

Workers should not have to lose their lives before government regulators take effective action to penalize companies that repeatedly put safety at risk. Yet such disasters as the BP/Deepwater Horizon Oil Spill and the Massey Energy coalmine explosion point to breakdowns in the regulatory system designed to prevent industrial accidents. With proper attention to safety records, both the companies themselves and regulators could have seen catastrophic consequences coming. But neither government nor industry took effective action to prevent them.

The similarity between the BP and Massey Energy disasters goes beyond production of energy. The operators of each of these facilities received numerous citations for safety violations from government regulators. Massey's Upper Big Branch Mine was cited for 1,342 violations from 2005 until the explosion in April 2010. Fifty of these occurred the month before the explosion. BP was also an industry leader for safety violations. But the number and frequency of these citations was not enough to prompt regulatory agencies or the companies themselves to really address the problems.

Steps to Improve Safety Regulation

Safety regulators often lack the resources to conduct effective oversight. Fractured jurisdiction among different agencies also impairs efficiency. There are, however, methods to toughen up regulatory inspections and make safety violations serious enough to prompt meaningful preventive actions by industry.

Some agencies are able to effectively monitor safety issues through computer analysis that considers not only prior accidents but near-accidents as well. The National Highway and Traffic Safety Administration and the Federal Aviation Administration are examples of this proactive approach. Other agencies, such as the Mining Safety and Health Administration, do not have the advanced databases and computer analysis capability to allow prompt action regarding repeated safety violations. This needs to be improved. It is time for all regulatory entities to enter the digital age and track violations by computer.

Stiffer fines and fewer appeals should also encourage increased industry-wide safety precautions. Violations of work regulations that impact employee safety must be immediately and harshly punished by higher fines. Finally, in the case of repeat offenders, governmental authorities must exercise their seldom-used authority to shut down offenders until the safety deficiencies are remedied. The alternative of allowing repeat violators to continue to operate with no repercussions has been shown this year to produce devastating consequences.