

BRIEFLY...

Highlights of Report Number 05-11-004-06-001,
issued to the Assistant Secretary of Mine Safety
and Health.

WHY READ THE REPORT

Under provisions of the Federal Mine Safety and Health Act of 1977, as amended (Mine Act), MSHA is mandated to conduct regular inspections of all mines. During fiscal year (FY) 2010, MSHA's Office of Metal and Nonmetal Mine Safety and Health (MNMS&H) conducted 16,143 regular safety and health inspections at 11,068 mines.

Between October 2007 and April 2011, the OIG received four separate, but similar written complaints related to MNMS&H's completion of regular safety and health inspections. These complaints alleged that MNMS&H was (a) intentionally leaving active mines "off the books" or misclassifying the operating status of mines to reduce the number of required inspections and (b) recording a completed inspection when no inspection had been performed.

WHY OIG CONDUCTED THE AUDIT

As part of our audit oversight responsibility and in response to the complaints we received, the OIG performed work to answer the following questions:

1. Did MNMS&H assign the appropriate operating status to each mine?
2. Did MNMS&H conduct the correct number of required regular safety and health inspections for each mine?
3. Was there evidence that each recorded regular safety and health inspection was performed?

Our audit work covered all regular safety and health inspections mandated by the Mine Act for metal/nonmetal mines during FY 2010.

READ THE FULL REPORT

To view the report, including the scope, methodology, and full agency response, go to:

<http://www.oig.dol.gov/public/reports/oa/2011/05-11-004-06-001.pdf>.

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MSHA MUST MORE CONSISTENTLY DETERMINE THE NUMBER OF REQUIRED INSPECTIONS AND MORE TRANSPARENTLY REPORT INSPECTION RESULTS FOR METAL AND NONMETAL MINES

WHAT OIG FOUND

We found no evidence that individual MNMS&H inspectors or supervisors had intentionally manipulated the mine inventory or mine status assignments to reduce the number of required inspections. However, MNMS&H's policies and practices resulted in the understatement of the number of required regular safety and health inspections and the overstatement of the reported inspection completion rate. Specifically,

- We could not determine the appropriateness of MNMS&H's assignments of mine status because it did not issue clear, objective criteria for determining a mine's status.
- MNMS&H's business rules allowed an "attempted inspection" to eliminate the requirement to complete a regular safety and health inspection at 732 mines that reported mining activity.
- MNMS&H often counted inspections in its computation of the inspection completion rate before they received supervisory review.

WHAT OIG RECOMMENDED

We recommended the Assistant Secretary for Mine Safety and Health direct MNMS&H to:

- design objective criteria for assigning a mine status and implement a system of controls to assure the consistent implementation of these criteria;
- design and implement procedures to assure that information on all new mines is communicated to the responsible field office in a timely manner;
- examine and implement ways to increase the probability that inspectors will arrive for regular safety and health inspections on days that a mine is operational;
- more clearly and completely report the actual results of its efforts to conduct regular safety and health inspections;
- require supervisors to document their review and acceptance of each regular safety and health inspection report before it is included in MNMS&H's computation of its inspection completion rate.

The Assistant Secretary agreed with our recommendations and committed to developing and implementing corrective actions.