

**MINUTES**  
**BOARD OF COAL MINE SAFETY**  
**September 13, 2011 - Home, PA**

**BOARD MEMBERS**

John Stefanko, alternate for Chairman Michael Krancer, Secretary, DEP  
Ron Bowersox, United Mine Workers of America  
Frank Reidelbach, United Mine Workers of America  
Albert Aloia, CONSOL Energy, Inc.  
John Gallick, AlphaNatural Resources  
Stan Popich, Rosebud Mining Company  
Jim Sabella, United Mine Workers of America

**OTHERS PRESENT**

Joseph Sbaffoni, Director, Bureau of Mine Safety  
John Burr, CONSOL Energy, Inc.  
George Ellis, Pennsylvania Coal Association  
Todd Moore, CONSOL Energy, Inc.  
Jim Pablic, AlphaNatural Resources, Amfire Mining  
Doug Brennan, DEP Regulatory Counsel  
Dave Doney, Rosebud Mining  
Jim Lamont, UMWA  
Pat Higgins, Indiana University Research Institute, BTG  
Brian Petersen, Indiana University Research Institute, BTG  
Kent Tonkin, Saint Francis University/CERMUSA  
Jacob Taylor, CERMUSA  
Allison Gaida, Bureau of Mine Safety

**CALL TO ORDER AND APPROVAL OF MINUTES:**

Chairman Michael Krancer was unable to attend this meeting due to the recent flooding in Harrisburg and designated John Stefanko to serve as his alternate. John Stefanko called the meeting to order at 10:06 a.m. in the Marion Center Mine Rescue Training Facility Conference Room, 21 Griffith Drive, Home, PA. All Board members were present and introduced themselves.

The Board considered its first item of business – approval of the June 14, 2011, meeting minutes. John Stefanko called for a motion to adopt the minutes.

**John Gallick moved to adopt the minutes. Ron Bowersox seconded the motion, which was unanimously approved by the Board.**

## OLD BUSINESS:

### Identifying and Prioritizing Regulations to be Addressed:

John Stefanko asked the Board for suggestions on regulatory priorities. John Gallick suggested two regulations, which the PCA agreed upon prior to this meeting. These include:

- Regulations to implement Section 106.4, Standards for surface facilities of the Bituminous Coal Mine Safety Act (BCMSA) – This is a specific requirement for the Board to address and should be the first priority.
- 30 CFR 75.403 - MSHA promulgated a rule for rock dust standards to be increased from 65% to 80%.

John Gallick said that the PCA members did not get a chance to discuss their issues with the UMWA members. UMWA Representative Ron Bowersox agreed with John Gallick's suggestions.

At John Stefanko's request, Bureau of Mine Safety Director Joseph Scaffoni read a list that DEP Attorney Richard Morrison developed, which included regulations the Board could consider for promulgation. In addition to the priorities suggested by John Gallick, the list included regulations to implement the provisions of the following:

- Section 106.5 of the BCMSA concerning Track Distance Exemptions
- Section 205 of the BCMSA concerning Miner Certification
- Chapter 6, Emergency Medical Personnel, Section 606 of the BCMSA concerning EMT Operational Provisions
- Section 106.1(j) of the BCMSA concerning Fees
- 30 CFR 75.823 -75.834, 75.1002 of MSHA regulations concerning High-Voltage Continuous Mining Machine Standards (Final Rule)

After Joseph Scaffoni's presentation, the Board noted it needs additional time to look at the Department's list before prioritizing other regulatory actions.

**A motion was made by John Gallick for the Board to begin work on Section 106.4, surface regulations, and 75.403, incombustible content, and that the Board will review the remainder of the list provided by the Department, and at the next meeting, make a determination as to whether to pursue promulgating regulations. Ron Bowersox seconded the motion. All present were in favor and the motion carried unanimously 7 to 0.**

NOTE: The Board is currently working on Section 106.1(i), 334(b) and (c) evaluations and, therefore, is not included in this motion. The priority list being developed is for new actions.

### **Update on PCA Cable Study:**

John Burr introduced himself and presented a background on the purpose of the study to John Stefanko.

He then gave an update on the study since the June 14 meeting. Smaller mines had concerns about sensitive ground fault because of differences of longwall mining and mining done in small mine environments. Nolo Mine and Alpha agreed to install two test units. These have run successfully. They are building confidence that this system is very close to working, and at the end of the year, should be able to make a statement concerning the feasibility of sensitive ground fault protection.

A General Cable was put on a shuttle car at a CONSOL mine, and it operated with no real issues. However, after 5 splices it was taken out of service. Braided shield (much the same as metallic shield) rolled in tape form was used to replace the semi-conductive material to make splices. The second cable was a flat cable, but they could not find a machine to use in a real application. It is being used in a mine in a 'drag' application. AmerCable made a cable for use at Cumberland Mine. This installation has been delayed by Cumberland having difficulty w/AmerCable representative regarding training. Cumberland, AmerCable, and Global were interested in using a different kind of splice. There is a general agreement that maybe that has been delaying the test in their mine a little too long, and they are going to re-evaluate the splice issue and put the cable in the mine. CONSOL had six cables delivered to Enlow Fork Mine. The mine was concerned that those cables were going to get lost in the mine and they would be used for another purpose, so they wanted a reflective material used to identify the cables. General Cable representative agreed to do that, but it delayed getting the cables into the mine. A longwall move delayed it even further, but it is now in the mine. John Burr estimated that the cable testing would be completed by the end of this year and a report will be presented to the Board.

Joe Scaffoni stated that this testing is to identify new technologies that will prevent electrical shock hazards. Technology is already available to put shielding on non-cable reel machines. The Board needs to take action on 334(b) utilizing existing technology or the new technology being evaluated.

DC equipment cables do not have ground wire monitoring at this time. They are working hard to develop a ground wire monitor for DC cables. Bucyrus is working with industry on this. A report should be available by the first quarter of 2012.

John Burr stated that there are mines that have DC-powered equipment where there is an AC power source available. Currently on battery equipment, the only power on the machine is the DC battery where neither terminal is grounded. Need to find a way to effectively power the monitor.

### **Responsible Person Training:**

Ron Bowersox questioned the wording difference in Annex A and the Order relating to Section 208.41, Emergency Evacuation of the final Underground Coal Mine Safety rulemaking and noted that he did not agree with the wording change concerning training. Joe Scaffoni explained that the Order provides an explanation of the changes made to Annex A from proposed to final rulemaking and may not necessarily include the exact language that is used in the Annex. Although the Annex, as distributed at the meeting contained the same language as approved by the Board on June 14, 2011, John Stefanko indicated to the Board that he would ask legal counsel to report at the next meeting the accuracy of the Annex distributed at today's meeting.

Ron Bowersox suggested recommendations for 'responsible person' training. CONSOL already does training for all responsible persons focusing on the first three hours in an emergency. Jim Public (Amfire Mining) told the Board that Alpha has an incident response plan that is made available to responsible persons on the surface which includes what to do and who to contact.

### **NEW BUSINESS:**

John Stefanko asked the Board for a process to develop regulations. He asked if the Board would like to initially draft the regulations and provide the draft to the Department to format it. John Gallick said they would use the same language and make changes to MSHA's language for the regulations on rock dusting. Joe Scaffoni noted that regulatory language should be drafted by the Board and then provided to DEP to format it.

**John Gallick made a motion that PCA Board members will draft a regulation for 106.4 of the BCMSA and for 30 CFR 75.403, submit it to the UMWA members and then jointly submit a draft to the Department for further action. Ron Bowersox seconded this motion. All were in favor, and the motion passed unanimously.**

Section 106.4, standards for surface facilities, will be an agenda item for discussion at the next meeting in December, along with an update on the 334(b) and 334(c) evaluations and tests.

Joe Scaffoni also explained that AED regulations can't move forward until Chapter 208, Miner Act Regulations, are in place. Once the final rule is published in the *Pennsylvania Bulletin*, the Board will be able to put the proposed AED regulations out for public comment.

### **PUBLIC COMMENT:**

John Stefanko asked if there were any public comments. There were none.

**ADJOURNMENT:**

With no further business to discuss,

**Albert Aloia made a motion to adjourn the meeting. Frank Reidelbach seconded this motion, which was unanimously approved by the Board.**

The official meeting adjourned at 11:24 a.m. The next meeting is scheduled for December 13 at 10 a.m. at the Fayette County Health Center in Uniontown.

Following the official meeting, a presentation by CERMUSA (Center of Excellence for Remote and Medically Under-Served Areas) took place to brief the Board members on a proposed joint project between CERMUSA and the Indiana University of Pennsylvania Research Institute to seek government-research funds to modify existing software known as CIMS (Civil Support Team Information Management System).