



## Ohio Administrative Code

### Rule 1501:10-1-06 Accident reporting; investigation by chief; annual report.

Effective: April 18, 2019

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Nothing in this rule applies to activities that are permitted and regulated under Chapter 1514. of the Revised Code; such activities shall follow the reporting, investigation, and annual report requirements of Chapter 1501:14-2 of the Administrative Code. All other mines under the jurisdiction of the division of mineral resources management (DMRM) shall follow the reporting, investigation, and annual report requirements of this rule.

#### (A) Accidents requiring immediate direct notification.

(1) Operators of mines required to comply with the MSHA immediate notification requirement of 30 C.F.R. 50.10 shall provide immediate direct notification in accordance with paragraph (A)(2) of this rule concurrent with the required notification to MSHA. All such operators shall also file a written report of the accident by submitting to the chief, within ten working days, a copy of the required MSHA accident report concurrent with the submission of the report to MSHA.

(2) For a life-threatening mine emergency in which there has been a serious accident or a fatality or for which a mine rescue team is needed, the operator shall make direct notification to the emergency operations center of the Ohio department of natural resources by telephone at (614) 799-9538. For all other accidents for which the operator is required to comply with the MSHA immediate notification requirement of 30 C.F.R. 50.10, the operator shall make direct notification to the appropriate DMRM mine safety supervisor or resident mine inspector.

(3) For the purposes of this rule, "direct notification" means person to person or phone contact between an operator or his or her authorized representative and the appropriate DMRM mine safety supervisor or resident mine inspector, or the emergency operations center of the Ohio department of natural resources. Voice mail or electronic mail messages are not considered direct notification.

#### (B) Accidents, occupational injuries and occupational illnesses requiring written notification.

Operators of mines required to comply with the MSHA written notification requirements 30 C.F.R.



Part 50 Subpart C shall file written reports of accidents, occupational injuries or occupational illnesses with the chief within ten working days of occurrence of the accident or injury, or diagnosis of the illness, by submitting a copy of the required MSHA report to the chief.

(C) The DMRM will conduct an investigation of any fatality immediately upon receipt of notice; any accident deemed serious by the chief shall be investigated within twenty-four hours of notice. In conducting such investigation(s), the DMRM shall prepare a written report concerning the factors contributing to the accident. Such reports shall be provided to the mine operator. A mine operator may provide written comments to the chief concerning such reports. Such reports and comments shall become a part of the accident investigation file and official inspection records maintained by the DMRM.

(D) The DMRM accident investigator(s) shall provide written recommendations to the chief concerning appropriate remedial measures to prevent the reoccurrence of a fatality or serious accident.

The chief shall provide notice to other inspectors and the mining industry, as appropriate, in an effort to preclude a similar occurrence at another mine. The chief shall summarize such accident, injury, and illness reports on an annual basis in preparation of the report required by section 1561.04 of the Revised Code.