

13 NCAC 06 .0304 ACCIDENTS: NOTIFICATION: INVESTIGATION

(a) Immediate Notification. The operator of a mine, using the fastest available means of communication, shall notify the director or any other representative of the division of any of the following accidents that occur at a mining operation:

- (1) any injury, including illness, which results in death or may reasonably be expected to result in death;
- (2) any outbreak of fire that endangers human life or a fire underground which is not brought under control within 30 minutes;
- (3) any unplanned ignition of dust or strata gas;
- (4) any unplanned explosion of dust or gas;
- (5) any unplanned inundation by water or gas that endangers human life;
- (6) any unplanned initiation of explosives, including blasting agents;
- (7) any cave-in or entrapment that endangers human life;
- (8) any unexpected event which could have readily resulted in serious physical harm.

(b) Investigatory Report by Operator. Following the occurrence of an accident, as listed in (a) of this Rule, the operator shall conduct an investigation of the accident and shall submit to the director a detailed written report of his finding, as soon as practicable. The report shall include the following information: the name and address of the operator, the name and location of the mine, a description of the accident, the apparent cause of the accident, a description of all injuries to persons and of all damage to property, and the apparent consequences of the accident to the continued operation of the mine.

(c) Official Investigation. Following the occurrence of an accident, as described in (a) of this Rule, an inspector of the division shall conduct an extensive investigation and shall prepare a written report.

(d) Requests for Reports. Upon establishing a bonafide need, a person may obtain a copy of an accident investigation report from the director. The request for a copy of the accident investigation report shall be made in person to the director.

*History Note: Authority G.S. 74-24.7; 95-4;
Eff. February 1, 1976;
Readopted Eff. September 30, 1977;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. July 22, 2018.*