
VIRGINIA COAL MINE SAFETY BOARD

**Department of Mines, Minerals, and Energy
Thursday – May 9, 2013 – 9:30 A.M.**



MINUTES**VIRGINIA COAL MINE SAFETY BOARD****MEMBERS PRESENT:**

Ernest Benko
David Berry
Patti Page Church
Carroll Dale
Harless Mullins
Billy Jo Powers
Richard R. Waddell

OTHERS PRESENT:

M. Randy Moore, Chief, Division of Mines (DM)
Bradley Lambert, DMME Deputy Director
Mike Willis, DM Safety Engineer
Sharon Pigeon, Sr. Assistant Attorney General
Becky Sanders, DM Admin Program Specialist
Patty Varner, DM, Recorder

Meeting Called To Order

Vice Chairman Patti Church called the meeting to order. A roll call of members determined a quorum with seven members present. Currently, there are two vacancies on the Board due to the retirement of Foster Tankersley and resignation of Max Kennedy. Appointments have not yet been made for the two nominations made to the Governor's office to fill the vacancies. Ms. Church recommended waiting on electing a new chairman until the two vacancies on the Board are filled; Board Members were in agreement.

Vice Chairman Church called for review of minutes from previous meeting on May 3, 2012; a motion to accept the minutes was made, seconded, and unanimous vote taken.

Mine Safety Awards 2012

Nominations for the Mine Safety Awards for 2012 were reviewed and approved by the Board. The Board reviewed proposed changes to the criteria for the awards last year and the consensus for changes which have been incorporated were to change time periods for no lost time due to accidents from five years to three years for underground mines and change time period from 10 years to five years for surface mines in order to encompass surface mines which work out and close within 10 years. The mine operation having the highest number of employee hours with zero lost time accidents in each category will receive the mine safety award. Any other mines which meet the minimum requirements in their category and have zero lost time accidents will receive certificate awards.

Individual nominations included four miners for 40 years of working with no lost time for injury, 26 miners for 30 years of working with no lost time for injury, 18 with 20 years, and six with 10 years. Company nominations included three large underground operations, six medium underground operations, two small underground operations, eleven large surface operations, five medium surface operations, and two small surface operations, seven small underground operations, one underground facility working three years or more without a lost time accident and one surface facility working five years without a lost time accident. MSHA's Denver database confirms the reportable injury rates. The Board voted unanimously to approve the safety awards and considers it an honor to recognize these safety achievements.

Overview of Virginia Coal Mine Safety Performance and Current Issues

Mike Willis, Mine Safety Engineer, presented the overview of the Virginia coal mine safety performance with emphasis over a ten-year history. Coal tonnage production figures continue to decline especially the last 12 months which reflects recent closing of mines and employee layoffs; employment figure declined 257 from last year to 4,713. Fifty-nine underground mines and 50 surface mines reported tonnage last year. The top 10 producing mines were highlighted.

Fatal accident numbers continued to decline with the last occurrence on January, 2012, at an underground mine. Serious personal injury is defined by the Coal Mine Safety Laws and best policy procedures of action to be taken during the 24 hour period of determining the serious personal injury. Year 2012 had the lowest level (six) over the ten year period of serious personal injuries and that number is reflective of reduced mine operations and employment levels; the six reported accidents of 2012 and four to date in 2013 were discussed. The Mine Safety and Health Administration (MSHA) mandates a tight reporting protocol of injuries. Randy Moore commended those receiving safety award achievements under these strict guidelines.

The number of complaints received were down to 36 compared to over 50 the previous year; two ignitions and one inundation were reported, all good statistics over the course of a year. The Board discussed tracking methods on complaints regarding type of complaints and action taken or not required, underground or surface operation or contractor.

Statistics for violations and closure order enforcement activities and other investigations were reviewed. Individual and contractor violations numbered more than any previous years since tracking of them. The increase may be reflective of the influx of a younger, less experienced coal miner workforce. The Board discussed tracking detailed information on the individual violator in the inspection in order to assess specific training needs. The individual violation is a training process for the violator, supplemental to the comprehensive training programs conducted by the mine operators.

Substance abuse cases to date total 704 cases as compared to 591 cases a year ago. Reinstated miners to date are 206 as compared to 176 last year. West Virginia is currently working under an emergency regulation for substance abuse pending finalizing of their permanent regulation, and they are notifying Virginia of their suspended miners. Mr. Moore stated that a tri-state (VA, KY, WV) meeting is scheduled at which substance abuse procedures will be reviewed.

Statistics on the number of roof falls (36) and skin control (rib and brow) failures contribution to serious personal injuries or fatal accidents were reviewed. This number is at the lowest level since tracking started due to roof control technology and methods. DM presented information on the processing of plans for mining within 200 feet of gas wells which number has risen steadily to over 80 last year. There are over 8,000 active gas wells. Procedures for gas well drilling near coal mines and new technology for avoiding wells were reviewed.

DM presented information on surface mining issues regarding highwall falls and slides, entrapped highwall miner machines, haulage incidents, blasting issues and mining near gas wells. Several close calls from these incidents fortunately did not result in serious personal injuries.

DM's staffing level is currently at 42.5 employees with 3.5 vacancies. MSHA just recently cut a training grant by 60%. Butch Lambert stated DMME is committed to maintain a quality training program for the Small Mine Safety Service Program operations. The Board concurred that these type programs are very beneficial and a "good bang for the buck". DMME continues to collaborate with area colleges for our training of miners, trainers and other mining workers through use of their resources.

Review of Memoranda of Understanding

Randy Moore reported on recent events prompting a Memoranda of Understanding between Virginia DMME and Kentucky Office of Mine Safety and Licensing which sets forth regulatory jurisdiction for North Fork #6, a cross-state coal mining operation.

Open Agenda - Current DM Initiatives

Major initiatives for 2013 include reviving the Lonesome Pine Council of Holmes Safety Association, re-starting the Virginia Problem Solving Group, surface mine blasting, revision of mining within 200 feet plans for surface, underground, and highwall miners, tri-state coordination, use of emergency response van for electrical training and as a communication center during emergency response and continuing education development and review with all BCME instructors.

Board members discussed mine foreman training, level 3 Mine Emergency Response Drill (MERD) training conducted at Consolidation Coal Company for approximately 100 employees which involves much effort and planning. These MERDS are a result of the MINER Act of 2006 to provide opportunity to learn how to respond to an emergency situation and for agencies to contemplate right decisions. DMME and MSHA are available to assist any company in MERD exercises.

Board members commended efforts in producing the 20-minute video, Lead the Way, on mine emergency recently developed by DM with MSHA grant funds. The video is an excellent training tool in the mining industry. Members were presented with a copy of the video, and were encouraged to inform their colleagues of the availability of copies for distribution to the mining community. Butch Lambert expressed his intention of DMME sponsoring a mine safety symposium in coordination with a local college for sharing of information either this fall or next spring. Mr. Lambert encouraged the Board to begin thinking on any proposed regulation changes which would be due to the administration in Richmond by the first of August; suggestions may be emailed to Mr. Lambert or to Mr. Moore.

❖ **Next Meeting: To be announced at a later date.**

Adjournment

Upon a motion made and seconded, the meeting was adjourned.

Respectfully submitted,

Patty Varner

Patty Varner
Secretary