



March 10, 2020

Mr. Bernie Pavlick
Rosebud Mining Company
301 Market Street
Kittanning, PA 16201

Re: **Crooked Creek Mine**
Diesel Fueling Plan – Intake Escapeway
BMS Plan No. 4464

Dear Mr. Pavlick:

We have completed our review of the plan noted above and approve it as submitted. A copy of the approved plan is enclosed. All of the conditions, guidelines and pertinent laws governing the plan must be in compliance for the plan to remain in effect. Any deviation from the plan without the written consent of the Bureau could result in withdrawal of this approval.

If you have any questions, please contact Chas Washlack, Program Manager at 724.404.3145.

Sincerely,

A handwritten signature in blue ink that reads "Richard A. Wagner".

Richard A. Wagner, P.E.
Director

Enclosure(s)

cc: Brenton Harmon
Jeffrey Hamilton
Gary Barkley
Richard Murphy

**Pennsylvania Technical Advisory Committee
On Diesel Powered Equipment**

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July 10, 2020

Richard Wagner, Director
Bureau of Mine Safety
Department of Environmental Protection
131 Broadview Road
New Stanton, PA 15672

RE: TAC recommendation on a request from Rosebud Mining Company Crooked Creek Mine for review and approval of a "Plan to Fuel Diesel Equipment in an Intake Escapeway".

Dear Mr. Wagner:

Chapter 4 of the "Bituminous Coal Mine Safety Act" (the Act) provides for the use of diesel-powered equipment in underground bituminous coal mines. Section 424 of the act created a Technical Advisory Committee ("TAC") for the purpose of advising the Department regarding implementation of Chapter 4 and evaluation of alternative technology or methods for meeting the requirements of Chapter 4.

Section 411 of the Act (Fueling) states "In those cases where fueling in the intake escapeway is necessary, the mine operator shall submit a plan for approval to the department, which shall be investigated by the Technical Advisory Committee in accordance with section 424, outlining the special safety precautions that will be taken to insure the protection of the miners...".

Background

On January 22, 2020 the Department received a letter from Rosebud Mining Company requesting approval of a "Plan to Fuel Diesel Equipment in an Intake Escapeway" at Crooked Creek Mine.

On April 8, 2020 the TAC met to conduct their investigation.

Investigation

On April 8, 2020 the TAC met by phone with Bernie Pavlick, Rosebud Mining Company Engineer to review the plan and gather information for their recommendation.

The plan submitted and reviewed is site specific to the Crooked Creek Mine, and not intended to establish guidelines for other mines. This TAC investigation and recommendation is only applicable to this plan at Crooked Creek Mine.

The TAC investigation is guided by Section 411 (Fueling) of the Act as well as other pertinent sections. The TAC worked with all parties to develop a plan that incorporated special safety precautions to ensure the protection of miners and complied with all the requirements of the Act. Mine specific safety features were considered during review of the fueling plan. These included the need identified for Intake Escapeway Fueling, the mine map layout and fueling area precautions including firefighting equipment, the mine communication system and carbon monoxide (CO) monitoring system being utilized at Crooked Creek Mine.

After reviewing the mine map and based on conversations with the operator the TAC has determined that the mine design and entry configuration make it necessary to conduct fueling in the intake escapeway at Crooked Creek Mine.

As required in Section 411, the plan specifies there will be a fixed location in the intake escapeway where the fueling will occur, and the location will be identified by a sign and marked on the mine map. The plan addresses the examination of the area for spillage or fire by a qualified individual. A spill cleanup kit will be located at the Intake Escapeway Fueling site and will include all necessary personal protective equipment as well as fuel absorbent materials. Fueling will be done by a trained diesel equipment operator who will be trained in the cleanup and disposal of diesel fuel spills when diesel powered equipment or mobile transportation equipment is being used or when any fueling of diesel powered equipment is being conducted as required in Section 411.

The plan provides additional protection to the miners by maintaining a charged waterline with adequate fire hose and a Pro/pak portable foam system at the fixed location of the fuel transfer. Also the area where fuel transfer will take place will be coated with gunnite and will be well rockdusted. Additional precautions for transporting the fuel buffalo, training of the persons conducting the transporting and fueling operations, length and construction of the fueling hose and communication procedures as stated in the plan also add additional protection for the miners.

The plan does not allow permanent storage of the fuel buffalo in the intake escapeway, and requires that it will be stored in an area that complies with Section 405 of the Bituminous Coal Mining Laws of Pennsylvania.

The TAC believes that this plan will provide adequate protection to the miners when fuel transfer will take place in the intake escapeway and does not compromise the level of health and safety as required by the Act.

Recommendation

The TAC recommendation is based on the plan complying with Chapter 4 of the Act, conversations with the operator, observations made during the review of the mine map, communications and tracking system, and a review determining if the plan does not compromise the level of health and safety as provided by the Act.

The TAC thoroughly investigated this site-specific request and recommends approval of the attached plan (Attachment 1). The TAC believes this plan for Crooked Creek Mine meets all the requirements of Section 411 and does not compromise the level of health and safety provided the miners under the Act and, therefore, recommends approval.

This recommendation for approval is only for the "Plan to Fuel Diesel Equipment in an Intake Escapeway" at Crooked Creek Mine. It is not intended to establish guidelines for other mines. The TAC also recommends that all requests for fueling in the intake escapeway be handled on a mine by mine basis.

The TAC recommends approval for the "Plan to Fuel Diesel Equipment in an Intake Escapeway" at Crooked Creek Mine.



Paul Borchick



Ron Bowersox