

MINUTES  
BOARD OF COAL MINE SAFETY  
DEP Cambria Office  
March 2, 2022 – 10 a.m. – Ebensburg, PA

**VOTING BOARD MEMBERS PRESENT**

John Stefanko, DEP, Deputy Secretary for Active and Abandoned Mining Operations  
Bobby Bodenschatz, PCA  
Ron Bowersox, UMWA  
Todd Moore, PCA  
Frank Reidelbach, UMWA  
James Sabella, UMWA  
Joseph Zelanko, PCA

**DEPARTMENT OF ENVIRONMENTAL PROTECTION STAFF PRESENT**

Richard Murphy, DEP, Bureau of Mine Safety  
Chas Washlack, DEP, Bureau of Mine Safety  
Arthur Brower, DEP, Bureau of Mine Safety  
Dustin Mowery, DEP, Bureau of Mine Safety  
Peggy Scheloske, DEP, Bureau of Mine Safety

**DEPARTMENT OF ENVIRONMENTAL PROTECTION STAFF PRESENT VIA TELEPHONE**

Richard Wagner, DEP, Director, Bureau of Mine Safety  
Laura Griffin, DEP, Policy Office  
Chris Minott, DEP, Bureau of Regulatory Counsel  
Abbey Cadden, DEP, Policy Office

**OTHERS PRESENT**

Rachel Gleason, PCA  
R. Henry Moore, Fisher Phillips, LLP

**OTHERS PRESENT VIA TELEPHONE**

Jake Wells, Rosebud  
Tanner Lowmaster, Rosebud  
Ben Sock, Rosebud  
Jules, Observer

**CALL TO ORDER AND APPROVAL OF MINUTES**

John Stefanko, DEP Deputy Secretary for Active and Abandoned Mining Operations and Acting

Chairperson of the Board of Coal Mine Safety called the meeting to order at 10:12 a.m. in the DEP Cambria Office, Conference Room 1A/B in Ebensburg. Acting Chairperson Stefanko asked the members present to state their names and indicate who they are representing on the Board, Stefanko then asked all others present to introduce themselves, and then asked the persons who joined over the telephone to introduce themselves.

The Board considered its first item of business which was approval of the June 1, 2021, meeting minutes.

**James Sabella moved to adopt the minutes to the Board. Bobby Bodenschutz seconded the motion. The motion was unanimously approved by the Board, and the minutes were adopted as presented.**

### **Longwall High Voltage Cable Splicing Technical Specifications**

Acting Chairperson Stefanko explained that at the last meeting the Department agreed to review the longwall shear cable splicing policy to consider whether the policy should be updated to adopt MSHA's splice kit, which does not require splices to be poured.

Chas Washlack and Arthur Brower presented the recently approved technical specifications that were developed by the task force. The purpose was to bring the 1990 commission report up to date with new technology and methods. The original commission report increased voltage from 995 to 2400 and the splicing portion was not very detailed. The Task Force also spoke with representatives from industry and MSHA. The new specifications offer flexibility for the operators and increase safety for the miners.

The Electrical Task Force is comprised of two members of the Bureau of Mine Safety, Chas Washlack, Electrical Program Manager and Arthur Brower, Electrical Engineer Manager and two industry representatives, Joe Somogyi from Rosebud Mining and Chris O'Neil from Consol Energy.

Chris Minott explained that the Safety Laws, Section 350, Subsection C and D specifically describe the function of the task force relating to equipment approvals, including electrical systems, safety systems and specifications and how it can be used to develop performance specifications and to technically review items where there is no specific technical guidance.

A general discussion ensued.

It was noted that the section of the law in item number 4 of the Technical Specifications is listed as Section 46.9 and should be 48.9. The Task Force will make the change to the Technical Specifications.

### **Diesel-Powered Equipment: Extend Oil and Filter Change Interval from 100 hours to 200 Hours.**

Acting Chairman Stefanko explained that at the last meeting the Board discussed an industry

request to extend the oil and filter change interval from 100 hours to 200 hours. This will require a legislative change; however, the Department agreed to explore the subject for further consideration.

Chas Washlack and Arthur Brower presented their recommendations and data that they collected.

The recommendations only pertain to the requirements for the oil change and oil filter. The Department spoke with West Virginia operators and MSHA and reviewed manufacturers' data. West Virginia DEP indicated that from their experience the 200-hour interval should have been limited only to the oil change. MSHA's diesel technician noted that when those emissions are set, they use a seasoned oil in the engine it is a great idea to get an accurate reading of emissions. The manufacturers' data shows that engine types used in Pennsylvania have service intervals recommendations in excess of 200 hours in a comparable service. However, it is critical that the proper oil is used. A sample maintenance schedule from a manufacturer was presented. The Department's recommendation to extend the interval is based upon the requirement that the engine manufacturers' recommendations shall be followed.

The Department makes the following recommendations:

- A. Agree to extend the oil and filter change from 100 to 200 hours of service
- B. Follow maintenance recommendations for oil and filter type
- C. Mine should submit a specific addendum to their diesel plan
- D. Plan shall include test data for each engine group. Data shall be submitted at 100, 150 and prior to 200 hours oil change then after new oil on a test machine. A multi-gas detector must be present during testing and these tests shall be witnessed by a Department representative.
- E. This should not apply to any permissible equipment only outby equipment.

Arthur Brower presented a comparison of emissions from heavy duty engines tested weekly. This data did not show a change. It showed little or no impact on emissions indicating that the extended oil change should have no measurable effect. The air filter, washing equipment, and all maintenance would remain at 100 hours, as this recommendation only applies to the oil change. Each mine would need to request the addendum to their diesel plan individually.

Acting Chairman Stefanko reminded the members that this is not something that the Board can act on; extending the oil and filter change interval requires a legislative change. If the Legislature is approached to change the statute, the Board would be asked for its recommendations on the bill. If the Board would need to promulgate a regulation to implement the change to the statute, there would be an opportunity for public comment. Acting Chairman Stefanko asked if there was anything in the recommendations that concerned the Board at this time. Discussion followed.

Board members asked how the Department could address problems that may arise if the interval change is made, what the legislative language might look like, and when monitoring would end. Bureau of Mine Safety staff said the Department will have the ability to revoke the addendum to the diesel plan and the State diesel inspector will be reviewing the data on an ongoing basis.

Acting Chairman Stefanko noted that there is some proposed language to amend the statute that has been presented and these recommendations will be considered. Art Brower suggested that the Department would be open to considering previously submitted data, but this would need to be incorporated into the law.

Mr. Moore thanked the Department and Board for considering this modification to the oil change interval requirement.

Peggy will email the presentation to the Board and the Department will keep the Board updated on any legislative proposals.

## **OTHER BUSINESS**

### **Proposed Rulemaking – e-Cigarettes**

Acting Chairperson Stefanko asked Laura Griffin to comment on the progress of the e-cigarette regulation. Griffin explained that the regulatory review had not been completed, there had been revisions to some of the supporting documents and that it should be ready for the June 2022 Board of Coal Mine Safety meeting.

Acting Chairperson Stefanko asked if there was any other business the Board would like to consider. No other business was brought forward.

## **PUBLIC COMMENTS**

Acting Chairman Stefanko asked the members of the public in attendance if they would like to provide any other comments. There were no public comments.

## **ADJOURNMENT**

The next Board meeting is scheduled to be held on June 9, 2022, at 10 a.m. at the DEP Cambria Office in Ebensburg. Several members indicated that they would not be available on that date. Peggy will survey the members for availability the following week.

With no further business to discuss.

**Todd Moore made a motion to adjourn the meeting. Joe Zelanko seconded this motion, which was unanimously approved by the Board.**

The meeting adjourned at 11:20 a.m.