

Mine and Quarry Bureau  
4<sup>th</sup> Quarter and End-of- FY 2016/2017 Performance Review  
6th floor CR, Old Revenue Building  
July 27, 2017 at 10:00 A.M.

Attendees: Art Britt, Phil Hooper and William Gerringe  
Scribe: Charity Locklear

**Reviewed Performance Charts for 4<sup>th</sup> Quarter and End-of-FY 2016-2017**

**Performance Report**

All of the 4<sup>th</sup> Quarter and End-of-FY 2016-2017 Performance Standards have been met.

**1.1 – Investigate all fatal and serious accidents.**

- Standard – All Fatalities.
  - ✓ 100%.
    - One occurrence during the Fiscal Year 2016-2017.
      - ✚ One fatality concerning a haul truck and a high wall.

**1.2 – Investigate all written safety and health complaints.**

- Standard – Within 5 days.
  - ✓ 100%.
    - No occurrences during the period.

**2.1 – Provide MSJA required training to miners and contractors upon request.**

- Standard – June -30.
  - ✓ 100%.

**2.2 – Develop at least 8 special emphasis training projects.**

- Standard – 8 projects.
  - ✓ 100%.
    - 8 projects – New Ground Control program, Revision of Law Seminar student book cont.

**2.3 – Provide training opportunities to staff.**

- Standard – 8 hour minimum.
  - ✓ 100%.
    - 3 reps attended NC MS&H Conference.

**3.1 – Conduct bureau S&H Committee meetings.**

- Standard – Quarterly.
  - ✓ 100%

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- Meeting held on 6/5/2017.

### **3.2 – Site inspection conducted of Bureau controlled spaces.**

- Standard – Quarterly.
  - ✓ 100%.
    - Inspections conducted 9/7/16, 12/8/16, 3/15/17, and 6/15/17.

### **3.3 – Review Safety and Health Policy 9 with staff.**

- Standard – Annually.
  - ✓ 100%.

### **3.4 – Follow procedures for investigating and reporting injuries, violence, or criminal activity.**

- Standard – Per occurrence.
  - ✓ 100%.
    - No occurrence during the period.

### **Reviewed Staff Development**

#### **Staff training and conferences from April – June 2017**

One MAQB field representative and William conducted 2 days of a Part 48 Instructors training class – Parkway Fire Department in Grassy Creek, NC One class on April 12, 2017 and the other on May 17, 2017. There were 9 students that attended each training day. One MAQB field representative conducted the 3<sup>rd</sup> day and final day of the Part 48 Instructors class – Parkway Fire Department in Grassy Creek, NC – June 14, 2017. 9 students were certified as MSHA Part 48 Instructors.

One MAQB staff employee participated in a MSHA quarterly training seminar on April 25, 2017.

One MAQB staff employee (William) participated in a State Grants conference call for updates – Raleigh, NC, on May 17, 2017.

One MAQB field representative and William conducted a Law School in Morganton, NC – May 23-25 with 32 students in attendance.

One MAQB staff attended and assisted with the Safety Awards Banquet – Raleigh, NC – June 9, 2017.

Marcia attended the quarterly safety meeting on June 15, 2017.

One MAQB field representative attended a Safety Awards Banquet – Asheville, NC – June 20, 2017.

### **Legislation/Rulemaking:**

Jill Cramer and Phil are going to meet with William to discuss Mine and Quarry’s Act and Rules. William - Currently, it is written that companies must notify Mine and Quarry of any incidents/accidents on a mine site. William is going to send a letter with stronger language reiterating that companies have to

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notify North Carolina's Mine and Quarry Bureau when an incident/accident occurs on mining property. Art – Does Mine and Quarry have the authority to issue a penalty if they do not comply? Phil – No, not if it isn't written in the Act or Rules. William – Mine and Quarry has the authority to issue a violation, but with no monetary value. Though, Mine and Quarry has the authority to shut down an operation.

### **Other**

Currently there are 387 mine sites in North Carolina. 801 miners and 797 contractors were trained during the 4<sup>th</sup> quarter and 3,896 miners and 4,562 contractors for FY 2016-2017.

### **Reported Accidents**

There were no accidents reported on Form 7000-1 to Mine and Quarry during the 4th Quarter.

However, Attorney, James Scott Farrin called and left William a message in regards to a request for information about an accident that happened on May 3, 2017 at Carolina Sunrock on a catwalk – pulling cable. It was the first William had heard about the accident. Mine and Quarry was not notified by the company of the accident so they did not investigate it; however, MSHA was notified by the company of the accident.

The mining companies are legally required to report accidents to the State, but they don't all comply.

### **Reviewed 4<sup>th</sup> Quarter Performance Report**

#### **Reviewed Staff training and conferences from April – June 2017**

##### **Staff**

MAQB still has one staff member out on medical leave.

##### **Training**

William has 3 field staff and himself doing training for the entire State. During the winter, it is tough to get all of the training completed, but the bureau did meet all training requirements. William – When looking at training some other areas of training fall short like On-site training of miners and contractors and the number of on-site technical assistance and consultative services. There is not enough time to do technical visits. Phil – Mine and Quarry had to change focus or their resources. Phil – How do the training numbers compare to last FY? William – 1,000 more direct miners were trained this FY compared to last FY.

Art – How is Overtime? Is your staff building up compensatory time? William – The staff utilizes four days of work 10 hours a day to help keep overtime/compensatory time from building up. The staff uploads their information and data through technology. During the winter months, it is more difficult for the staff to keep overtime/compensatory time down because training is at its peak during the winter months.

##### **Travel**

William and the representatives are watching their travel expenses.

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### **Budget**

William and Phil are going to meet with Janet Rust and Jack Brinson at 11:00. The new Federal FY begins October 1st each year. The grant opens up in January/February. The earliest the funds are disbursed are between February and March for a FY. The grant money should have been immediately issued. William is going to move forward with speaking to Jay Stem and the Holmes Group about the budget. There are no State cuts and Mine and Quarry is in their last Quarter of operations for the year and still have not received any grant money. William will let Art, Phil and Jennifer know what comes out of the grants meeting. Jay Stem has offered to mention N.C. Mine and Quarry Bureau during the oversight committee meeting with Virginia Fox and Mark Meadows on August 1, 2017. Art – Yes, this is beyond standard government not to receive awarded funds for 9 months. Currently, MSHA doesn't have an Assistant Secretary right now.

- 1741 – Total direct miner training of miners and contractors including Safety & Health Institutes (4<sup>th</sup> Quarter – 989 people were trained and 5,467 were trained by the End-of FY 2016-2017.) Direct miner training is mandated training, as well as, Special Emphasis training.
- 1742 – On-site training of miners and contractors under Duties & Services (4<sup>th</sup> Quarter – 609 people were trained and 2,991 by the End-of FY 2016-2017 )
- 1743 – Number of on-site technical assistance & consultative services (4<sup>th</sup> Quarter – 90 cases and 192 cases by End-of-FY 2016-2017.)
- 1744 – Number of First Aid/CPR classes conducted (4<sup>th</sup> Quarter – 32 classes and 174 by the End-of-FY 2016-2017)

### **Abandoned Mines**

William – Finally, the abandoned mines are no longer showing up in the database.

### **Quarterly training of Miners & Contractors – April - June**

387 miners and contractors were trained in April – June.

### **Complete Evaluations**

10 complete evaluations were completed April – June and 24 by the End-of-FY 2016-2017.

### **Quarterly Recordable Accidents for the 4<sup>th</sup> Quarter**

MSHA received 14 recordable accidents for the 4<sup>th</sup> Quarter and 75 for FY 2016-2017.

### **Training Requests**

William is already receiving calls for winter training.

One field representative has Federal Jury Duty and he cannot be assigned any training during that month (September). The Jury Duty is mandatory. There is a critical training that needs to be done in Robins and if Carl is unable to do it William will do it for him.

The next Mine and Quarry Quarterly Performance Review meeting will be held on October 31, 2017 at 10:00 A.M., 6<sup>th</sup> floor CR, ORB.