a corrective action plan that addresses each of the recommendations and establishes timelines for the resolution of all recommendations.

Furthermore, MSHA announced the establishment of an Office of Accountability to increase oversight and examination of existing enforcement programs within the agency. This new division will conduct oversight reviews to ensure that management controls are in place and fully implemented to prevent potential lapses in enforcement policies and procedures, and to ensure the implementation of actions recommended as a result of MSHA audits and internal reviews.

"MSHA's internal review teams identified a number of deficiencies in our enforcement programs, which I found deeply disturbing," said Richard E. Stickler, assistant secretary of labor for mine safety and health. "The creation of the Office of Accountability within the Office of the Assistant Secretary will add enhanced oversight, at the highest level in the agency, to ensure that we are doing our utmost to enforce safety and health laws in our nation's mines."

The Aracoma internal review team determined that the majority of contributory violations were obvious and should have been identified by MSHA inspectors prior to the fatal fire that killed two miners. The team determined that inspection personnel failed to exercise their authority in a manner that demonstrated an appreciation for the importance of strict enforcement of the Mine Act and failed to conduct inspections in a manner that reliably detected violations.

Inspection personnel also demonstrated a lack of technical know-how necessary to effectively evaluate and address complex safety and health conditions, and failed to comply with MSHA policies and procedures that, if followed, would have significantly improved the scope, quality and effectiveness of mine inspections. The lack of effective management oversight and controls also contributed to enforcement deficiencies at Aracoma. MSHA has referred its findings at Aracoma to the Labor Department's Office of Inspector General for further investigation of employee misconduct.

The Sago internal review found that district personnel dealt with compliance issues by increasing the level of enforcement prior to the explosion. However, failure by personnel to follow inspection procedures, coupled with inadequate managerial oversight, resulted in a number of enforcement deficiencies. Among the areas cited as needing improvement was the district's mine emergency response capabilities.

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The Darby internal review found that district personnel did not effectively utilize the mine operator's history of repeat violations to elevate the level of enforcement. Failure to follow inspection procedures, along with inadequate managerial oversight, resulted in many of the deficiencies identified in the report.

The Office of Accountability will be overseen by a director who will report to MSHA's assistant secretary. Two compliance specialists will be based in the field, and additional field personnel will be called upon to provide staff expertise, as needed.

Complete reports on the three internal reviews are available at www.msha.gov.

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