

**MINUTES**  
**BOARD OF COAL MINE SAFETY**  
**DEP Cambria Office**  
**March 23, 2016 – 10 a.m. – Ebensburg, PA**

**BOARD MEMBERS**

John Stefanko, Acting Chairman, Executive Deputy Secretary for Programs  
John Gallick, PCA  
Stan Popich, PCA, Rosebud Mining Company  
Charles Shaynak, PCA, Consol  
Ron Bowersox, UMWA  
Frank Reidelbach, UMWA  
James Sabella, UMWA

**OTHERS PRESENT**

Jim Public, Cumberland Coal (Alpha)  
R. Henry Moore, Jackson-Kelly  
Don Foster, LCT  
Ben Stock, Rosebud  
Jake Wells, Rosebud Mining  
Tanner Lowmaster, Rosebud Mining  
Will Dando, PCA  
Chris O’Neil, Consol  
Joe, Somogyi, Rosebud Mining  
Laura Edinger, DEP Policy Office  
Joe Iole, DEP, Regulatory Counsel  
Tammy Cree, Active and Abandoned Mine Operations  
Craig Carson, DEP, Director, Bureau of Mine Safety  
Jeffrey Kerch, DEP, Bureau of Mine Safety  
Arthur Brower, DEP, Bureau of Mine Safety  
Allison Gaida, DEP, Bureau of Mine Safety

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

Acting Chairman John Stefanko called the meeting to order at 10:05 a.m. in the DEP Cambria Office, Conference Room 1A/B in Ebensburg. Acting Chairman Stefanko asked for introductions around the room.

Acting Chairman Stefanko asked the Board to consider its first item of business, which was approval of the December 8, 2015, meeting minutes. John Gallick asked that a revision be made to the minutes under the Proposed Rulemaking on Sensitive Ground Fault. He would like #1 of the objectives on page 3 to state ‘weekly permissibility record is used’.

**Frank Reidelbach moved to adopt the minutes, as amended, to the Board.**  
**Chuck Shaynak seconded the motion, which was unanimously approved by the Board.**

## **UPDATE ON STATUS OF PROPOSED RULEMAKING ON PROXIMITY DETECTION SYSTEMS:**

Acting Chairman Stefanko provided an update on the proposed Proximity Detection Systems rulemaking. The proposed rulemaking went out for public comments on March 19, and will close on April 18. Anyone that would like to comment on that proposed rule can do so on eComment on the DEP website. He asked for any questions comments from the Board. No comments were provided.

## **EMT-INDUSTRIAL DISCUSSION:**

At the last meeting, the Board agreed that a subcommittee should be developed to propose language for Article 6 of the Bituminous Coal Mine Act. The subcommittee would meet and draft a letter to be jointly signed and presented to the legislature. Chuck Shaynak informed the Board that one meeting had been held, but another meeting was going to be held to get clarification on the EMT first responder classification to see if it satisfied the needs of the miner industry. PCA also conducted a survey on the number of EMTs in Pennsylvania highlighting age of responders and years of service. The survey will be discussed at the next subcommittee meeting.

This EMT subcommittee meeting is scheduled for April 14 in New Stanton.

## **SENSITIVE GROUND FAULT DRAFT REGULATION:**

A draft regulation was presented by PCA at the previous meeting; however, the Board chose wait to move forward until UMWA concerns could be addressed. The Board agreed at the December 2015 meeting for DEP to consider all comments and amend the draft regulation for the Board to consider at the current meeting. Acting Chairman Stefanko asked DEP Legal Counsel Joe Iole to give an overview of the language that was added to this draft regulation. Joe Iole reviewed the changes that were made to PCA's draft regulation.

A lengthy discussion among the Board members was held with input from those in attendance on the best way to communicate information from one shift to another. Acting Chairman Stefanko read proposed language for 2(b). Implementation Schedule: "These regulations are effective immediately upon enactment for all load centers that power equipment that operates inby the last open crosscut and that is purchased after the effective date of the regulations and such load centers that are rebuilt after the effective date of the regulations at new mines. For any load centers that power equipment that operates inby the last open crosscut that are located in or at a mine on the effective date of the regulations sensitive ground fault protection shall be installed within 60 months after the effective date of this regulation."

John Gallick suggested changing 300 to 500 milli-amperes under 1(b). Ron Bowersox informed the Board that the UMWA would agree to move forward with the new regulations as proposed ("...a ground fault which shall not exceed 300 milli-amperes nominally; provided that if nuisance tripping occurs on such circuits, such devices shall be permitted to be adjusted to the minimum setting necessary to prevent nuisance tripping. In no case shall the device(s) be adjusted greater than the lower value of 500 milli-amperes or one half of the neutral ground resistor's current rating.") stating

that the UMWA's decision is based on the expertise of the DEP and industry (electrical task force) regarding the settings of the load center in the proposed regulation.

The Board agreed that 1(b)(ii) would be deleted and the Implementation Schedule language would be replaced with the new language.

**A motion was then made by Stan Popich to move forward for DEP to develop the Annex and draft regulations with the removal of 1(b)(ii) and replacing the Implementation Schedule with the proposed language. Ron Bowersox seconded the motion, which was unanimously approved by the Board.**

### **BUREAU OF MINE SAFETY DIRECTOR POSITION UPDATE:**

Acting Chairman Stefanko announced that Colvin Craig Carson was appointed as the Bureau of Mine Safety Director. He commended Craig stating he has been doing a great job and encouraged the Board to feel free to contact him. Director Carson's previous position as Bituminous Mine Safety Program Manager will be filled in the near future.

### **NEW REGULATIONS BOOK:**

Acting Chairman Stefanko showed a draft proposed regulation book with the Chapter 208 regulations up to this point, stating new regulations will be added as approved. This booklet can then be shared with the industry and UMWA. He also showed a draft internal document that incorporates the federal regulation language for the approved Chapter 208 regulations. This document will be used internally to supplement the Chapter 208 regulation booklet.

The Board agreed that DEP should move forward with printing these booklets.

### **OTHER BUSINESS:**

Acting Chairman Stefanko asked if there were any other issues the Board would like to consider.

Ron Bowersox inquired whether the Board could be notified of future Electrical Taskforce meetings. Joe Iole will check to see if others can be in attendance.

### **PUBLIC COMMENTS:**

Acting Chairman Stefanko asked the members of the public in attendance for comments.

### **ADJOURNMENT:**

With no further business to discuss,

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

The meeting adjourned at 11:53 a.m. The next Board meeting will be held on June 14, 2016, at 10:00 a.m. at the DEP Cambria Office in Ebensburg.