

# MSHA METAL/NON METAL

## EXAMINATION OF WORK PLACE

CALIFORNIA SPRING THAW  
2019

- February 19, 2017 to present, workplace examinations (.18002) has been issued a total of **258** times in the **Western District**.
  - 56.18002 - **237** citations were issued
  - 57.18002 - **21** citations were issued
  - The average is **129 every 12 months**
- During that period, 56.18002 was cited as a contributing factor in **4 accidents**.

- As of October 1, 2018 (FY 19), **68** citations have been issued
  - **10** were issued underground; of which 80% were under .18002(a).
  - **58** were issued at surface mines, of which 40% were under .18002(a) and 57% were under .18002(b)
- In the last two months, there have been **29** issued.
  - Part 56 = 25 & Part 57 = 4
    - 56.18002 = 2
    - 56.18002(a) = 9
    - 56.18002(b) = 14
    - 57.18002(a) = 4



## § 56/57.18002 Examination of working places.

(a) A competent person designated by the operator shall examine each working place at least once each shift before work begins or as miners begin work in that place, for conditions that may adversely affect safety or health.

- “Working place” means any place in or about a mine where work is being performed.
  - The definition includes roads traveled to and from a work area. It does NOT include roads that aren’t directly involved in the mining process, administration offices, parking lots, lunchrooms, toilet facilities or inactive storage areas.
- Operators are required to examine isolated, abandoned or idle areas of mines or mills when miners are performing work in these areas during a shift.
- At multiple shift mines, operators can conduct the workplace examination for the next (oncoming) shift at the end of the previous shift as long as the examination covers working places where miners will work, AND it is conducted sufficiently close to the start of the next shift to minimize potential exposure to hazards.



(1) The operator shall promptly notify miners in any affected areas of any conditions found that may adversely affect safety or health and promptly initiate appropriate action to correct such conditions.

- Prompt notification occurs before miners are exposed to an adverse condition.
- If an adverse condition is discovered during a working shift, miners working must be notified as soon as possible.
- Notification can be made in many forms, but must be effective and specific to the adverse conditions.

Examples:

- Verbally
- Warning signage
- Barricades

(2) Conditions noted by the person conducting the examination that may present an imminent danger shall be brought to the immediate attention of the operator who shall withdraw all persons from the area affected (except persons referred to in section 104(c) of the Federal Mine Safety and Health Act of 1977) until the danger is abated.

(b) A record of each examination shall be made before the end of the shift for which the examination was conducted. The record shall contain the name of the person conducting the examination; date of the examination; location of all areas examined; and description of each condition found that may adversely affect the safety or health of miners and is not corrected promptly.

**Examination of Working Places** Date: 11 May 2018  
 Shift:  Day  Night

Inspector Name: [Redacted] Competent Person: Jon Wilson

Location of all areas examined: Mark 'CAN' for 'Corrective Action Needed' in hand of column for the location. Mark 'CAN' for 'Corrective Action Needed' in hand of column for the location.

Working Place	Inspector	Competent Person	Notified Affected	Date Corrected	By Whom
Primary Crusher Plant	CAN	CAN	YES		
S-Screen Plant	CAN	CAN	YES		
M-Screen Plant	CAN	CAN	YES		
N-Screen Plant	CAN	CAN	YES		
Other Area	CAN	CAN	YES		

Additional items found which do NOT adversely affect safety or health:  
 See reverse side for additional instructions.

Signature of Inspector: [Redacted] Date: [Redacted]

Signature of Competent Person: [Redacted] Date: [Redacted]

**CONDITIONS NOT PROMPTLY CORRECTED**

Location	Competent Person	Date Corrected
Library Area		
Ben Adrenal Experimenting and Blending		
Ben Mill (Abiding) Operations		
Ben Mill (Abiding) Operations		
Cold Feed Operations		
Radars and Cabover Area		
Other Area		
Facility Grounds		
Maintenance Area		
Blowdown, Shipping and Distribution		
Laboratory		
Final Mill (Abiding) Operations		

Location: \_\_\_\_\_ Competent Person(s): \_\_\_\_\_ Date: \_\_\_\_\_

Shift: \_\_\_\_\_

**WORKING AREAS EXAMINED**







Barrier Erected with a sign?

Identify hazard on sign and date found.

Examination should note hazard and when corrected.



Examiner: G. Jetson  
Date: 2/19/2019  
Location: Mill "A" deck,  
near #1 ID Fan  
Condition: Buckled floor  
grating

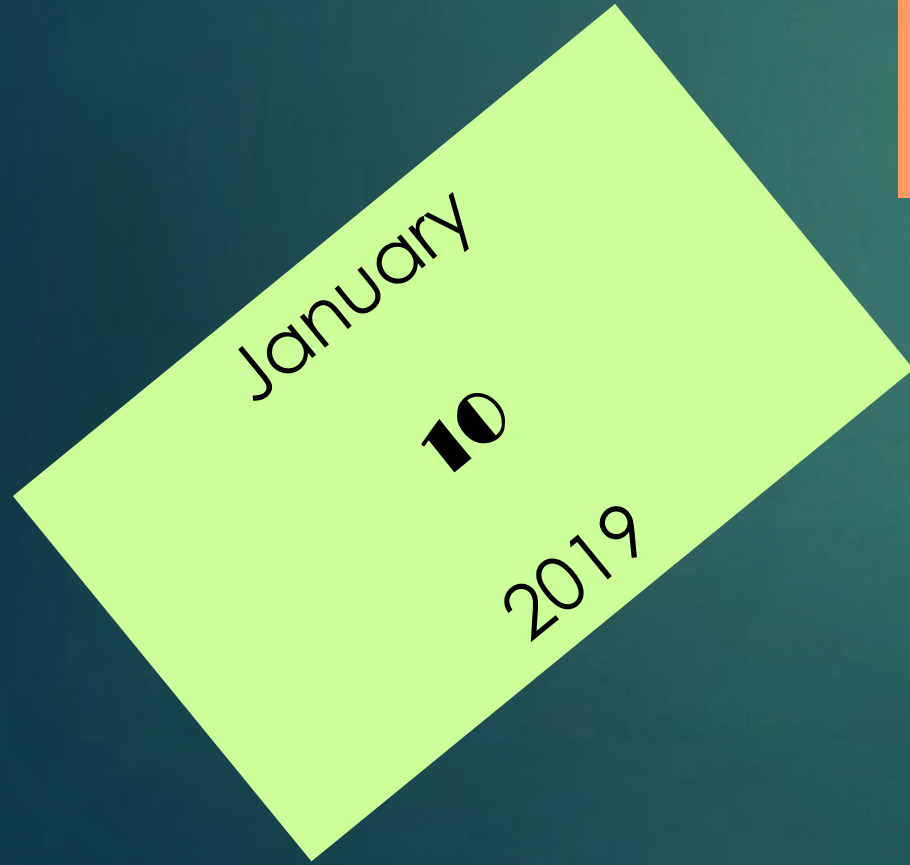
Date of Correction:  
2/20/2019



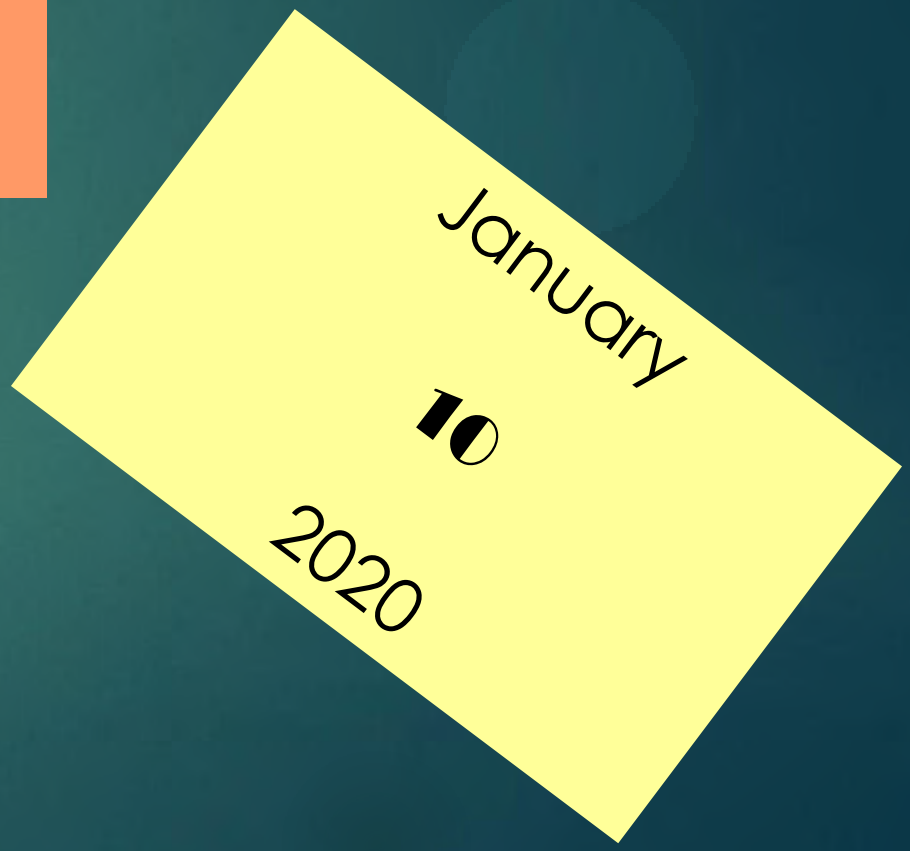


(c) When a condition that may adversely affect safety or health is not corrected promptly, the examination record shall include, or be supplemented to include, the date of the corrective action.

(d) The operator shall maintain the examination records for at least one year, make the records available for inspection by authorized representatives of the Secretary and the representatives of miners, and provide these representatives a copy on request.



at least one  
year





Examiner: B. Rubble  
Date: 2/18/2019  
Location: Pipe  
Laydown (Mill)  
Description: Scrap  
in front of pipe rack.

Corrected Date:  
2/18/2019





Date: 2/20/2019  
Examiner: I. Dun-Gno  
Location: Screen Switch house  
Description: Dry grass next to transformer. Broken pallet in front of switches.

Date Corrected:  
2/21/2019





## SECTION 104

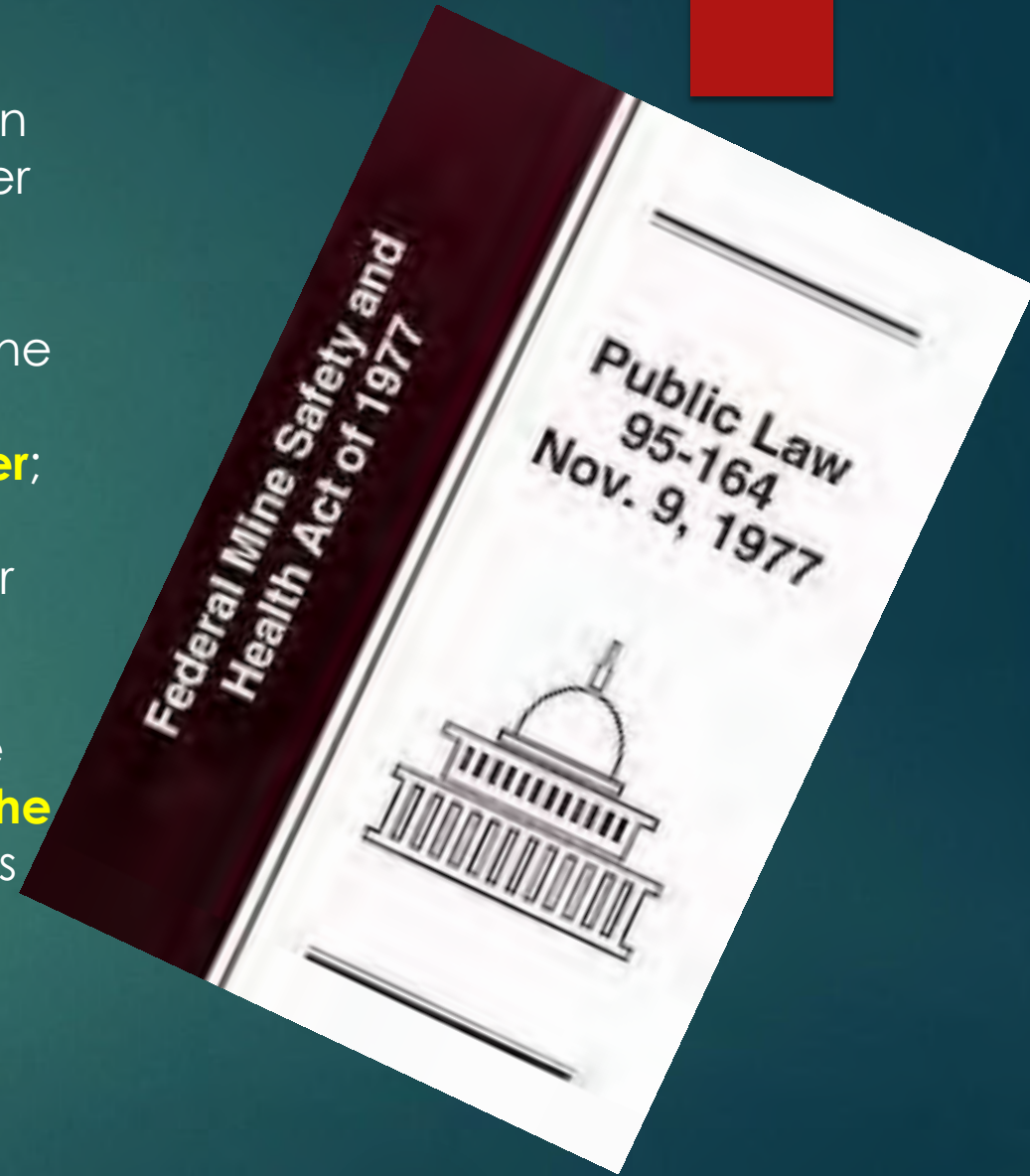
(c) The following persons shall not be required to be withdrawn from, or prohibited from entering, any area of the coal or other mine subject to an order issued under this section:

(1) **any person whose presence in such area is necessary**, in the judgment of the operator or an authorized representative of the Secretary, **to eliminate the condition described in the order**;

(2) any **public official** whose official duties require him to enter such area;

(3) any **representative of the miners** in such mine who is, in the judgment of the operator or an authorized **representative of the Secretary**, qualified to make such mine examinations or who is accompanied by such a person and whose presence in such area is necessary for the investigation of the conditions described in the order; and

(4) any **consultant** to any of the foregoing.



# FAQs

- ▶ What does “Promptly” mean?
  - ▶ Adverse conditions are corrected before miners are potentially exposed.
- ▶ If I don’t find any adverse conditions during the workplace examination, do I still need to make a record of the exam?
  - ▶ Yes, a record must be generated, containing the information provided in an earlier slide, but does not have to state that “no adverse conditions were found.”
- ▶ If an adverse condition exists for more than a week, do I need to keep recording it on every shift?
  - ▶ No.
- ▶ Can I use a checklist when I record my examination?
  - ▶ Yes, as long as it contains all of the information provided earlier, including the dates of corrective action(s).





# Examinations of Working Places in Metal and Nonmetal Mines

Print

## REVISED FINAL RULE

On April 9, 2018, MSHA published a final rule that amends a rule issued in January 2017. This rule provides mine operators additional flexibility in managing their safety and health programs and reduces regulatory burdens without reducing the protections afforded miners.

The revised rule requires that:

- A competent person examine each working place for conditions that may adversely affect the safety or health of miners. The working place must be examined at least once each shift, before work begins or as miners begin work in that place.
- Promptly initiate appropriate corrective action when adverse conditions are found.
- Promptly notify miners in affected areas if adverse conditions are found and not corrected before miners are potentially exposed.
- Withdraw all persons from affected areas when alerted to any conditions that may present an imminent danger, until the danger is abated.
- Create an examination record before the end of each shift that includes:

## QUICK LINKS

[Final Rule \(January 23, 2017\)](#)

[Final Rule \(April 9, 2018\)](#)

[Announcement of public stakeholder meetings \(April 9, 2018\)](#)

[Announcement of public meetings \(April 19, 2018\)](#)

[Frequently Asked Questions](#)

[Stakeholder Meetings](#)

[Sample Templates and Checklists](#)

[Examinations of Working Places Pocket Card](#)

[Spanish Examinations of Working Places Pocket Card](#)



# Questions

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