

# BRIEFLY...

March 31, 2017

## MSHA NEEDS TO PROVIDE BETTER OVERSIGHT OF EMERGENCY RESPONSE PLANS

### WHY OIG CONDUCTED THE AUDIT

Emergency Response Plans (ERP) can save miners' lives. The importance of a well-crafted and up-to-date ERP cannot be understated. ERPs provide critical information to mine operators and miners during emergencies.

In 2006, accidents at the Sago, Aracoma, and Darby coal mines killed 19 miners. In response to these disasters, Congress passed the Mine Improvement and New Emergency Response (MINER) Act of 2006. The MINER Act requires all underground coal mine operators to develop an ERP to improve accident preparedness and response. The Mine Safety and Health Administration (MSHA) is responsible for issuing guidance, reviewing and approving initial ERPs, determining if mine operators fully implemented their ERPs, and reviewing the ERPs every six months.

### WHAT OIG DID

Because of the critical importance of ERPs to the survival of miners, we performed an audit to determine the following:

Has MSHA provided sufficient oversight of ERPs?

### 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/2017/05-17-002-06-001.pdf>.

### WHAT OIG FOUND

MSHA has not provided sufficient oversight of ERPs. All of the ERPs we reviewed contained inaccuracies or omissions, MSHA did not sufficiently track its reviews of ERPs or document its inspection of ERP components, and guidance the agency issued had material gaps. As a result, the ERPs we reviewed were inadequate in one or more ways and placed miners at unnecessarily increased risk during an emergency.

All of the ERPs in our sample were incomplete or inaccurate. In a small sample of 51 ERPs, we found 177 phone numbers for emergency contacts were either disconnected or belonged to someone other than the person or organization listed in the ERP. For another 83, no one answered our repeated calls. ERPs were also missing required elements, such as a section on lifelines – cables placed along tunnel walls with directional cues to help guide miners to safety in reduced visibility conditions.

MSHA could not show it had performed required reviews of ERPs for 11 mines in our sample. MSHA's review processes were inconsistent among its districts, which led to inconsistent and incomplete data in its ERP tracking system. As a result, MSHA did not have reasonable assurance it was performing all required reviews.

Finally, MSHA's ERP guidance had gaps. For example, it was unclear when new mines had to submit ERPs and whether they could exclude certain information.

These issues occurred because MSHA had not standardized processes, developed sufficient guidance or training, or provided sufficient management oversight.

### WHAT OIG RECOMMENDED

We made nine recommendations to MSHA to improve its processes, guidance, training, and oversight for the ERP program.

In its response, MSHA stated it agreed with the spirit of many, but not all, of our recommendations.