



The Mine Safety and Health Administration’s (MSHA) Fatality Prevention Program, “Rules to Live By,” will launch on February 11, 2010. “Rules to Live By” is an initiative to prevent mining fatalities. Through a first phase of industry outreach and education followed by enhanced enforcement beginning on March 15, the focus will be on 24 frequently cited standards (11 in coal mining and 13 in metal/nonmetal mining) whose violations have caused or contributed to fatal accidents in the mining industry in nine accident categories. The goal of “Rules to Live By” is to reduce deaths and injuries from the targeted standards by having mine operators identify and correct all hazardous conditions and to have MSHA enforcement be directed toward confirming that violations related to these conditions are not present at mines.

In 2009, mining fatalities fell to an all-time low for the second straight year – this is a testament to the commitment of miners, mine operators, miners’ representatives, labor and industry organizations, state grantees, members of the mining community, and MSHA personnel. While the mining community achieved a record low number of mining deaths in the United States and has seen a significant decline in fatal mining accidents during the past 10 years, too many miners still lose their lives in preventable accidents. The loss of even one miner causes devastation and pain to the victim’s family, friends and co-workers. Between 2000 – 2008, 589 miners lost their lives, mostly in single and double fatality accidents. MSHA analyzed these fatal accidents to identify conditions and practices that contributed to the deaths, which safety standards were violated, what were the root causes and what abatement practices were applied. MSHA’s analysis identified 24 standards – 13 in metal and nonmetal mining and 11 in coal mining – frequently cited in fatal accident investigations. These violations fell into nine different categories:

Falls from Elevation	Falls of Roof and Rib
Operating Mobile Equipment (Surface)	Operating Mobile Equipment (Underground)
Maintenance	Lock and Tag Out
Struck by Mobile Equipment (Surface)	Struck by Mobile Equipment (Underground)
Blocking Against Motion	

A list of the 24 standards and the conditions for enhanced enforcement is attached to this letter.

All of us must focus on why these accidents happen and how to prevent them. As part of MSHA’s outreach, the agency will provide program and resource information to the mining community. MSHA will also reach out to miners and miners’ representatives during inspections. 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 to address and eliminate workplace hazards.

Beginning March 15, MSHA will also focus more attention and enforcement activity on these 24 standards and accident categories with enhanced enforcement, increased scrutiny for violations of these standards, and instructions to inspectors to carefully evaluate gravity and negligence, consistent with the seriousness of the violation, when citing violations of standards that cause or contribute to mining fatalities.

As part of our efforts to reach miners and promote education to prevent deaths from these hazards, we are asking you to help us by including, as appropriate, training on the 24 safety standards and 9 accident categories in training that you do. You and the other grant programs train more than 200,000 miners annually, and your outreach is extremely important to our program. Your support has been invaluable to us over the years, and I thank you for your continuing work in providing quality training to our nation's miners.

For more information on Rules to Live By, please visit MSHA's webpage at www.msha.gov.

I believe it is possible to eliminate fatalities in our nation's mining industry, and working together we can accomplish that. I look forward to working with you to make that happen.

Sincerely,

A handwritten signature in black ink that reads "Joseph A. Main". The signature is written in a cursive style with a large initial "J" and a long horizontal stroke at the end.

Joseph A. Main
Assistant Secretary for
Mine Safety and Health

Attachment

MNM Priority Standards: Conditions for Focused Enforcement

§ 56.9101 - Operating speeds and control of equipment

Condition(s) leading to fatalities:

- Equipment operator not maintaining control of equipment while in motion.
- Operating speeds not consistent with the conditions.

§ 56.12017 - Work on power circuits

Condition(s) leading to fatalities:

- Power circuits not de-energized before working on circuits.
- Switches not locked out or other measures taken to prevent power circuits from being energized without knowledge of individuals working on them.

§ 56.14101(a) (includes all subparts) - Brake performance

Type of condition(s) leading to fatalities:

- Service brakes not capable of stopping and holding equipment with its typical load on maximum grade it travels.
- Parking brakes not capable of holding equipment with its typical load on maximum grade it travels.
- A brake system component not maintained in a functional condition.

§ 56.14105 - Procedures during repairs or maintenance

Condition(s) leading to fatalities:

- Machinery or equipment not blocked against motion during repairs or maintenance.
- Equipment not effectively de-energized.
- Persons not protected against hazardous motion during testing or adjustments.

§ 56.14130(g) - Seat belts shall be worn by equipment operators

Condition(s) leading to fatalities:

- Failure to wear seatbelts while operating mobile equipment.

§ 56.14131(a) - Seat belts shall be provided and worn in haul trucks

Condition(s) leading to fatalities:

- Seatbelts not worn when operating or riding in haul truck.

§ 56.14205 - Machinery, equipment, and tools used beyond design

Condition(s) leading to fatalities:

- Using machinery, equipment, or tools beyond design capacity intended by manufacturer.

§ 56.14207 - Parking procedures for unattended equipment

Condition(s) leading to fatalities:

- Mobile equipment left unattended and controls not placed in park position.
- Provided parking brake not set.
- Mobile equipment parked on grade and wheels/ tracks not chocked or turned into a bank.

§ 56.15005 - Safety belts and lines

Condition(s) leading to fatalities:

- Persons not wearing fall protection when exposed to fall hazard.

§ 56.16002(c) - Bins, hoppers, silos, tanks, and surge piles

Condition(s) leading to fatalities:

- Persons entering bins, tanks, hoppers or surge piles not wearing fall protection where there is fall hazard.
- A second person not provided to tend lifeline.
- Persons entering bins and hoppers when flow of materials has not ceased and/or supply and discharge equipment not locked out.
- Safe access in and around working areas not provided.

§ 56.16009 - Persons shall stay clear of suspended loads

Condition(s) leading to fatalities:

- Persons failing to stay clear of suspended loads.

§ 56.20011 - Barricades and warning signs

Condition(s) leading to fatalities:

- Barricades or warning signs not posted at all approaches where health or safety hazards exist that are not immediately obvious.

§ 57.3360 - Ground support use

Condition(s) leading to fatalities:

- Necessary ground support not designed, installed, and maintained in areas where persons work or travel.

Coal Priority Standards: Conditions for Focused Enforcement

§ 75.202 (includes all subparts) - Roof, face, and ribs shall be supported and no person shall work or travel under unsupported roof

Condition(s) leading to fatalities:

- Work or travel under/ by unsupported roof or rib.
- Incompetent roof and ribs not scaled down.
- Additional roof support not provided.

§ 75.220(a)(1) -Develop and follow approved roof control plan

Condition(s) leading to fatalities:

- Failure to install supplemental support or take additional measures when adverse roof conditions are encountered.
- Body positioning prohibited by plan.
- Unsafe pillar recovery identified.
- Excessive cut depth (deeper than approved cut depth in plan) identified.
- Excessive roof bolt spacing (use PIL No. 108-V-7 for guidance) identified.
- Visible warning devices not provided.
- Wide entries identified.

§ 75.511 - No electrical work shall be performed on energized low, medium, or high-voltage distribution circuits or equipment ...

Condition(s) leading to fatalities:

- Electrical work performed by non-qualified person.
- Failure to lock out and tag disconnecting devices prior to performing electrical work.

§ 75.1403-10(i) - Off-track haulage roadways shall be maintained...

Condition(s) leading to fatalities:

- Haulage roadways not maintained free of bottom irregularities, debris and wet, muddy conditions.

§ 75.1725(a) - Equipment shall be maintained in safe operating condition or removed from service

Condition(s) leading to fatalities:

- Mobile and stationary machinery and equipment not maintained in safe operating condition:
 - Remote control tram interlocks are taped up or otherwise disarmed.
 - Operating controls have been altered or stick unintentionally.
 - Safety interlocks on mobile bridge conveyors defective or fouled with debris.
 - Operator compartment doors or shields removed.

§ 75.1725(c) - No repairs until power off and blocked

Condition(s) leading to fatalities:

- Repairs or maintenance performed on machinery without removing power.
- Machinery not blocked against hazardous motion.
- Hydraulic repairs conducted on pressurized hoses and fittings.

§ 77.404(c) - No repairs or maintenance shall be performed until the power is off and machinery is blocked

Condition(s) leading to fatalities:

- Repairs or maintenance performed with power on.
- Machinery not blocked against motion.

§ 77.1607(g) - All persons shall be clear before starting or moving equipment

Condition(s) leading to fatalities:

- Failure to ensure that all persons are clear before starting or moving equipment.

§ 77.1607(n) - Mobile equipment shall not be left unattended unless brakes are set, chocked...

Condition(s) leading to fatalities:

- Brakes not set on unattended mobile equipment.
- Wheels on mobile equipment not blocked or turned into bank/ berm when parked on grade.

§ 77.1710(g) - Safety belts and lines shall be used where there is a danger of falling

Condition(s) leading to fatalities:

- Failure to wear fall protection where danger of falling.

§ 77.1710(i) - Seatbelts shall be worn in a vehicle where there is a danger of overturning and where roll protection is provided

Condition(s) leading to fatalities:

- Failure to wear seatbelts.