



New Mexico Tech

NEW MEXICO BUREAU OF MINE SAFETY

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January 2011 Newsletter



Guest Column

This month's guest column is written by Jac Fourie, President of BHP Billiton New Mexico Coal. Jac is an engineer by training with an MBA. He has been with BHP Billiton for 12 years, working in South Africa, The Netherlands, Australia, Singapore and the UK. Here is Jac's guest column, and a special thanks for taking time from his schedule for this column!

Safety is Caring

Why do we work safely? And why do we spend so much time and effort on keeping ourselves and the people who work with us safe?

These are questions I asked myself when I started working as President of BHP Billiton's New Mexico Coal asset a couple of months ago. And the answers have helped me find new ways to motivate myself and others to work safely.

I believe that we work safely not because it is the law or because of regulations, even though they require it. We work safely not just because it is good business practice, although it certainly is. The reason we work safely isn't to meet any corporate targets, even though these are worthwhile in helping us direct our efforts.

I believe that the real reason we work safely is because **we truly care about people, their wellbeing and their ability to pursue their interests outside of work.** As I see it, our obligation to work safely and to keep employees safe is a direct result of a fundamental human value of caring for people.

Seen this way, "safety" – or working safely – is

not an effort or a cost to our business, but rather a measure of how much we care about ourselves and each other. By keeping people safe and healthy, we allow them to go back to their families, friends, hobbies and interests outside of work at the end of every shift.

Clarifying the reason(s) we work safely changes our motivation for doing so from "compliance with the rules" to "a commitment to our wellbeing and our interests outside of work". For me this is a very powerful reason to keep ourselves and others safe

Exposure Monitoring at MNM Mines

Many MNM mines are quickly becoming acquainted with the MSHA's initiative on exposure monitoring. Please read below from MSHA's December News Release regarding this initiative. If operators are interested in training on this please let us know.

MSHA announced an increased focus on exposure monitoring at metal and nonmetal mines throughout the country to ensure better worker protection from overexposure to harmful airborne contaminants. Agency efforts will include stakeholder outreach, education and training, and enhanced implementation of existing standards. In particular, MSHA will focus on 30 Code of Federal Regulations 56.5002 and 57.5002, which require mine operators to conduct dust, gas, mist and fume surveys for harmful airborne contaminants' fumes to determine the adequacy of control measures. A stakeholder briefing was held today at MSHA headquarters in Arlington, Va., to outline the initiative aimed at reducing illnesses and diseases due to such overexposures, and explain MSHA's enforcement approach on complying with the standards.

"We want to ensure that miners are protected from

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overexposure to harmful contaminants and mine operators have required safety and health programs in place to meet that objective," said Joseph A. Main, assistant secretary of labor for mine safety and health.

"A number of diseases and illnesses can be caused by overexposure to harmful airborne contaminants, including lead poisoning, nervous system damage, lung cancer, asbestosis, lung inflammation and scarring, bronchitis and metal fume fever," said Dr. Gregory Wagner, deputy assistant secretary for mine safety and health. "Some health conditions can take a long time to develop and may not be apparent at the time of exposure. Exposure monitoring programs to identify unhealthy levels of contaminants are critical to disease prevention."

In a program policy letter issued in October, MSHA reiterated that mine operators have the primary responsibility for protecting the health of miners



and must demonstrate compliance rather than rely on enforcement interventions. By conducting surveys in the workplace to determine the adequacy of exposure controls, miners are much less likely to be affected by the hazardous materials they encounter at work.

"This is a first step that includes a wide variety of industry stakeholder outreach, education, development of training programs and enhanced enforcement of existing standards," said Main. "We will be working closely with the mining community, national and state mining associations, labor organizations, MSHA's Small Mines Office and others to implement this initiative. Ultimately, the goal is improved health protection for metal and nonmetal miners, and help for all mine operators

to better understand and meet the requirements of this standard."

A procedure instruction letter has been issued to provide mine inspectors instructions on determining compliance with MSHA's standards for surface and underground metal and nonmetal mines pertaining to surveys for airborne contaminants required under 30 C.F.R. 56.5002 and 57.5002., available at <http://www.msha.gov/regs/compliance/PILS/2010/PIL10-IV-01.asp>. Mine operator assistance in planning and implementing a system to conduct surveys to determine the adequacy of control measures is available at www.msha.gov/S&HINFO/ExposureGuidance/ExposureGuidance.asp.

Seat Belt Requirements

There has been some interesting discussion recently about seat belt requirements. But before we discuss regulation, let's focus on the practical part of this. Seat belts save lives when available, in good condition, and **when utilized**. We continue to have mining fatalities because seat belts were not used. And away from our mines, most of us can pick up our local newspaper and find a weekly article on a highway fatality where the driver or an occupant died when ejected from the vehicle.

Now let's discuss regulation. Seat belt requirements are covered extensively for MNM mines in Part 56.14130 and 56.14131. Here is what I think those sections tell operators. Seat belts must be available and worn in mobile equipment and haulage units. They must be maintained in functional condition and replaced when necessary. They must also meet the requirements of SAE J386. In order to verify to an MSHA inspector that the seat belts in your equipment meet this requirement, they **must have** a proper verification label that is legible and states that the seat belt meets the SAE J386 requirement. There has also been discussion regarding manufacturer recommendations on seat-belt replacement which are not design specifications. I would recommend reading

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30CFR56.14130 and 14131 which discusses replacement based on condition and performance. But since MSHA would be the issuing agency on seat belts, a discussion on this subject with your inspector or field office supervisor before their inspection is advised.

The SAE J386 requirements are not found in Part 77 for surface coal mines. 77.1710(i) and 77.403-1(g) discuss seat belt requirements for surface coal mines.

Special Training

We are considering two training courses for the first half of 2011. One to be held across NM for Part 46 educators and Part 48 MSHA approved instructors. This class would be a refresher for instructors to help them refocus on their techniques. We are also considering a course on noise and dust instrumentation to help educate those having to do field measurements. More information will be forthcoming.

New Mexico Mine Health and Safety Conference

We will continue to upgrade our conference program to bring New Mexico's miners information that can be used to make our mines the safest in the nation. We are scheduling nationally recognized speakers including H. L. Boling, Ted Boyce, Adele Abrams and Ben Hart. Please mark your calendars for 2011. Our conference will be held May 2, 3 and 4. The theme for 2011 is ***Focus 24-7***. Our next planning meeting for 2011 will be



January 20th in Socorro. We welcome all who would like to contribute to

planning our 2011 event.

Safety in the New Year

Nationally, 2010 was not a good year for mining safety. We lost 71 miners making it the worst year since 2006 for mining fatalities. In New Mexico, we again were below the national average for total incident rate and we did not report a fatality. We have to do better nationally and I know we can do better as miners in New Mexico. Beginning the New Year, let's continue working on our safety culture and the concept that all injuries can be prevented.



Training

The current Training Schedule through January can be found on our web site:

<http://www.bmi.state.nm.us/navTrng.htm>

Please take time to look it over. To schedule a class, please call Chris at (505) 553-1535.

Let's FOCUS 24/7 on safety in New Mexico!

