

<u>DIVISION OF MINES GUIDELINES FOR APPLICATION OF REGULATORY STANDARDS MANUAL</u>	
COAL MINE SAFETY ACT	CHAPTER 14.2
ARTICLE 7	MINE EXPLOSIONS; MINE FIRES; ACCIDENTS
Issue Date: 4/10/00 Revised Date:	Page 1 of 2

Section 45.1-161.78. A.

**Operator's Reports of Accidents; Investigations;
Reports by Department**

Reporting and Investigating an Accident

There are thirteen distinct events that are to be considered as mine accidents under the definition of accident as defined in Section 45.1-161.8 of the MSA. It is the operator's responsibility to report all accidents as required under Section 45.1-161.78 A of the MSA. Since the definition of accident covers a broad range of incidents and circumstances that may occur at a mine, the inspector should review with the operator requirements of this section with regard to reporting. The inspector should encourage the operator to contact a representative of the Division of Mines promptly when there is a question concerning the reportability of an incident occurring at a mine. The DM representative will help determine whether or not the incident is a reportable accident, and whether or not to dispatch an inspector to the mine to conduct an investigation. The inspector should also review procedures in the DM's Procedures Manual concerning emergency response in determining when to respond, who to notify, and other responsibilities in responding and investigating accidents.

Unplanned Roof Fall Accident

If a mining machine is caught by falling roof material during development or retreat mining, and no permanent roof supports are affected, no personal injury is involved, ventilation is not impaired, or passage is not impeded, then there is no requirement for the incident to be reported as an accident.

A fall of roof that occurs in a gob area or unsupported development place and progresses into supported active workings dislodging or breaking permanent supports at or above anchorage would be a roof fall accident.

A roof fall accident to be reportable must occur in active areas of the mine. These are areas where miners are normally required to work or travel. If, for example, an evaluation point has been established in a bleeder system and a fall of roof at or above anchorage occurs at a location in by the evaluation point which is not normally traveled by an examiner, then the roof fall would not be an accident.

Should an incident occur at a mine which does not meet criteria to be a reportable accident, but which creates an imminent danger that cannot be removed within a reasonable time, reporting of the incident to the Division of Mines would be required under 45.1-161.249 B. To enforce a reporting requirement, the inspector would be required to confirm an imminent danger and failure to remove the danger within a reasonable time.

Serious Personal Injury

Serious personal injuries are considered accidents which must be reported to the Department by the quickest available means. Any personal injury occurring on mine property having the reasonable potential to cause death must be reported. Most serious head injuries, injuries where the victim has stopped breathing for any period of time and other serious trauma type injuries fit this classification of serious personal injury and upon determination must be reported immediately. Other injuries to personnel may not be so obvious or immediate in onset. Any injury other than a sprain or strain, which results in hospitalization for twenty-four hours or more for medical treatment, must be reported immediately. The operator is responsible for reporting serious personal injuries as soon as determining that the severity and/or status of hospitalization meets the criteria for a serious personal injury. Given that time of hospitalization may not be determined with initial assessment of injuries, the operator should report potential incidents to the Department and not disturb the scene of the accident prior to any accident investigation or without prior approval of the Chief or mine inspector.

Disturbing Scene of an Accident

The operator must not disturb the scene of an accident except to:

1. Render assistance and recover injured persons.
2. Prevent or eliminate an imminent danger.
3. Prevent destruction of mining equipment.
4. Prevent suspension of use of a slope, entry or facility vital to operations.

Actions taken to rescue and recover miners injured and equipment at risk in an accident are not considered disturbing the scene. Use of necessary equipment and materials which alter the scene for this purpose are essential to preservation of life and property. As soon as possible, such changes to the accident scene should be determined and identified to assist with post-recovery accident investigation efforts.

When mine conditions at the scene of an accident deteriorate and pose potential dangers, improvement of roof support, ventilation controls, pumping of water and other necessary actions are appropriate. Again, the operator should identify such actions and changes for purposes of the accident investigation.

When the operator is in doubt as to whether or not the accident scene should be disturbed, prior approval should be received from the Chief or mine inspector.

