

# **MSHA – APPROVAL & CERTIFICATION CENTER**

**30CFR, PART 6 POST-APPROVAL  
PRODUCT AUDIT PROGRAM & DEFECT  
NOTIFICATION TO MSHA**

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**QUALITY ASSURANCE & MATERIALS TESTING  
DIVISION**

# MAJOR POINTS

## QUALITY ASSURANCE & MATERIALS TESTING DIVISION (QA&MTD)

- **KEN SPROUL - DIVISION CHIEF**
- **JIM ERLINGER - TEAM LEADER**
  
- **MINING EQUIPMENT COMPLIANCE SPECIALISTS**
- **ENGINEERS**
- **PHYSICAL SCIENTISTS**
- **TECHNICIAN**
- **CHEMIST**

# QUALITY ASSURANCE & MATERIALS TESTING DIVISION (QA&MTD)

## QA&MTD MISSION

- Maintain Integrity of MSHA Approval

The Quality Assurance and Materials Testing Division conducts audits to verify the manufacturer is producing products as approved.

# QUALITY ASSURANCE & MATERIALS TESTING DIVISION (QA&MTD)

## QA&MTD MISSION

### Approval of Mining Materials

**The Quality Assurance and Materials Testing Division ensures that mining materials conform to the applicable requirements of 30 CFR.**

QUALITY ASSURANCE & MATERIALS TESTING DIVISION  
(QA&MTD)

## QUALITY ASSURANCE & MATERIALS TESTING DIVISION (QA&MTD)

**FIELD COMPLAINT - SERVES AS A METHOD TO INVESTIGATE PROBLEMS ASSOCIATED WITH A SPECIFIC PRODUCT**

### FIELD COMPLAINT TYPES

- **NON-CONFORMING PRODUCT**
- **IMPROPER USE OF PRODUCT**
- **PRODUCT PERFORMANCE ISSUES**

## QUALITY ASSURANCE & MATERIALS TESTING DIVISION (QA&MTD)

**FIELD COMPLAINT - SERVES AS A METHOD TO INVESTIGATE PROBLEMS ASSOCIATED WITH A SPECIFIC PRODUCT**

### FIELD COMPLAINT TYPES

- **SAFETY ISSUES ON NON-APPROVED EQUIPMENT**
- **MAINTENANCE ISSUES**
- **6.10 (f) - DEFECT NOTIFICATION TO MSHA**



## CODE OF FEDERAL REGULATIONS (30CFR, PART 6)

### 6.2 DEFINITIONS

#### POST-APPROVAL PRODUCT AUDIT -

EXAMINATION AND/OR TESTING BY MSHA OF APPROVED PRODUCTS SELECTED BY MSHA TO DETERMINE WHETHER THOSE PRODUCTS MEET THE APPLICABLE PRODUCT APPROVAL REQUIREMENTS AND HAVE BEEN MANUFACTURED AS APPROVED

## CODE OF FEDERAL REGULATIONS (30CFR, PART 6)

### 6.10 (e)

UPON REQUEST BY MSHA, APPROVAL HOLDERS OF PRODUCTS APPROVED BASED ON INDEPENDENT LABORATORY TESTING AND EVALUATION MUST MAKE SUCH PRODUCTS AVAILABLE FOR POST-APPROVAL AUDIT AT A MUTUALLY AGREEABLE SITE AT NO COST TO MSHA

- AUDIT CONDUCTED NOT MORE THAN ONCE A YEAR, EXCEPT FOR CAUSE

## POST-APPROVAL PRODUCT AUDIT PROCESS

- **AUDIT MAY BE CONDUCTED IF MSHA, APPROVAL HOLDER, OR OTHER INTERESTED PARTIES DETERMINES AN APPROVED PRODUCT MAY NOT BE IN COMPLIANCE WITH THE TECHNICAL REQUIREMENTS OF THE APPROVAL**

## POST-APPROVAL PRODUCT AUDIT PROCESS



- SCHEDULING AND TRACKING SYSTEM TO MONITOR APPROVAL HOLDER AUDITS
- MSHA NOTIFIES APPROVAL HOLDER
- MSHA AND APPROVAL HOLDER AGREE ON AUDIT LOCATION AND TIME
- AUDIT MAY BE CONDUCTED AT:
  - APPROVAL HOLDER FACILITY
  - A&CC
  - MINE SITE
  - THIRD PARTY SITE



## POST-APPROVAL PRODUCT AUDIT PROCESS



- **AUDIT TEAM MEETS WITH APPROVAL HOLDER REPRESENTATIVE TO EXPLAIN INSPECTION/TEST PROCESS**
- **MEASUREMENTS RECORDED**
- **PHOTOGRAPHS**
- **DEFECTS WELL DOCUMENTED**
- **AUDIT TEAM MEETS WITH REPRESENTATIVE TO DISCUSS RESULTS OF THE INSPECTION/TEST**

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## POST-APPROVAL PRODUCT AUDIT PROCESS

### POST AUDIT

#### DEFECT CLASSIFICATION

- CRITICAL -- WILL ADVERSELY AFFECT PRODUCT SAFETY AND PERFORMANCE**
- MAJOR 1-- IS LIKELY TO ADVERSELY AFFECT PRODUCT SAFETY AND PERFORMANCE**
- MAJOR 2-- IS NOT LIKELY TO ADVERSELY AFFECT PRODUCT SAFETY AND PERFORMANCE**
- MINOR -- WILL NOT ADVERSELY AFFECT PRODUCT SAFETY OR PERFORMANCE**

## POST-APPROVAL PRODUCT AUDIT PROCESS



### ➤ IF DISCREPANCY:

- AUDITOR CONTACTS REPRESENTATIVE BY PHONE TO DISCUSS
- FOLLOW-UP LETTER SENT TO DOCUMENT DEFECT AND NECESSARY ACTIONS
- AUDITOR MONITORS CORRECTIVE ACTION UNTIL COMPLETE AND DOCUMENTED



## POST-APPROVAL PRODUCT AUDIT PROCESS



- **POSSIBLE CORRECTIVE ACTIONS:**
  - **PRODUCT RECALL**
  - **PRODUCT RETROFIT**
  - **APPROVAL DOCUMENTATION CHANGE**
  - **FOR CRITICAL DEFECTS - MSHA MAY REQUIRE APPROVAL HOLDER TO IMMEDIATELY REMOVE PRODUCT FROM SERVICE**

## DEFECT NOTIFICATION TO MSHA

### 6.10 (f)

**ONCE THE PRODUCT IS APPROVED, THE APPROVAL HOLDER MUST NOTIFY MSHA OF ALL PRODUCT DEFECTS OF WHICH THEY BECOME AWARE**

- **DEFECT: ANY DEVIATION FROM THE RECORDS, DRAWINGS, OR SPECIFICATIONS CONTAINED IN THE MSHA APPROVAL RECORDS**

# DEFECT NOTIFICATION TO MSHA



## DEFECT NOTIFICATION TO MSHA

- **PROCEDURE:**
- **NOTIFICATION TO MSHA SHOULD BE MADE BY TELEPHONE, E-MAIL, OR FAX**
- **THE TELEPHONE NOTIFICATION SHOULD BE FOLLOWED-UP WITH A LETTER TO DOCUMENT THE DEFECT**
- **THE LETTER SHOULD BE ADDRESSED TO KEN SPROUL - QA&MTD CHIEF**
- **THE DEFECT WILL BE PROCESSED AS A FIELD COMPLAINT**

## CONCLUSION

- QA&MTD CONDUCTS POST-APPROVAL AUDITS REQUIRED BY 30CFR, PART 6
- AUDITS CONDUCTED PER DOCUMENTED PROCEDURE
- APPROVAL HOLDER MUST TAKE CORRECTIVE ACTION WHEN DEFECTS ARE IDENTIFIED
- APPROVAL HOLDER MUST NOTIFY MSHA WHEN APPROVED PRODUCT IS DISTRIBUTED WHICH DOES NOT MEET APPROVAL DOCUMENTATION









\_\_\_\_\_ (Date)

\_\_\_\_\_ (Company Representative)

\_\_\_\_\_ (Company)

\_\_\_\_\_ (Address)

\_\_\_\_\_

Dear Mr./Ms. \_\_\_\_\_:

On behalf of the Mine Safety and Health Administration, I would like to thank you for your cooperation during the post approval product audit investigation of Approval No. \_\_\_\_\_, conducted by \_\_\_\_\_ (QA&MTD auditor(s), at \_\_\_\_\_ (location), on \_\_\_\_\_ (date).

A post approval product audit is conducted to ensure conformity with the technical requirements upon which the approval was based.

The post approval product audit did not disclose any defects and therefore the approved product is deemed by MSHA to meet the approval requirements.

Sincerely,

\_\_\_\_\_ (QA&MTD Auditor)

Mining Equipment Compliance Specialist  
Quality Assurance & Materials Testing Division  
Approval and Certification Center



\_\_\_\_\_(Date)  
\_\_\_\_\_(Company Representative)  
\_\_\_\_\_(Company)  
\_\_\_\_\_(Address)  
\_\_\_\_\_

Dear Mr./Ms. \_\_\_\_\_:  
With reference to our telephone conversation on \_\_\_\_\_ (date), the following  
\_\_\_\_\_ (product) approved under 30 CFR, Part 6, has been scheduled for post-  
approval product audit:

<u>Approval No.</u>	<u>Product</u>
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Please submit a sample for each MSHA approved product listed above. Approval holders of products approved based on independent laboratory testing and evaluation must make such products available for post approval audit at a mutual agreeable site at no cost to MSHA.

Representatives of \_\_\_\_\_ (approval holder) are welcome to witness the post-approval product audit testing of the products listed above. Please notify this office if representatives of \_\_\_\_\_ (approval holder) will be present, and we will attempt to schedule testing accordingly.

**If the product is not currently available for audit, but is available during the next 12 months, please notify us regarding testing scheduling, or submit a sample.**

If you have any questions, please feel free to contact me at \_\_\_\_\_ (auditor's phone number), or John C. Petrus at (304) 547-2049. Thank you for your cooperation in this matter.

Sincerely,

\_\_\_\_\_(QA & MTD Auditor)  
Mining Equipment Compliance Specialist  
Quality Assurance & Materials Testing Division  
Approval and Certification Center

