



ABA Labor & Employment Law
2019 Midwinter Meeting
San Juan, Puerto Rico
March 5, 2019

MSHA: 2018 in Review and a Look Ahead

David G. Zatezalo
Assistant Secretary of Labor
Mine Safety and Health Administration



The MSHA Mission

“to prevent death, illness, and injury from mining and promote safe and healthful workplaces for U.S. miners”



MSHA's Tools

- Fair and consistent enforcement, including mandated inspections
- Compliance and technical assistance
- Training and education
- Rulemaking and policy guidance

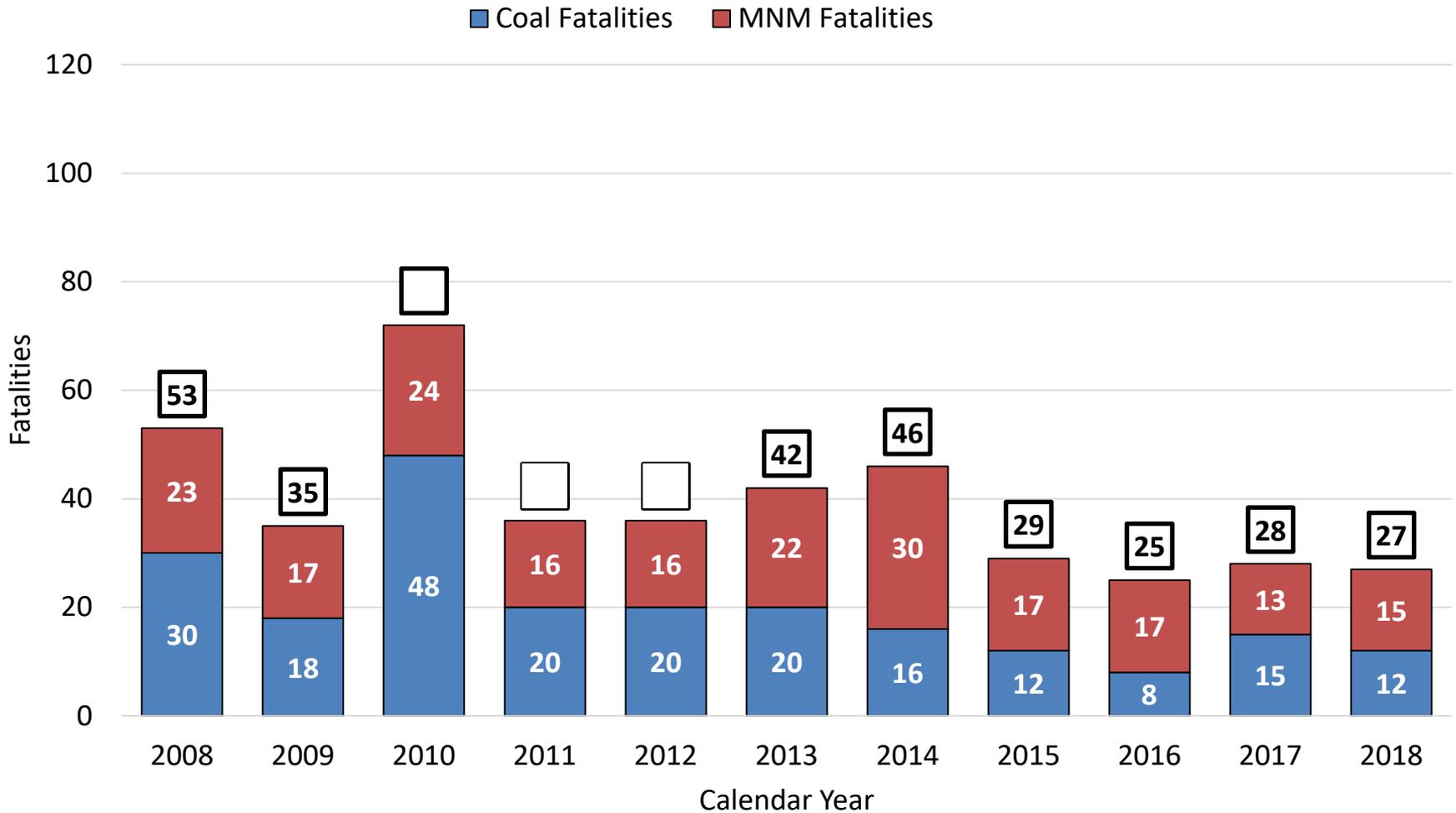


MSHA Data for 2018

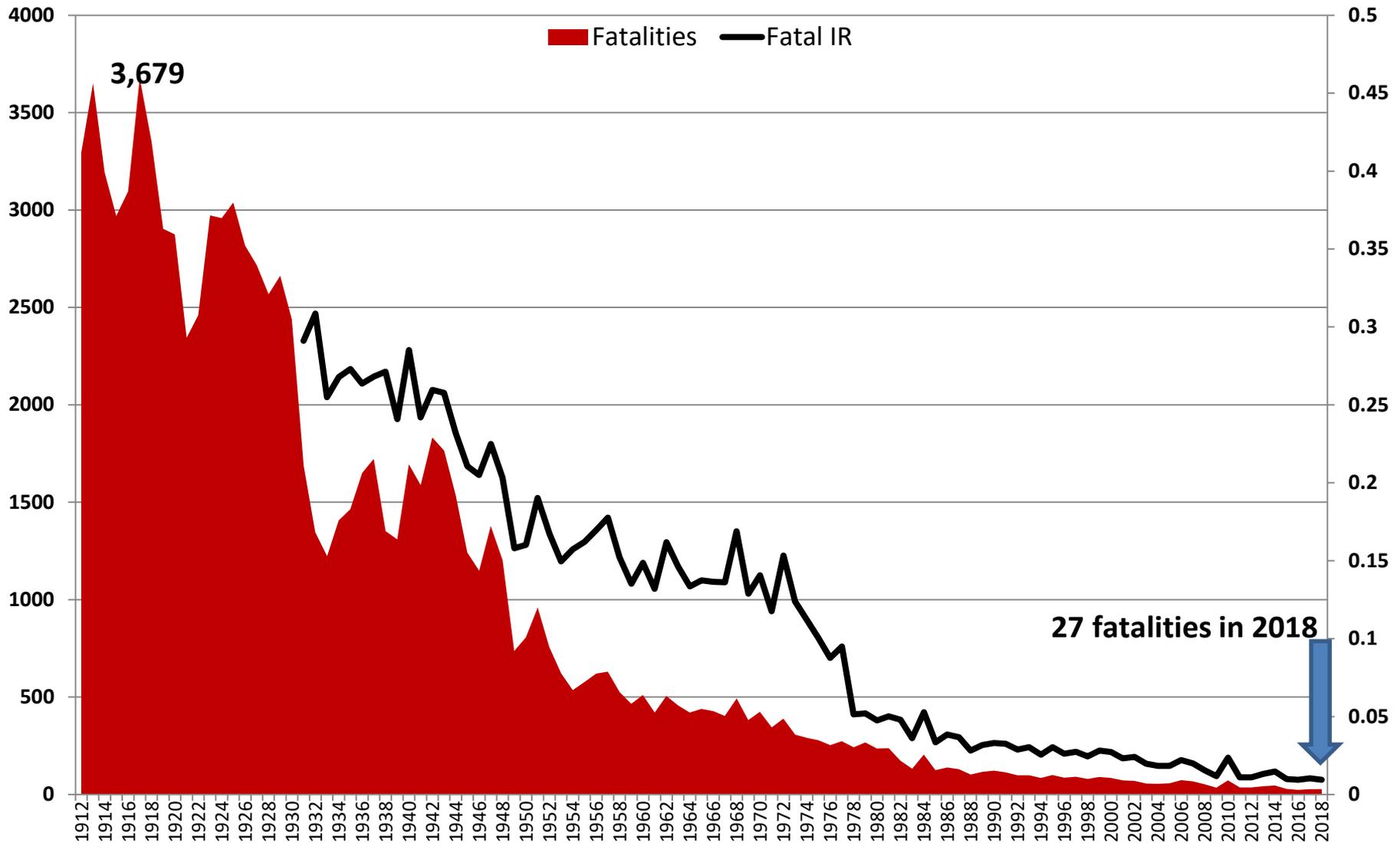
# of Mines Reporting Employment	13,014
- Coal Mines Only	1,184
- Metal/Nonmetal Mines Only	11,830
Total Employment	330,798
MSHA E01 Inspections Completed	19,215
Citations & Orders Issued	97,926
Dollars Assessed (Millions)	\$52.1



U.S. MINING FATALITIES 2008 – 2018



U.S. Mining Fatalities 1912-2018

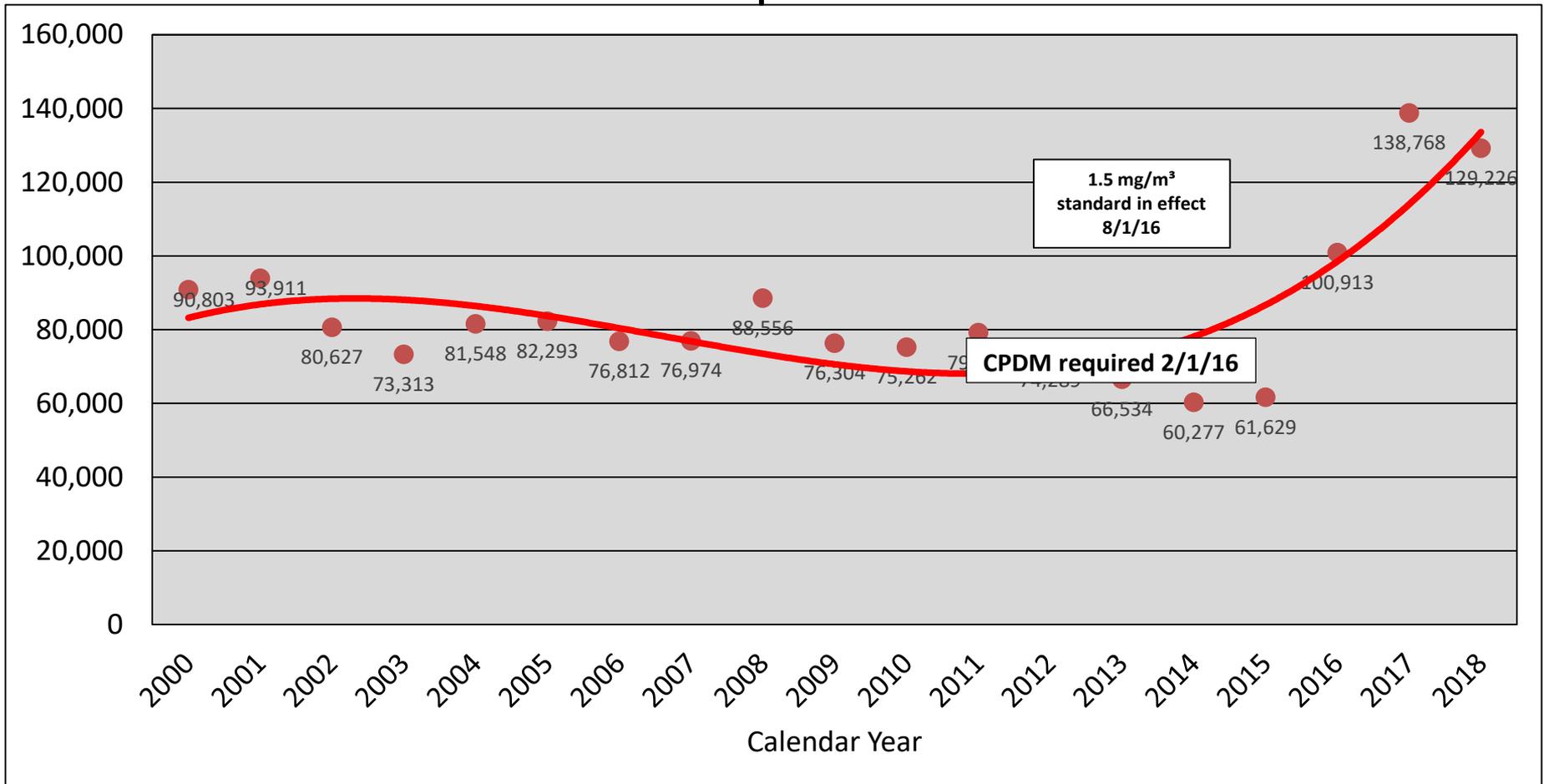


Dust Sampling Trends

- Increased sampling of key positions in coal mines was mandated by 2014 dust rule
- What trends are we seeing?



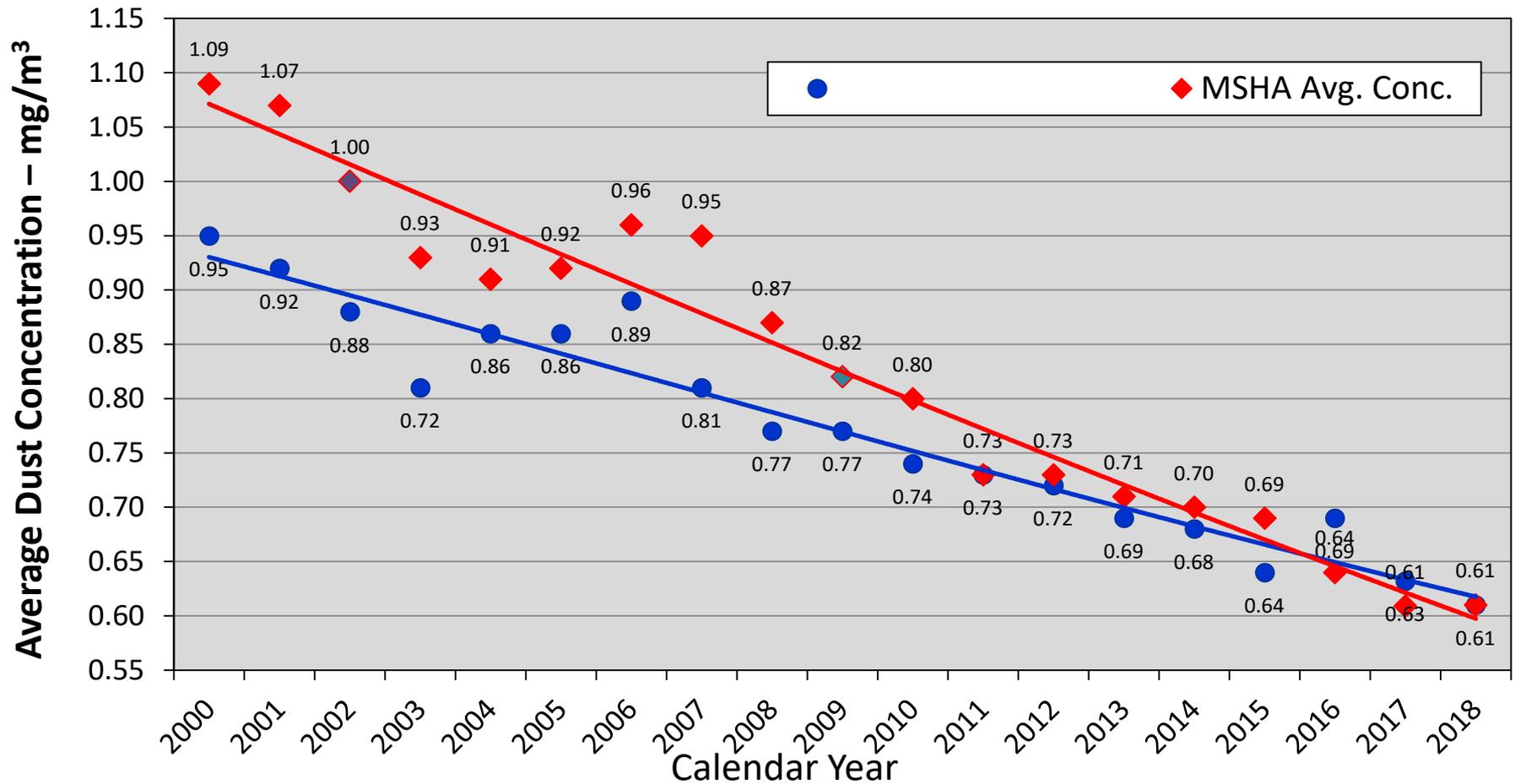
Coal - Number of Valid MSHA & Operator Respirable Dust Samples



Data as of 1/30/2019



Average DO* Dust Concentration in Underground Coal Mines, by MSHA and Operator Samples

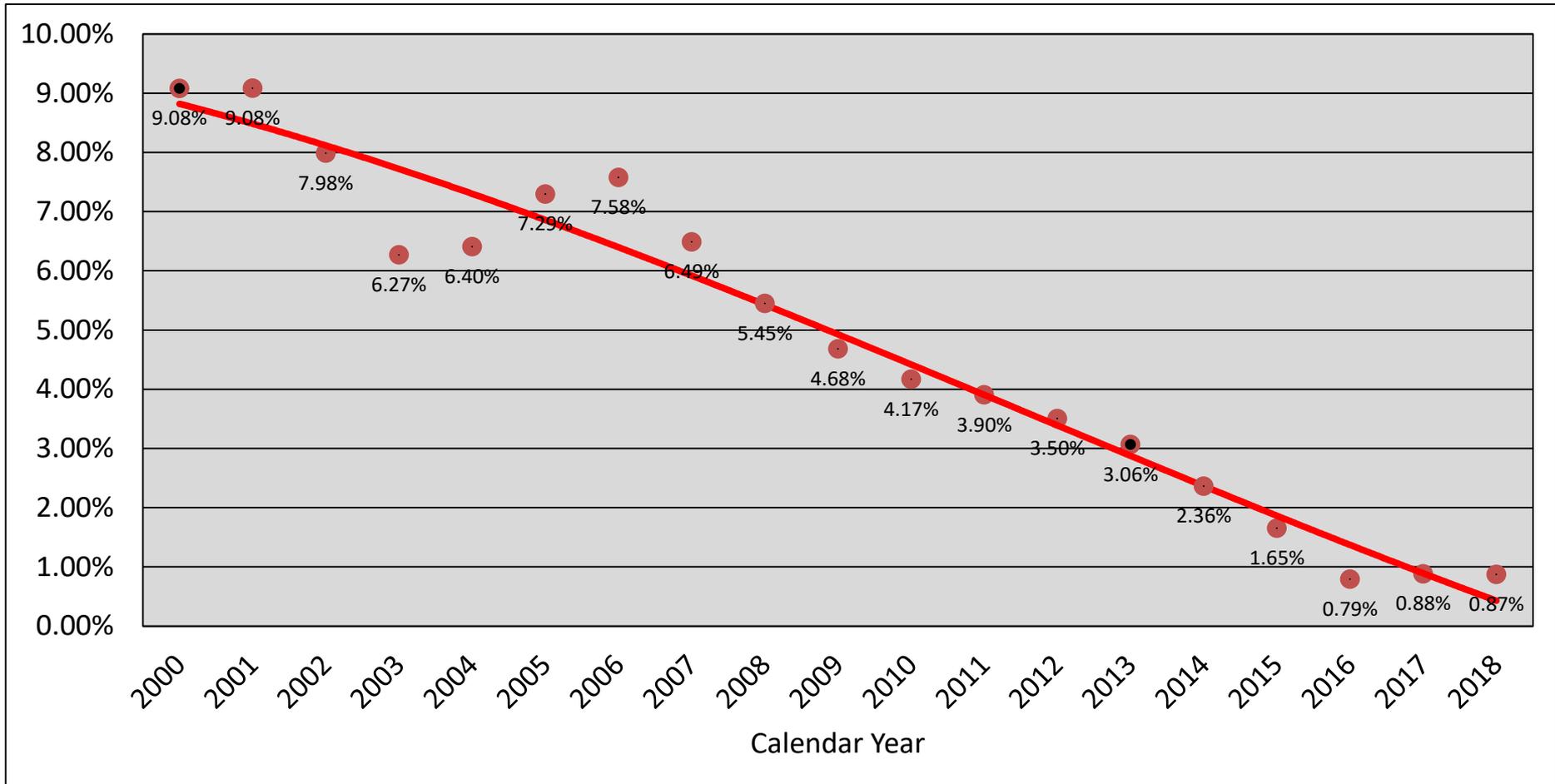


* Designated occupations (DO) exposed to the highest levels of respirable coal mine dust.

Data as of 1/30/2019



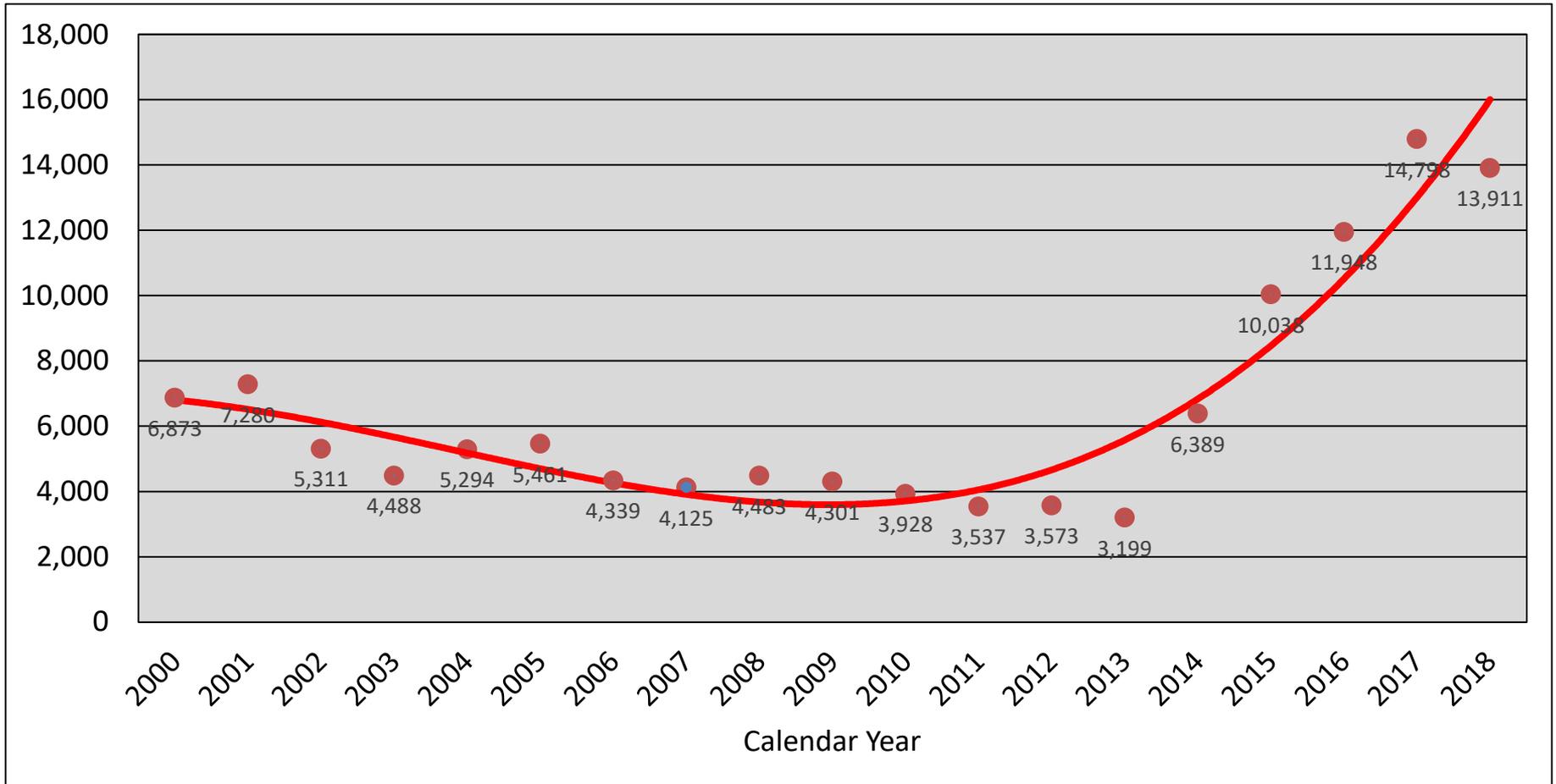
Coal - MSHA & Operator Respirable Dust Samples % > Standard



Data as of 1/30/2019



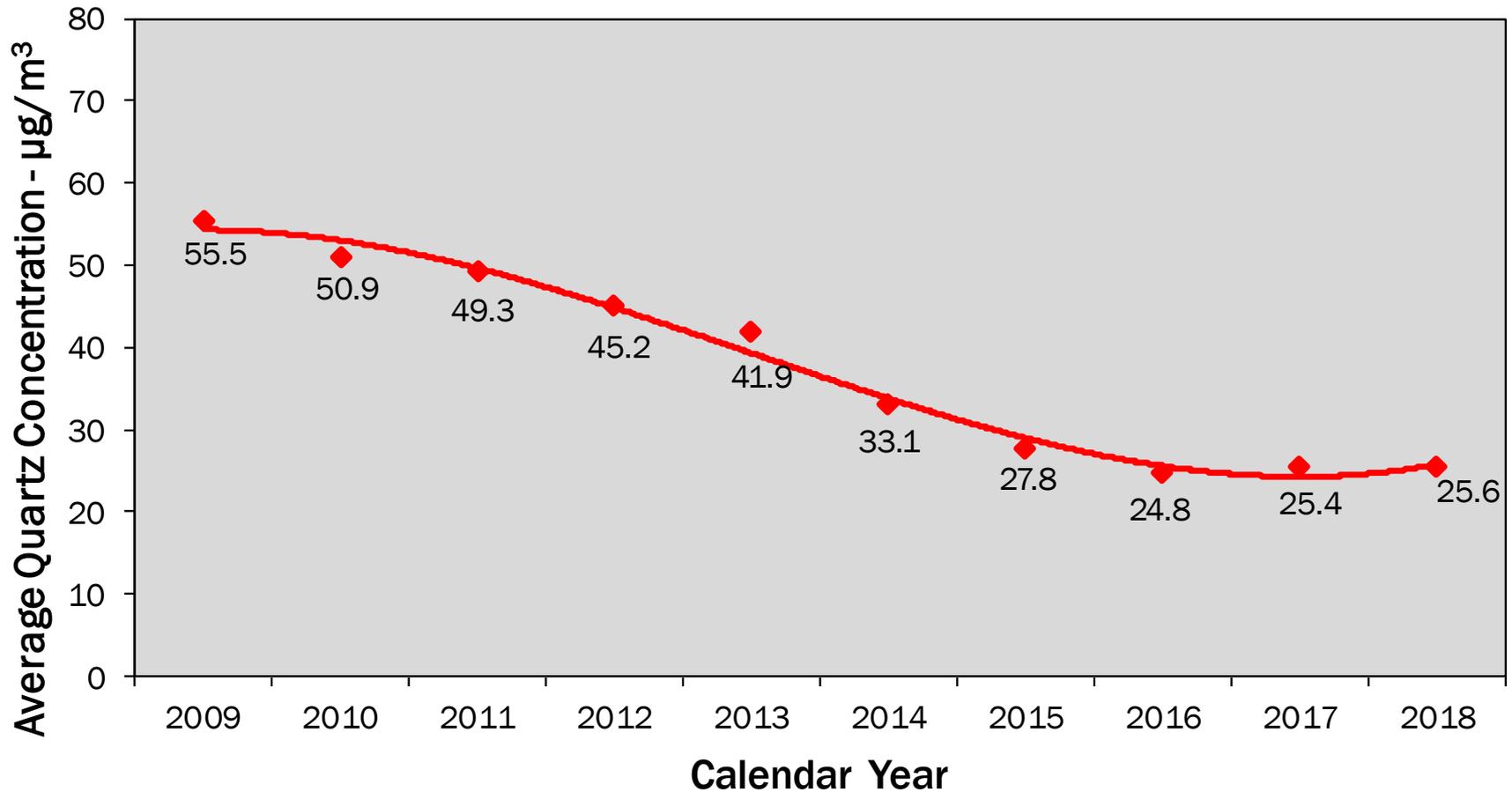
Coal - Number of Valid MSHA Quartz Samples



Data as of 2/5/2019



Underground Coal Mines MSHA Average Designated Occupation* Quartz Concentration by Calendar Year

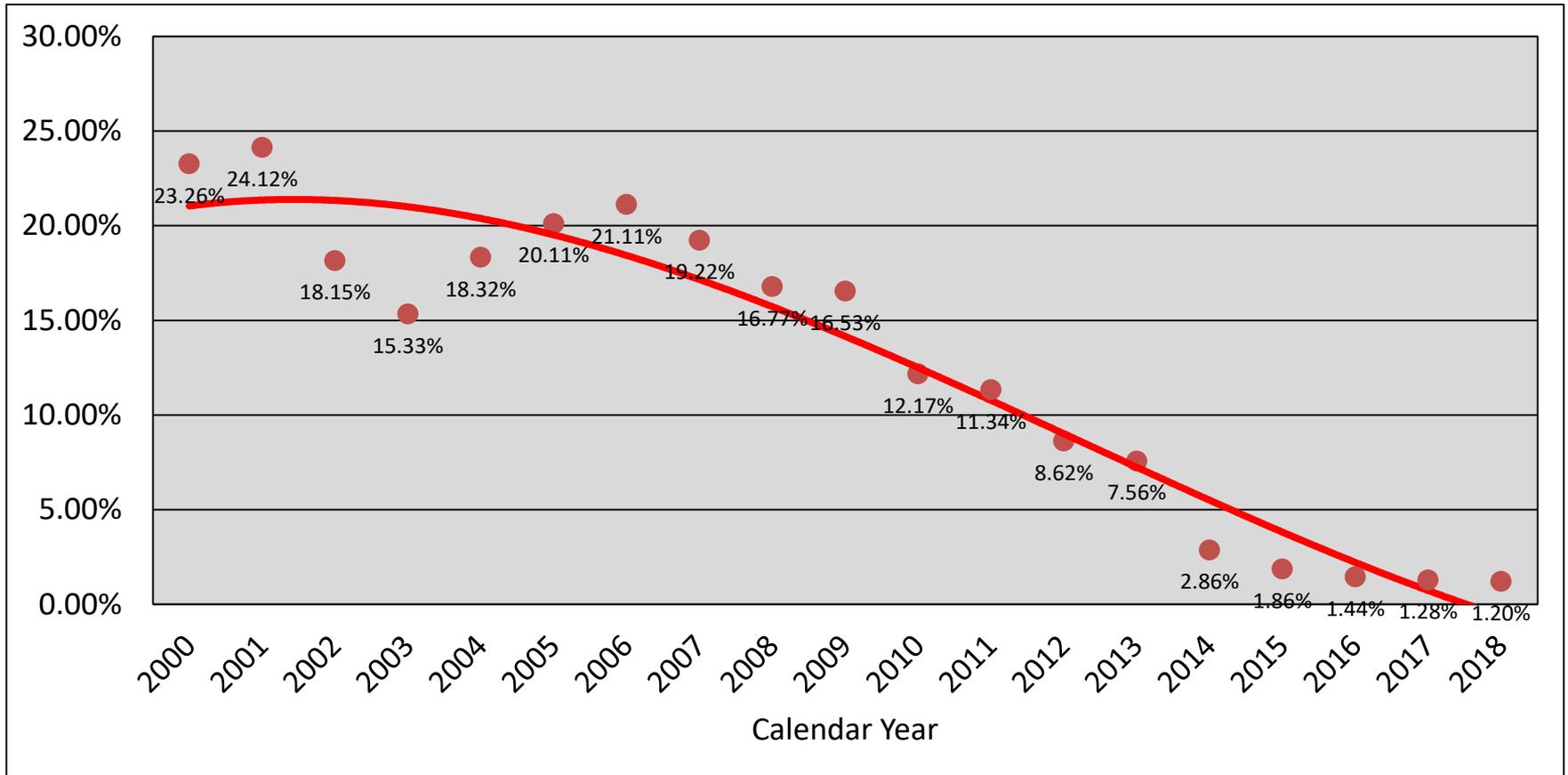


* Designated occupations (DO) exposed to the highest levels of respirable coal mine dust.

Data as of 1/30/2019



Coal - MSHA Quartz Samples % >100 $\mu\text{g}/\text{m}^3$



Data as of 2/5/2019



Powered Haulage Safety Initiative

Powered Haulage accidents were responsible for 50% of fatalities in recent years; 13 of 27 (48%) in 2018

Preventing these accidents is a priority for MSHA, with a focus on:

- Mobile Equipment
- Belt Conveyors
- Seat Belt Safety



Mobile Equipment

Large vehicles striking other vehicles or pedestrians have killed 24 miners since 2003





Belt Conveyors

- Seven miners killed working around belt conveyors since January 2017; four in coal, three in MNM
- Since 2008, 19 fatalities and more than 40 permanent injuries
- Guarding, lock-out tag-out, properly using crossovers - all essential for safety



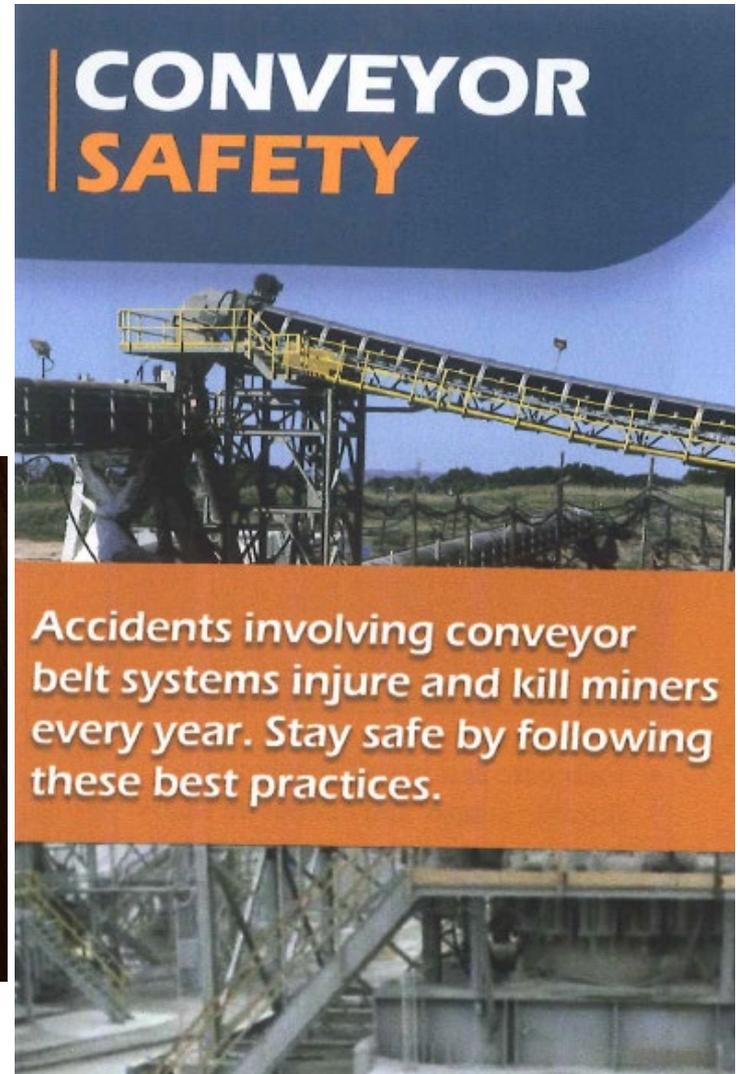
Seat Belt Safety

- Three fatalities in 2017 and 2018, and 38 fatalities since 2007, involved miners not wearing seat belts
- 6000+ MSHA citations issued for failure to wear seatbelts since 2007 (most in MNM mines)



Powered Haulage Safety Outreach

We are distributing stickers, brochures and more to spread the word



Pattern of Violations Update

- Total of 7 mines placed on POV since 2013 final rule – 6 coal, 1 metal/nonmetal
- Of the 7, only 1 is still in business
- No mines are currently on POV, and we would like to keep it that way
- Due to pending litigation, no further comment



One MSHA Initiative

- Blurring the distinction between Coal and Metal/Nonmetal enforcement for more efficient use of resources
- Cross training inspectors and updating systems to accommodate change where it makes sense
- Inspector expertise still required for certain mines
- 90 mines are involved so far



Scofflaw Initiative

- Small share of operators are chronically delinquent and have poor safety records; worst violators selected each month
- Payment plans proposed/established with total commitment of \$6.9 million
- 20 mines paid in full for \$1.6 million
- 39 104(a) citations issued; 18 104(b) orders issued but none currently active



In Summary: MSHA Today & Tomorrow

- IT Modernization
- Health Focus
- Workforce for the 21st Century
- Regulatory Review
 - Dust
 - Diesel Emissions
 - Powered Haulage





Questions?

*"Daddy
© Way*



MSHA.GOV | @USDOL #MSHA