

ISSUE DATE: 5/09/2011  
LAST VALIDATED: 3/26/2026

PROGRAM INFORMATION BULLETIN NO. P11-35

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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 by accessing MSHA's home page at ([www.msha.gov](http://www.msha.gov)), choosing "Compliance Info" and "Program Information Bulletins."

**Contact Person(s)**

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**Distribution**

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