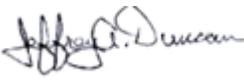


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PROCEDURE INSTRUCTION LETTER NO. I09-V-03

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SUBJECT: Procedures for Implementing the Mine Plan Approval Database System

Scope

This Procedure Instruction Letter (PIL) applies to Coal Mine Safety and Health (CMS&H) district personnel, Educational Policy and Development (EPD) personnel in the Educational Field Service Center and Technical Support (TS) personnel in the Pittsburgh Safety and Health Technology Center, Mine Waste and Geotechnical Engineering, and Roof Control and Ventilation Divisions who are responsible for entering data for tracking mine plan reviews and approvals. This PIL also applies to CMS&H, EPD, and TS headquarters personnel responsible for monitoring the timeliness and quality of mine plan reviews and approvals.

Purpose

This PIL establishes the procedures necessary to ensure that the data from certain mine plans and periodic plan reviews are entered into the Mine Plan Approval (MPA) database system through the MSHA Standardized Information System (MSIS). With these procedures, MSHA District Managers and Headquarters personnel will monitor mine plan approval activities. In addition, this PIL updates MSHA's commitment to improved tracking and periodic review of specific plan approvals.

Procedure Instructions

The district offices or other agency offices reviewing plans on behalf of the district offices shall enter data into the MPA system. The following plans have been required to be tracked in the system by or for each district:

Underground Mines

Roof Control (30 C.F.R. § 75.220) (see PIL No. I08-V-2) with mandatory 6 month review

Mine Ventilation (30 C.F.R. § 75.370) with mandatory 6 month review

Mine Emergency Evacuation and Firefighting Program of Instruction (30 C.F.R. § 75.1502)

Emergency Response Plan (ERP) (Required by the Mine Improvement and New Emergency Response Act of 2006 (MINER Act) with mandatory 6 month review

Smoking Prevention (30 C.F.R. § 75.1702-1)

Part 48 Subpart A Training

Part 48 Subpart B Training

Part 75 Training

Surface Mines

Part 48 Subpart B Training

Part 77 Training

The use of the MPA system for tracking all other plans, waivers, and permits approved or acknowledged by the District Manager is now required. A listing of these plans and other documents is available on the entry screens of the MPA database. However, the review intervals for plans not specified above can be set in accordance with the district's standard operating procedures but not to exceed 2 years.

MSHA, CMS&H and TS issued a PIL (PIL No. I08-V-2, effective May 29, 2008) which instructs District Managers to use TS ground control expertise in reviewing roof control plans of select mines. TS is to provide reviews and comments for roof control plans or plan supplements proposed for mines that are bounce and bump-prone; that utilize room and pillar retreat mining at overburden depths of 1000 feet and greater; or, that do not meet or exceed the stability factors used in the Analysis of Retreat Mining Pillar Stability (ARMPS) program. TS is also asked to evaluate specific design criteria listed in Program Information Bulletin (PIB) P08-08 or that do not meet or exceed minimum safety criteria for other computer models used; and, at the discretion of the District Manager, roof control plans for mines that are complex, non-typical, or present unique or novel situations (e.g. potentially increased roof and pillar loading from mining over or under existing mine workings.)

The district is to record in the comments section of the MPA district level data entry screen the date and pertinent information regarding such base plans or plan supplements that were sent to TS as well as the date and summary of the TS recommendations. The MPA system will be modified to allow specific identifiers such as special roof control/ground control plans and the tracking and transmittal of documents and recommendations to and from TS. However, at the present time, the only means of tracking TS involvement is by making notations in the comment field. Procedure instructions concerning the use of the MPA system for tracking impoundment plans are in the MSHA Coal Mine Impoundment Inspection and Plan Review Handbook PH07-01.

Data concerning the receipt, evaluation, and recommendations for approval of training plans shall be entered by the district or Educational Field Service (EFS) representatives who are assigned to review training plans and forward such documents to the CMS&H districts. In addition, data concerning the receipt, review, and recommendations for approval of impoundment or refuse pile plans shall be entered by district personnel or by Technical Support personnel in the Pittsburgh Safety and Health Technology Center, Mine Waste and Geotechnical Engineering Division.

The data that must be entered into the system for each of the required plans include:

- a. the date each MSHA office initially received the plan;
- b. the interval from the date of base plan approval that will be used to calculate when periodic review is due. Note that roof control plans, mine ventilation plans, and Emergency Response Plans have a mandatory six-month review.
- c. the date the periodic review was completed;
- d. the decision and the date the district manager signed the letter of approval or disapproval; and
- e. the mine identification number.

Only one roof control plan or mine ventilation plan with plan addenda can be approved for each mine (working section) at any given time. The number of plan addenda should be limited and fully revised plans requested when needed to clarify what constitutes the approved plan. Mine operators cannot be required to submit separate dust control plans or have more than one ERP. Where a ventilation plan and a dust control plan have been submitted and approved separately, or an ERP has been submitted and approved in separate parts, or the mine has separately approved SCSR storage plans, those separate plans are to be consolidated into a single plan subject to a single review

date. The sole exception is that impoundments can have separate plan approvals in effect for various stages of construction.

The development of ERPs since 2006 has been implemented such that for some mines there may be separate elements submitted and approved. These plans are to be consolidated into a single approved ERP. This consolidated ERP must address all SCSRs stored underground, communications and tracking, lifelines, refuge alternatives, the training program for emergency procedures, and procedures for coordinating local emergency response. The consolidated ERP must be reviewed every six-months.

The six-month review period applies to the Self Contained Self Rescuer (SCSR) Storage Plan (30 C.F.R. § 75.1714-2(c)) and Verification of the approved outby SCSR storage and Map Locations for all SCSRs Stored Underground as required by 30 C.F.R. § 75.1714-5 (applies to SCSR stored in accordance with 30 C.F.R. § 75.1714-2(c) and 30 C.F.R. § 75.1714-4). As mentioned, these plans are now a part of the consolidated ERP.

The MPA system will calculate the due dates for periodic reviews based on the dates the plans were approved for at least the ten plans listed on page two that are required to be tracked in the system. Additional data and comments may also be stored in the system.

The MPA system, as now installed on the MSIS, allows data to be entered anywhere a connection to the MSHA computer network can be made and by all persons with prearranged permissions, regardless of organization affiliation or location. Some adjustments are being made to the system to accommodate unusual plan characteristics. Examples of system adjustments include the ability to enter training plan data submitted by contractors that do not have identification numbers, provisions for tracking impoundments by both mine ID and/or impoundment ID numbers, and the ability to handle multiple approved base plans for impoundments so as to accommodate the approval of designs for different stages of construction at the same dam construction site. Each change or refinement to the MPA system will be announced as it is introduced to the system.

The CMS&H Division of Safety and District Managers shall monitor plan review and approval activity, including mines with no record of required plans, mines with overdue reviews, and plan processing time. These National level reports are accessible at Headquarters to personnel with appropriate permissions. Similar District level reports are available to the districts as oversight and managerial tools for their plan approval system.

Background

CMS&H has maintained a database system to track certain mine plans and periodic reviews on personal computers in district offices since 1990. The system was

implemented in response to recommendations made by the Office of the Inspector General (OIG) to improve Agency management of the plan approval and review process. As a result of the recommendations, CMS&H made a commitment to systematically track plan approvals and reviews in the districts and to monitor district activity at the national level. Subsequent events have resulted in other internal and external reviews of the plan approval process. In addition, reports by the Government Accountability Office (GAO) emphasized the Agency's need to maintain and improve Headquarters oversight of the mine inspection process, including mine plan approvals, especially as they pertain to high hazard impoundments, ventilation and roof control in underground coal mines and plans for emergency responses required by new legislation and existing regulations for emergency evacuation, SCSR storage locations and fire fighting. This PIL adds requirements for the ERP and consolidates information previously issued during the implementation of the system and recognizes the desired data entry by organizations other than the CMS&H using the web-based MSIS.

Authority

The Federal Mine Safety and Health Act of 1977, as amended, 30 U.S.C. § 801 et seq. at §§ 115(a), 302(a), 303(o), 303(t), 316(b) 317(c), 317 (i) and 317(m); and 30 C.F.R. Parts 48, 75, and 77.

MSHA Handbook Series:

Mine Ventilation Plan Approval Procedures, Handbook Number PH92-V-6
MSHA Coal Impoundments Inspection Procedures and Plan Review, Handbook Number PH07-V-1
General Coal Mine Inspection Procedures and Inspection Tracking, Handbook Number PH08-V-1
Education and Training Procedure, Handbook Number PH03-III-1

Filing Instructions

MSHA personnel should file this letter behind the tab marked "Procedure Instruction Letters" in the binder titled MSHA Program Policy Handbooks and Procedure Instruction Letters.

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