

DIVISION OF MINERAL MINING PROCEDURES MANUAL		PROCEDURE NO.	2.14.00
		ISSUE DATE	05/21/97
SUBJECT	Accident/Fire Investigations	Section	Enforcement
		Last Revised	09/21/95

OBJECTIVE AND INTENT:

To establish procedures to be used by DMM personnel which will ensure compliance with requirements set forth in the Mine Safety Act and to provide a means of consistent interpretation and implementation of such requirements.

PROCEDURES:

Special Investigations:

- Accident involving multiple fatalities, multiple life threatening injuries, or other unusual circumstances will be handled as Special Investigations.
- The DMM Director will determine which investigations must be conducted in such a manner and will appoint a Special Investigator who will conduct the investigation with the assistance of the DMM area mine inspector.
- Such investigations will be conducted in a formal manner including sworn testimony by witnesses as provided by the Mine Safety Act.

Regular Investigations:

- Accidents that do not require a Special Investigation will be investigated by the DMM area inspector assigned to the mine site.
- The mine inspector supervisor for the mine site may assist the mine inspector in his investigation or may assign additional inspectors to assist.
- The mine inspector supervisor will assist the mine inspector in all investigations involving a fatality.

Investigation of Serious Personal Injuries or Fatalities:

- The DMM personnel who receives notification of an accident involving “serious personal injury” or a fatality will obtain the following information:
 - * date and time of notification;
 - * name of person notifying DMM;
 - * name of mining company and permit number;
 - * location of mine site;
 - * date and time of accident;
 - * name of victim;
 - * brief description of accident; and
 - * present status of situation.
- Upon receipt of a notification of a fatal or serious personal injury, DMM personnel will immediately notify the DMM Director, mine inspector supervisor, and the mine inspector assigned to the mine site.

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- The DMM Director or his designated assistant will then notify the DMME offices
- The assigned mine inspector will proceed immediately to the scene of the accident upon receiving notification.
- If the assigned mine inspector is not available to respond, the mine inspector supervisor may assign the closest available mine inspector to initiate the investigation, or may decide to initiate the investigation himself.
- The mine inspector supervisor will see that a mine inspector from the other district is assigned to assist in reviewing the accident investigation documents including the draft report.
- Mine inspectors will conduct a “preliminary investigation” into accidents involving questions of jurisdiction, such as mining or non-mining activities, extent of injury. The mine inspector will document the facts determining jurisdiction and submit them on an Inspection Report as outlined in *DMM Policy 2.4 and 2.7*.

Investigation Procedures:

- The mine inspector will document date and time of investigation activities.
- The mine inspector will make contact with the mine officials and any other agencies, such as police, fire, or rescue crews, at the accident scene. He will inform them of the Division’s responsibilities required under the Mine Safety Act.
- A Closure Order may be issued where necessary to secure the scene of the accident and to establish control over activities within the affected area.
- If the victim has not been recovered, the mine inspector will ensure that rescue and recovery operations are being performed in a safe manner by mining company and rescue personnel.
- The mine inspector will verify the information received by the DMM office regarding the accident and notify the DMM office of any discrepancies, or additional information.
- The mine inspector will obtain names, addresses, and telephone numbers of all witnesses to the accident, and will obtain statements from all witnesses, company officials, and other persons who can provide information necessary for completion of the investigation.
- Polaroid and/ or 35 mm pictures of the accident site and equipment involved will be taken during the mine inspectors investigation; where such documentation will contribute to the clarity of the investigation.
- Pertinent information such as serial numbers and model numbers of equipment will be obtained by the mine inspector during the investigation.
- The mine inspector will take accurate measurements of the accident site, and prepare a scale drawing where such documentation assists in the evaluation of the accident.
- Equipment and machinery involved in the accident will be examined by the mine inspector to determine if unsafe conditions exist which could have contributed to the accident.

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- The accident victim, when available, should be interviewed by the mine inspector as soon as possible.
- The investigating inspector will notify the DMM Director or the mine inspector supervisor as soon as possible after the primary site investigation of the following:
 - * results of the investigation;
 - * any orders or violations issued as a result of the investigation; and
 - * assistance provided by other agencies.

Preparation of Investigation Documents:

- The mine inspector will obtain any information on the condition of the injured person from the victim, employer, or the medical facility.
- The mine inspector will prepare the ***DMM Accident Report (DMM-104c)*** which will be included in the Accident Investigation Report.
- The mine inspector will prepare a summarized statement for each witness interviewed. These statements will be verified with each witness, signed, and statements included in the Accident Investigation Report.
- The mine inspector will prepare an abstract of all serious personal injury and fatal investigations. The abstract will be written as follows:
 - * one paragraph statement of the facts concerning the accident;
 - * provide information on worker's occupation, work experience, and extent of injury;
 - * be written clearly and concisely;
 - * contain no technical abbreviations, or technical jargon; and
 - * will not list any names of victims, public or company officials, companies and location of the site.
- The abstract will be completed and provided to the DMM Safety Engineer Sr. for distribution to all DMM staff and other interested parties.
- The mine inspector will prepare a distribution list for the Accident investigation Report, including the following:
 - * mining company;
 - * victim or next of kin;
 - * Mine Safety and Health Administration;
 - * DMM mine inspectors; and
 - * DMME Public Relations Coordinator, who will review all reports involving fatalities.

Accident Investigation Report:

- All accident investigations will be immediately followed up with a report written by the investigating mine inspector.

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- Accident Investigation Reports involving serious personal injury will be written on an ***Inspection Report Form (DMM-104)*** and will follow a standard format.
 - * Commentary - The commentary portion of the investigation report will be a narrative which contains a record of data and facts pertinent to the occurrence of the incident. It will be concise and chronological in sequence of events. It is intended to detail information revealed by the investigation to enable the reader to understand the incident and to support the conclusions.
 - * Physical Factors - This section of the investigation report will document in a bullet style sentence format the actual conditions at the accident scene. Items such as speed of a conveyor belt, condition of equipment or machinery, grade of road or embankment, measured distances at the accident scene are to be considered physical factors. This information will support the commentary and conclusion portions of the investigation report.
 - * Enforcement Action - This section is reserved to document violations of law or regulation that were issued as a result of the investigation. The specific section or code violated will be listed and a copy of the Notice/Order form attached to the Accident Investigation Report.
 - * Conclusion - The conclusion will be a condensed analysis of the facts, conditions, and circumstances described in the Commentary and Physical Factor portions of the investigation report. It will disclose the probable cause of the accident if evidence is sufficient to do so.
 - * Recommendations - This section will contain, in bullet style format, any suggestions for prevention of similar accidents.
 - * Appendix - This section will contain accident report forms, statements made by witnesses and the injured party. Also any photographic documentation of the accident scene, a distribution list, and any other items necessary to provide a complete and clear understanding of the accident.
 - * Distribution List - This section will contain names and addresses of those persons who will receive a copy of the Accident Investigation Report. Persons to be included on this list are 1) the mining company, 2) accident victim or next of kin, 3) Mine Safety and Health Administration, 4) DMME Public Relations Coordinator, and 5) DMM Mine Inspectors.

Preparation of Report Document:

- The Mine Inspector will be responsible for the preparation of the Accident Investigation Report.
- The Mine Inspector will initiate the Accident Tracking in the DMM System prior to forwarding the report, and will note the Tracking Number on the report.

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- The Mine Inspector will insure that the report is completed and distributed no later than 30 days after completion of the investigation. When accidents involve litigation concerning violations of the Mine Safety Act or regulations, the report may be delayed until such time as the litigation has been resolved.
- The Mine Inspector will prepare the report on the electronic Inspection Report form
- The Mine Inspector will send a draft copy of the content of the report to the Mine Inspector Supervisor and other enforcement staff involved in the investigation for their review and comment.
- Upon completion of the report, the Mine Inspector will submit the original Accident Investigation Report to the Permit Section, Program Support Technician.
- The Program Support Technician will submit the report to the DMM Director for review and approval for distribution.
- Upon approval, the Executive Secretary will distribute copies of the report to personnel and agencies listed in the report and to all DMM enforcement personnel.
- The program Support Technician will place the original copy in the individual permit file.

Fatal Accident Investigation Report Format:

- Fatal Accident Investigation Reports will follow the guidelines stated for Accident Investigation Reports with the following exceptions.
 - * Fatal Accident Investigation Reports will be reviewed by the Public Relations Coordinator prior to release.
 - * Fatal Accident Investigation Reports will be issued in a format established by DMME.

Serious Fire Investigation:

- The DMM personnel who receives notification of a serious fire will obtain the following information:
 - * date and time of notification;
 - * name of person notifying DMM;
 - * location of mine site;
 - * date and time of fire;
 - * duration of fire;
 - * extent of fire damage;
 - * any personal injury associated with the fire; and
 - * present status of the situation.
- Upon receipt of a notification of a serious fire, DMM personnel will immediately notify the DMM Director, mine inspector supervisor, and the mine inspector assigned to the mine site.

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- The assigned Mine Inspector will proceed immediately to the scene of the fire upon receiving notification.
- If the assigned mine inspector is not available to respond, the mine inspector supervisor may assign the closest available mine inspector to initiate the investigation, or may decide to initiate the investigation himself.
- Mine inspectors will conduct a “preliminary investigation” into fires involving questions of jurisdiction. The mine inspector will document the facts determining jurisdiction and submit them on an Inspection Report as outlined in *DMM Policy 2.4 and 2.7*.

Investigation Procedures:

- The Mine Inspector will document date and time of investigation activities.
- The Mine Inspector will make contact with the mine officials and any other agencies, such as police or fire crews at the scene. He will inform them of the Division’s responsibilities required under the Mine Safety Act.
- Once the fire has been extinguished, the mine inspector will determine the probable point and source of ignition plus any other contributing factors.
- The Mine Inspector will take pictures of the fire scene and any equipment involved.
- The Mine Inspector will examine any machinery, equipment, or electrical circuits involved in the fire to determine possible effects on ignition.
- The Mine Inspector will determine whether existing fire prevention and control measures in use at the mine site are adequate.

Preparation of the Fire Investigation Report:

- The Mine Inspector will report the results of his investigation in a ***DMM Inspection Report (Form DMM-104)***.
- The report will contain the probable cause, point of ignition, and contributing factors of the fire.
- Recommendation for prevention of similar occurrence will be stated in the report.
- All other documentation, such as photographs, witness statements, fire marshal reports will be attached to the report.