

BOARD OF COAL MINING EXAMINERS

SUMMARY OF MEETING

AUGUST 7, 2012

The following is a summary of the August 7, 2012 Meeting:

- I. Meeting called to order at 9:05 AM by Joseph Buchanan. Members present were Joseph Buchanan, Arvil McConnell, and Ricky O'Quinn. Members Randy Moore and Gerald Kendrick were absent. Also present were Mary Gibson, Regulatory Boards Administrator and Sharon Pigeon, Sr. Assistant Attorney General.
- II. Opening statement delivered by Joseph Buchanan.
- III. Motion made and seconded to accept August 7, 2012, meeting agenda and approve July 3, 2012, meeting summary. All members were in favor to approve.
- IV. Review of Virginia Substance Abuse Cases (Closed Session)

Of the cases that resulted in hearings, evidence was taken by the Board in closed session, pursuant to Virginia Code §§ 2.2-3711(A)(4) and 45.1-11.35(E). In the closed session, the Board worked out agreements, allowing individuals to return to work conditionally, and took other disciplinary actions including revocation of all certifications held by miners.

- V. Review of cases of Virginia certificate holders

Chadwick Samuel Coleman

Board Decision: The West Virginia Office of Explosives and Blasting suspended Mr. Coleman's blasters certification for six months for his second flyrock violation in seven months. Since he holds a Virginia blasting certification and is employed in the capacity of a contractor blaster allowing mobility from job to job, the Board required Mr. Coleman to appear for review of the incident and certification status. Upon hearing Mr. Coleman's testimony and corroborating testimony from Anthony Kidd, Safety Director of Virginia Drilling, his contractor, the Board voted unanimously to follow the West Virginia Office of Explosives and Blasting decision in that Mr. Coleman's Virginia blaster certification will be suspended for six months. Upon reinstatement by West Virginia of the certifications and notification to Virginia, Mr. Coleman's Virginia blaster certification likewise will be reinstated.

VI. Open Agenda

Board Administrator Mary Gibson reported on a follow-up of the Board's request for more information on the Community Service Boards (CSBs) providing suboxone treatment services. In response to the Board's inquiry, Ms. Gibson provided the Board with correspondence from the CSBs documenting their treatment services, including medication assisted treatment programs for suboxone. The Board discussed prospective requirements and guidelines to which miner's must adhere through agreement for a return to work status through treatment either with the CSBs or private physicians. Ms. Gibson will meet with the CSBs to draft standards which will be communicated to the miners, coal operators and suboxone treatment providers/physicians.

Ms. Gibson asked for clarification from the Board of action to be taken when operator's report a drug screening that was not completed due to "cold" specimen and which was not followed through to completion for screening. The Board stated that the screening will be considered a "failed" drug screen and will result in the temporary suspension of the miner's certification pending appearance before the Board and further drug screening.

VII. Next Meeting

Next meeting will be September 4, 2012.

VIII. Adjournment

Meeting adjourned at 3:30 PM.