

ISSUE DATE: 5/09/2011

PROGRAM INFORMATION BULLETIN NO. MSHA-P11-35

FROM: GEORGE M. FESAK
Director, Program Evaluation
and Information Resources

KEVIN G. STRICKLIN
Administrator for
Coal Mine Safety and Health

NEAL H. MERRIFIELD
Administrator for
Metal and Nonmetal Mine Safety and Health

SUBJECT: Re-Issue P08-02 -- Reporting Deaths on Mine Property

Scope

This program information bulletin (PIB) applies to mine operators, independent contractors, Mine Safety and Health Administration (MSHA) personnel, and other interested persons.

Purpose

This PIB clarifies the responsibility of mine operators and contractors to report all deaths that occur on mine property, including suicides, homicides, and deaths involving trespassers, customers, or visitors.

Information

Section 30 CFR 50.10, *Immediate Notification*, requires the operator to contact MSHA at once, without delay, and within 15 minutes at the toll-free number, 1-800-746-1553, once the operator knows or should know that an accident has occurred. Section 30 CFR 50.2 (h) (1), *Definitions*, defines "accident" to include a death of an individual at a mine. In addition to immediately contacting MSHA, operators are required to submit a Mine Accident, Injury, and Illness Report (Form 7000-1) to MSHA within 10 days of the accident. It makes no difference whether the deceased is a mine employee, visitor, trespasser, or customer. MSHA must be immediately notified of any death of an individual at a mine and the death must be reported to MSHA on Form 7000-1 within 10 days.

Background

There have been numerous occasions when operators have not filed the required Mine Accident, Injury, and Illness Report (Form 7000-1) because they believed a death, particularly a death involving a trespasser on mine property, to be non-chargeable and therefore not reportable. This can cause the operator to be in violation of 30 CFR Part 50 reporting requirements.

Authority

Federal Mine Safety and Health Act of 1977, as amended, 30 U.S.C. § 801 et seq., and 30 CFR Part 50.

Internet Availability

This PIB may be viewed on the Internet by accessing the [MSHA home page](#) and selecting "Compliance Assistance" and "Program Information Bulletins."

Contact Person(s)

Coal Mine Safety and Health
Marcus Smith, (202) 693-9547
E-mail: Smith.Marcus@dol.gov

Metal and Nonmetal Mine Safety and Health
Lawrence Trainor, 202-693-9644
E-mail: Trainor.Lawrence@dol.gov

Distribution

MSHA Program Policy Manual Holders
Mine Operators and Independent Contractors
Mine Safety and Health Administration Personnel
Special Interest Groups