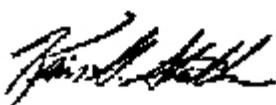


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PROCEDURE INSTRUCTION LETTER NO. I10-V-17

FROM: KEVIN G. STRICKLIN 
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Administrator for
Metal and Nonmetal Mine Safety and Health

SUBJECT: Enforcement Policy Reminder

Scope

This Procedure Instruction Letter (PIL) applies to all Coal and Metal and Nonmetal Mine Safety and Health (MSHA) District Managers, District and Field Office enforcement personnel.

Purpose

The purpose of this PIL is to remind all MSHA enforcement personnel of the agency's enforcement guidelines.

Procedure Instructions

MSHA's enforcement goals are based solely on its mandate to carry out the provisions of the federal Mine Safety and Health Act of 1977 (Mine Act), as amended by the Mine Improvement and New Emergency Response Act of 2006 (MINER Act). Consistent with the agency's mission to prevent the existence of unsafe and unhealthful practices and conditions in the Nation's mines, all enforcement actions are taken to eliminate hazardous conditions detected on mine property or to respond to detected violations of legal requirements imposed by the Mine Act and MSHA standards and regulations. No other basis for an enforcement action is authorized by MSHA, and the agency does not have a quota directive requiring inspectors to issue a minimum number of citations per inspection hour. To that end, all MSHA enforcement personnel are hereby reminded that historical enforcement data maintained by MSHA are not intended to be used to

establish a minimum level of enforcement. Additionally, citations and orders issued for violations of mandatory safety and health standards and regulations are to be based on observations made or information gathered in the course of conducting an inspection or investigation.

Background

MSHA is issuing this PIL to respond to stakeholder concerns and press interest in whether MSHA has a quota directive requiring inspectors to issue a minimum number of citations per inspection hour.

Authority

The Federal Mine Safety and Health Act of 1977, as amended, 30 U.S.C. § 801 et seq.

Internet Availability

This PIL may be viewed on the Internet by accessing MSHA's home page at www.msha.gov and choosing "Compliance Info" and "Procedure Instruction Letter."

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All Special Interest Groups
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All Underground Mine Independent Contractors