

From the Assistant Secretary's Desk



In January 2010, MSHA launched "Rules to Live By," focusing on 24 standards in nine accident categories frequently cited in fatal accident investigations from Jan. 1, 2000 through Dec. 31, 2008. Today, I am announcing the second phase of MSHA's centerpiece fatality reduction program: "Rules to Live by II: Preventing Catastrophic Accidents." This is our next step in preventing fatalities, focusing on frequently cited standards at major and potentially major mine accidents.

Too many miners have lost their lives in catastrophic accidents over the past 10 years. Looking at the period Jan. 1, 2000 through Dec. 31, 2009, we analyzed citation data from the following eight accidents that occurred at underground coal mines: Willow Creek, Jim Walters No. 5, McElroy, Sago, Aracoma Alma Mine #1, Darby Mine No. 1, R & D Coal Co. and Crandall Canyon.*

We analyzed these accidents to identify contributing conditions and practices, safety standards violated, root causes and abatement practices. Our analysis identified nine coal standards that contributed to one or more of these eight accidents and resulted in five or more fatalities in the last 10 years. In general, the standards cited fell into one of four categories: explosions, aftermath of a fire, mining methods and examinations. To focus specifically on preventing coal mine fires and explosions, we are also highlighting two additional standards that deal with the accumulation of combustible materials -- including coal dust and rockdusting -- in underground coal mines.

As with the initial 24 standards highlighted during the first "Rules to Live By" initiative, outreach and training are important components. Beginning Dec. 1, 2010, through this single-source page, 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 January 1, 2011, through enhanced enforcement, 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.

*Not included in the analysis is the April 5th explosion at the Upper Big Branch Mine. MSHA plans to update "Rules to Live By II" when the investigation of that accident is complete.

[Link to the 9 Rules to Live By - II Standards](#)

All of us – MSHA, mine operators, miners, independent contractors, and miners’ representatives – 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 appropriate compliance assistance materials such as engineering suggestions, safety target materials packages, and other information resources to ensure 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 strict 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.