



NEW MEXICO BUREAU OF MINE SAFETY

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July 2018 Newsletter

Summer Safety Alert:

Watch for Heat Stress & the Sun

By Adele L. Abrams, Esq., CMSP

Summer is here, the sun is shining, and OSHA is watching! This time of year, heat-related illnesses can be a major problem for outdoor industries including construction, trucking, concrete production, and mining. OSHA uses its General Duty Clause (Section 5(a)(1) of the OSH Act) for enforcement against employers who expose workers to heat stress or fail to implement effective protective programs. The agency's authority to do this, and how heat stress factors are benchmarked, is currently under review by the Occupational Safety & Health Review Commission, but in the interim, here are a few safety practices that can help protect workers and avoid costly citations.

Employers should watch for the following and make sure workers are protected from adverse health effects:

- Ambient or outdoor temperatures: when temperatures rise, it is harder for the body to cool itself and adverse impacts can range from heat stress and exhaustion to death.
- Physical condition: workers who are obese, out of shape or have underlying conditions such as high blood pressure or heart disease may be at elevated risk of heat-related illness. Workers should be educated about the reactions of medications they may take with heat or sun exposure and ensure that there are no restrictions on their ability to safely work. If there are limitations, workers should let the employer know so they can be reassigned where possible to a position where they will not be at risk.
- Humidity: high humidity can prevent sweat from evaporating and raise the danger of working conditions in high temperatures.
- Workload: where possible, on extremely hot and humid days, consider postponing tasks involving heavy physical labor or overexertion.



- Clothing: watch for clothing that may interfere with cool-off or which can trap heat and look for alternatives where possible that allow quicker sweat evaporation.

- Radiant heat: this can add to exposures, by reflecting off windows and metal structures and adding to the environmental exposures.

- Wind: breezes help to cool workers, generally, but where ambient temperatures are above 98 degrees, fans and breezes can make the situation worse.

If a worker is showing signs of heat stress or exhaustion, it is possible that heat stroke or death can quickly follow. In the case of heat stroke, call 911 immediately and immerse the worker in cold water or wrap them in ice packs or cooling blankets. If heat exhaustion is suspected, move the person into the shade or air conditioning, lay them down and elevate their legs, remove heavy or tight clothing, and provide cool water or non-alcoholic beverages without caffeine.

The individual can be further cooled off by spraying them with cool water and fanning them. The worker's condition should be monitored and medical assistance sought if their condition does not improve or deteriorates.

Prevention is the best medicine, of course, and heat stress can be avoided by providing workers with plenty of cool water (a cup every 15 minutes is recommended in high-heat situations), allow rest breaks based on heat factors and workload. Shaded or air-conditioned areas should be provided for worker breaks and an appropriate work/rest cycle should be developed. Workers will need to be acclimatized to the heat after long weekends, or at the start of the summer. Finally, management should monitor workers, or use a buddy system, where temperatures exceed 95 degrees, so that symptoms of heat stress can be identified before damage occurs and addressed appropriately.

Adele L. Abrams is an attorney, safety professional and trainer who is president of the Law Office of Adele L. Abrams P.C. in Beltsville, MD, Charleston, WV, and Denver, CO, a multi-attorney firm focusing on safety, health and employment law nationwide.

Adele is a frequent presenter at the New Mexico Mine Health and Safety Conference as well as other conferences across the country. On May 10, Adele will speak on Legally Sound Incident Investigations at the NMMSHC. Conference information is on the back page of this

July 2018 Newsletter

MSH Issues RFI Seeking Data on Technologies that can Reduce Powered Haulage Injuries

MSHA published a Request for Information (RFI) in the Federal Register on Tuesday, June 26. MSHA is seeking information and data on technologies and methods that will effectively reduce the incidence of powered haulage incidents, including collision avoidance, operator restraints, and conveyor incidents.

Over 50% of the fatal injuries occurring at mining operations over the last 18-months were classified as powered haulage incidents. According to a statement released on June 25, Assistant Secretary of Labor, David Zatezalo stated; “The Trump Administration is committed to the health and safety of America’s miners. Through the deployment of modern technologies, such as proximity detection, we can help ensure that miners return home safely at the end of their shifts .”

The June 25 news release continues:

As part of this effort, MSHA plans to hold stakeholder meetings and will provide technical assistance, and develop best practices and training materials to raise awareness of hazards related to mobile equipment and belt conveyors. The Agency also may consider engineering controls that increase the use of seatbelts, enhance equipment operators’ ability to see all areas near the machine, warn equipment operators of potential collision hazards, prevent an equipment operator from driving over the edge of a highwall or dump point, and help prevent hazards related to working near moving belt conveyors.



Mining Safety Board

The Mining Safety Board met on June 21 at the BMS facility in Socorro. The proposed amendments to the rules for certification and recertification of coal mine officials was approved. The new rules will become effective upon filing with the state and they will be posted on the BMS website

A revised Open Meeting Act (OMA) resolution was passed, and John Prucell was selected to fill the Vice-Chair position vacated in February by the resignation of long-time member Monty Owens. nmminesafety.com



The next meeting is scheduled for 9:00 a.m. on October 30, 2018 at a location to be determined in Carlsbad.

Inquiries can be directed to Board Chair Jeff Gordon at:
jeffgordon.nmmsb@yahoo.com.

Mining - Fatal Injuries

YTD—6/23/2018: 6 M/NM; 5 Coal; 11 Total

M/NM

On June 23, a 46-year-old employee of Superior Silica Sands in San Antonio, TX was run over by a run-away rail car that he had uncoupled. According to the San Antonio Express News, he was attempting to jump onto the car when he fell under the car and was run over.

“Obstacles are things a person sees when he takes his eyes off his goal.”

E. Joseph Cossman

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MSHA Issues State Grants Funds for FY 2018

In early June, MSHA announced that the U.S. Congress had appropriated \$10,586,000 to fund the States Grants program. The State Grants program in New Mexico is administered by the Bureau of Mine Safety and helps to subsidize MSHA required training throughout the state.

MSHA calculates the apportionment of these funds based upon several factors, including the number of operators and the number of miners in the state. For FY 2018 (10/01/17-09/30/18) MSHA has awarded New Mexico \$197,856 to subsidize salaries of trainers, travel expenses, materials and supplies, and other training expenses. That figure represents a 1% increase over the FY 2017 award. New Mexico matches the MSHA award at a 20% level.

At this funding level, the Bureau of Mine Safety can continue the reduced fee schedule implemented last October.

Days	Standard	2018 & 2019
1 (AR or FA)	\$50	\$25
2 (AR & FA)	\$75	\$50
3 (New Miner)	\$150	\$75



Bureau of Mine Safety Calendar

July:

4 Independence Day-BMS office closed

19 NMMHSC Planning Meeting hosted by MSCC in Albuquerque

23-26 National M/NM Mine Rescue Contest Lexington, KY

August:

29-30 Mine Rescue comm. system training @ BMS office by invitation

September:

3 Labor Day-BMS office closed

5-7 NMMA Annual Convention and Expo-Ruidoso Convention Center.

October:

9-11 TRAM Conference, Beaver, WV

22-24 National Safety Congress, Houston, TX

22-24 Interstate Mining Compact Commission, midyear meeting, Biloxi, MS

30 Mining Safety Board, Carlsbad

Need New Miner Training, Annual Refresher Training, First Aid Training? The Bureau of Mine Safety is ready to assist. Part 46; Part 48-B

Call 575-835-5460

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MSHA PROGRAM POLICY MANUAL—COAL

§75.1702 Smoking; prohibition.

[Statutory Provisions]

No person shall smoke, carry smoking materials, matches, or lighters underground, or smoke in or around oil houses, explosives magazines, or other surface areas where such practice may cause a fire or explosion. The operator shall institute a program, approved by the Secretary, to insure that any person entering the underground area of the mine does not carry smoking materials, matches, or lighters.

§75.1702-1 Smoking programs.

Programs required under §75.1702 shall be submitted to the Coal Mine Safety District Manager for approval on or before May 30, 1970.

Program Policy Manual

75.1702 Smoking; Prohibition

This Section is an absolute prohibition against having smoking articles underground and is directed to all persons. When smoking materials, matches, or lighters are found underground, a citation for violation of this Section should be issued to the operator, as well as to the individual miner if he/she can be identified. No evidence is needed of negligence or fault on the part of the operator in order to issue the citation. The condition or practice described in the citation should indicate a violation of the prohibition against smoking articles underground.

The operator's search program for smokers' articles shall be systematic and conducted at least weekly at irregular intervals and as often as necessary to insure that the program is being adhered to and not being violated.

Records of searches for smokers' articles shall be made and kept in a book provided for that purpose in a safe place on the surface, and the records shall be available for inspection.

When an inspector observes a miner smoking underground, he/she shall obtain the name of the miner involved, the names of any witnesses, and issue a citation to the miner. He/she shall also issue a citation or an order of withdrawal to the operator.

Generally, orders of withdrawal are not to be issued, except in appropriate circumstances where an inspector actually observes a person smoking underground or where the operator's search program is not vigorously enforced. In other circumstances, where cigarette butts or cigarettes, lighters, or matches are observed underground, a citation of section 104(a) or 104(d) would be more appropriate. The operator shall post "No Smoking" signs at or near the surface structures where smoking is prohibited.

§77.404 Machinery and equipment; operation and maintenance.

(a) Mobile and stationary machinery and equipment shall be maintained in safe operating condition and machinery or equipment in unsafe condition shall be removed from service immediately.

(b) Machinery and equipment shall be operated only by persons trained in the use of and authorized to operate such machinery or equipment.

(c) Repairs or maintenance shall not be performed on machinery until the power is off and the machinery is blocked against motion, except where machinery motion is necessary to make adjustments.

(d) Machinery shall not be lubricated while in motion where a hazard exists, unless equipped with extended fittings or cups.

Program Policy Manual

77.404 Machinery and Equipment; Operation and Maintenance Paragraph (a) of this Section does not affect enforcement of other mandatory safety standards and should be used only where such condition is not covered by any other regulation. Lack of frame grounding, improper protection, etc., are to be cited under the appropriate section in accordance with Section 104(a) of the Act, allowing reasonable time for compliance.

The presence of defects, such as worn tires, defective steering or brakes, malfunctioning hydraulic controls, worn lagging on belt conveyor drive rollers, or frozen or damaged idler rollers, could indicate that such machinery and equipment are not maintained in safe operating condition. Therefore, a violation of this Section would exist if such defects render the equipment unsafe to operate.

When an inspector finds a violation as described above, he/she shall issue a citation requiring the condition to be corrected in a reasonable time. This Section also requires that unsafe equipment be removed from service immediately. The operator should be advised of the requirement. If the operator removes such unsafe equipment from service immediately, this should be noted on the citation. If the operator does not remove such equipment from service immediately, another citation for such failure should be issued, giving the operator reasonable time to comply.

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Continued from Page 4

During the inspection of shop areas, battery-charging stations, and other places where hoisting equipment is used, such equipment should be closely examined to assure that the equipment is in safe operating condition. These installations should be closely examined to make certain that:

- 1) The hoist is securely fastened to the dolly or other support.
- 2) The dolly rides the I-beam without excessive side play.
- 3) The hoist has proper operating controls that allow the hoist to be operated from a safe position.
- 4) The dolly or hoist does not contain bent or defective parts or defective ropes or chains.
- 5) The hoist is being operated within its rated capacity.
- 6) Hoists attached to I-beams are being used for vertical lifting only.
- 7) The structure the hoist is attached to is provided with adequate stops or devices to prevent it from traveling beyond the end of the supporting structure.

The failure of safety devices such as horns, head-lights, taillights, brake lights, or mirrors on mobile surface equipment can contribute to serious accidents involving these vehicles. Mine operators should be aware that horns, lighting systems, and other safety features can be rendered inoperable by accumulations of dust, mud, grease, or oil, as well as defective mechanical or electrical components. Accordingly, all such safety devices are required, under paragraph (a), to be maintained in operating condition or the mobile equipment must be removed from service.

MSHA's policy on Paragraph (c) of this section is similar to the policy on Section 77.500, which states that it is not necessary to completely deenergize large surface mining equipment where means are provided in the equipment to deenergize any part where repair work is to be done. Similarly, to comply with Paragraph (c), it is not necessary to completely deenergize large surface mining equipment where the motion of the operating equipment does not pose a hazard, and means are provided in the equipment to deenergize that part where repair or maintenance work is to be done. Each repair or maintenance job must be examined separately for hazards related to that particular job or work area. If the machine's operation poses a hazard to the employee performing the work, the machine shall be shut down until the work is completed or the hazard no longer exists. General maintenance and housekeeping can normally be performed while the machine is in motion except around unguarded energized electric or moving mechanical equipment.



MSHA PROGRAM POLICY MANUAL—M/NM

§56.14109 Unguarded conveyors with adjacent travelways.

Unguarded conveyors next to the travelways shall be equipped with—

- (a) Emergency stop devices which are located so that a person falling on or against the conveyor can readily deactivate the conveyor drive motor; or*
- (b) Railings which—*
 - (1) Are positioned to prevent persons from falling on or against the conveyor;*
 - (2) Will be able to withstand the vibration, shock, and wear to which they will be subjected during normal operation; and*
 - (3) Are constructed and maintained so that they will not create a hazard.*

Program Policy Manual

56/57.14109 Unguarded Conveyors With Adjacent Travelways
Sections 56/57.14109 require unguarded conveyors next to travelways to be equipped with emergency stop devices or railings. A travelway is defined in 30 CFR §§ 56/57.2 as a passage, walk or way regularly used and designated for persons to go from one place to another. If an unguarded conveyor has travelways on each side of it, both unguarded sides must be equipped with emergency stop devices or railings.

Under Sections 56/57.14109(a), emergency stop devices must be located so that a person falling on or against the conveyor can readily deactivate the conveyor drive motor. MSHA expects that a miner would be able to readily reach the emergency stop device to activate it and that the device would be located along the portion of the unguarded conveyor that is adjacent to a travelway.

Under Sections 56/57.14109(b), railings must: (1) be positioned to prevent persons from falling on or against the conveyor; (2) withstand the vibration, shock, and wear to which it will be subjected during normal operation; and (3) be constructed and maintained so that it will not create a hazard. MSHA expects that railings would be located along the portion of the unguarded conveyor that is adjacent to a travelway.

Neither the conveyor installation nor its framework is considered a railing for the purpose of these standards irrespective of its height or conformance with standard railing heights.

Sections 56/57.14109 do not apply to unguarded conveyors which are not next to travelways, including overhead conveyors, where there is no reasonable possibility that miners will come into contact with system components (e.g., idlers, conveyor belt) of the conveyor.



SAFETY & HEALTH TRAINING

ROGER MONTALI, MSHA ACADEMY

CONSTRUCTION, MAINTENANCE & REPAIR

SAFETY



SAFETY

The New Mexico Bureau of Mine Safety is pleased to host National Mine Safety & Health Academy's Roger Montali for four free 1-day seminars. The seminars will be held during the week of September 17 at four locations across the state all from 8 am – 4pm. **The world of construction, maintenance and repair presents us with its own set of hazards and procedures aimed at controlling those hazards.**



Mr. Montali will address those issues as well as the applicable mining safety and health standards that we all need to

understand and apply. Participants will receive handouts and other related materials. Mr. Montali can also arrange to send any additional resources you might need from the Academy. Please RSVP early—space is limited at each location.



Monday, 9/17

Pecos River Village
Conference Center
711 Muscatel Drive
Carlsbad, NM

RSVP to
575-835-5460

Wednesday, 9/19

Grant County
Conference Center
3031 Hwy 180 East
Silver City, NM

RSVP to
575-835-5460

Thursday, 9/20

Associated
Contractors of New
Mexico
6135 Edith NE.
Albuquerque, NM

RSVP to
575-835-5460

Friday, 9/21

Farmington Civic
Center

200 W Arrington
Farmington, NM

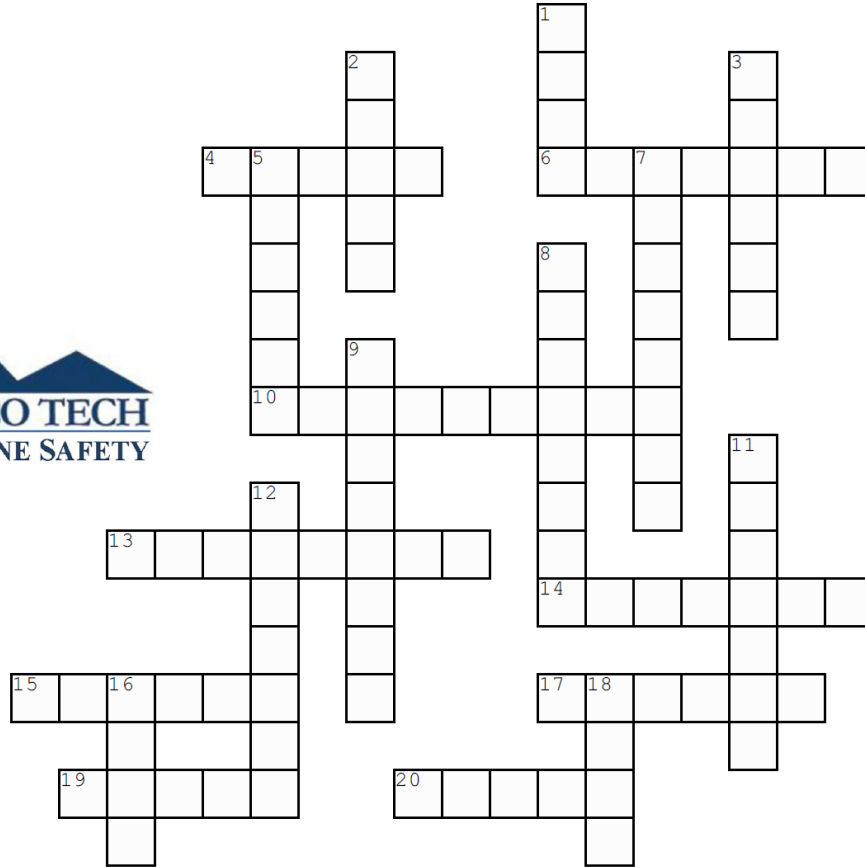
RSVP to
575-835-5460

**CALL THE NEW MEXICO BUREAU OF MINE SAFETY
WITH ANY QUESTIONS: 575-835-5460**

July 2018 Newsletter

Ladder Safety

Complete the crossword below



Created with TheTeachersCorner.net [Crossword Puzzle Generator](http://CrosswordPuzzleGenerator.com)

Across

4. Long fixed ladders may be equipped with a back _____ to prevent falling backward
6. To prevent tipping or falling, always keep your center of _____ between the rails
10. A portable ladder with one or more sliding sections is known as an _____ ladder
13. Ladders are rated by load _____
14. Prior to using a ladder, inspect it for _____
15. When working from a ladder, personal fall _____ equipment may be required
17. When you climb up a ladder you _____
19. A permanently installed ladder is often called a _____ ladder
20. A 4:1 ratio represents the proper placement _____ for a straight or extension ladder

Down

1. A horizontal rounded part of a ladder for foot placement
2. A ladder should extend at least _____ feet above a landing
3. When ascending or descending a ladder, always maintain at least three _____ of control
5. Specially designed ladders may be used for _____ purposes
7. _____ ladders should not be used around electrical circuits
8. Ladders should not be used beyond their _____ capacity
9. A single section portable ladder is known as a _____ ladder
11. When you climb down a ladder you _____
12. A wooden ladder should not be _____
16. Vertical structure of a ladder
18. A folding ladder typically with 4 legs is known as a _____ ladder

*The correct answers will be attached to the archived
March [Newsletter](http://mmminesafety.com) on the BMS website mmminesafety.com*