MINUTES BOARD OF COAL MINE SAFETY DEP Cambria Office April 24, 2024 – 10 a.m. – Ebensburg, PA

VOTING BOARD MEMBERS PRESENT

John Stefanko, DEP, Deputy Secretary for Active and Abandoned Mining Operations Bobby Bodenschatz, PCA Todd Moore, PCA Roger Berringer, UMWA Ron Bowersox, UMWA Frank Reidelbach, UMWA

DEPARTMENT OF ENVIRONMENTAL PROTECTION STAFF PRESENT

Richard Wagner, DEP, Director, Bureau of Mine Safety Richard Murphy, DEP, Bureau of Mine Safety Dustin Mowery, DEP, Bureau of Mine Safety Bradley Russian, DEP, Bureau of Mine Safety Nick Dady, DEP, Bureau of Mine Safety Jeff Hamilton, DEP, Bureau of Mine Safety Chas Washlack DEP, Bureau of Mine Safety Art Brower DEP, Bureau of Mine Safety Peggy Scheloske, DEP, Bureau of Mine Safety

DEPARTMENT OF ENVIRONMENTAL PROTECTION STAFF PRESENT VIA TEAMS

Robert "Bo" Reiley, DEP, Bureau of Regulatory Counsel Richard Marcil DEP, Bureau of Regulatory Counsel Matthew Kessler, DEP, Office of Chief Counsel Laura Griffin, DEP, Policy Office Max Schultz, DEP, Policy Office Laura Campbell, DEP, Policy Office Stefany Perez, DEP, Government Services Intern Heather Cordial, DEP, Bureau of Mine Safety

OTHERS PRESENT

Rachel Gleason, PCA Ken Fletcher, Rosebud Mining Company Tanner Lowmaster, Rosebud Mining Company Ben Stock, Rosebud Mining Company Jake Wells, Rosebud Mining Company

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 (Board), called the meeting to order at 10:10 a.m. in the DEP Cambria Office, Conference Room 1 A/B in Ebensburg. Acting Chairperson Stefanko asked the members present to state their names and indicate who they are representing on the Board. He then asked all others present in person and via Microsoft Teams to introduce themselves.

The Board considered its first item of business, which was approval of the September 20, 2023 meeting minutes.

Ron Bowersox moved to adopt the minutes to the Board. Bobby Bodenschatz seconded the motion. The motion was unanimously approved by the Board, and the minutes were adopted as presented.

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

Acting Chairperson Stefanko reported that in 2021 and 2022, the Board discussed an industry request to extend the oil and filter change interval for diesel-powered equipment from 100 hours to 200 hours and concluded that this would require a legislative change to the Bituminous Coal Mine Safety Act. At the March 2, 2022 meeting, Bureau of Mine Safety staff presented the Department's findings and recommendations if such an amendment would be pursued. Senate Bill 115 was then introduced in early 2023 to make the suggested amendment and was recently signed into law on April 15, 2024. The law will be effective on June 14, 2024.

Apprentice Miner Certification Plan

Bradley Russian reported that the work group has not been able to come up with a solution that everyone can agree upon and has decided not to pursue the apprentice miner certification. Mr. Bowersox mentioned that he had not received notification of a meeting. Mr. Russian stated that he did send him and email and would talk to him after the meeting.

Equipment Approvals Taskforce-Variable Frequency Drive Technical Specifications

Chas Washlack, Mine Safety Electrical Program Manager, reported that the Equipment Approvals Taskforce, after several meetings, made several improvements to the specifications for ground fault testing and device requirements of Variable Frequency Drives (VFDs) used underground, and they are currently in use. The most current version of the specifications is listed on the Bureau's website.

The Department has reviewed one approval request using these specifications and believes this benefits the safety of the miners and the operator by removing the complexity of the requirements.

Cumberland Mine Transportation Distance

Acting Chairperson Stefanko reported that during the public comment at the last meeting, concerns were raised about the Cumberland Mine regarding "transportation of individuals," specifically clearance of the track and the number of cars on the track and how it effects the distance to travel with an injured miner. The Bureau of Mine Safety staff subsequently visited the mine to review the concerns to determine if a change was needed for safety purposes. Rick Murphy, Program Manager, reported that there are no specific federal or state laws addressing this. Mr. Murphy met with mine management and asked them to work out a policy to address this issue and they subsequently developed a policy that there will only be ten cars on the ramp at one time. This does not apply to the longwall section. Mr. Bowersox mentioned that this solution has been working out for all involved.

Recordkeeping Software for Operators

Chairperson Stefanko reported that at the last meeting, Todd Moore asked the Board for their input on using new software for recordkeeping at the mine site. Mr. Moore planned to set up a test mine to use the technology for 60-90 days. The Department committed to reviewing the statute to determine if it will permit implementation upon favorable testing; or if a statute change or regulation would be required to make sure that what is currently written will cover use of an electronic record.

Bureau Director Rich Wagner reported that regional counsel, Matt Kessler, believes that Section 105.12 of Act 55, Pennsylvania's Bituminous Coal Mine Safety Act (BCMSA), allows the Department to approve, on a mine-specific basis, the use of new technology. However, a section of the BCMSA, Chapter 414, includes requirements for written records regarding testing, maintenance, and repair of diesel-powered equipment. The Bureau may need to ask the Technical Advisory Committee to add a recommendation about recordkeeping. Regulatory counsel, Ricky Marcil, also supported Matt Kessler's recommendation. Counsel also noted other considerations regarding the creation and maintenance of records, such as cybersecurity, personally identifiable information, and ensuring accuracy of recordkeeping. Acting Chairman Stefanko concluded that this is something that can be pursued, and that the Department will need to develop a detailed approval process.

Acting Chairperson Stefanko informed the members that the Department is looking at the term "written" as it applies to many of the Department's laws and the Department is working on a solution for this.

Todd Moore then provided a presentation on the proposed digital conversion of certain forms required by the State of Pennsylvania at mine inspection. His presentation is attached to these minutes.

Mr. Moore explained that Consol has selected two forms to begin testing: the Assistant Mine Foreman OnShift Report and the Daily Report and the Preshift Mine Examiner's Report. Pages have been developed for both onshift and preshift books. These pages include many dropdown lists to select specific entries and prevent typographic errors and a lot of searchable items and there will be a customized data entry section.

The Safety Supervisor has entered in two weeks' worth of notes as a test; they have run into some bugs with the customizable section; these bugs should be worked out by the end of the quarter. Next a select group of examiners will fill out the paper book and the electronic book concurrently as a test to make sure everything is working properly.

To address the concerns of changes being made to the official record, the software company has designed the program with multiple safeguards to ensure that no changes can be made, using integrated Microsoft 365 applications. If a change is made, that will also be recorded. Records can be changed while working on an entry but is locked once a signature is applied and this is indelible at each level of review and approval. The company will have the ability to issue an ID to anyone who needs access, including the State.

Mr. Moore entertained questions from the Board members. It was asked if at some point a monitor would be available for viewing. Mr. Moore explained that may come in the next phase of testing, and ideally available at the elevator for oncoming shifts.

Director Wagner asked if the data could be accessed off site so that inspectors could review the information prior to performing their inspection on property. Mr. Moore said that would be a possibility; however, there must be some limit to access and he will have to give that more consideration. Mr. Moore reiterated that this is not being proposed as a state-wide initiative; but as something available if an operator would like to use it.

Mr. Moore thanked everyone for entertaining this proposal and for working with him on this. Acting Chairperson Stefanko asked Mr. Moore to keep the Board up to date and noted that this will be kept as an ongoing agenda item.

OTHER BUSINESS

Todd Moore Recognition

Rick Murphy announced that Todd Moore had recently been recognized and added to the West Virginia Coal Mining Institute Hall of Fame, which is quite a prestigious honor. The members congratulated Mr. Moore on this accomplishment.

Next Board Meeting

The next Board meeting is scheduled to be held on June 5, 2024. Acting Chairman Stefanko informed the members that he and other members of the Bureau will be unavailable on that day and asked them to consider canceling that meeting if there were no agenda items. The Board requested that the meeting be rescheduled. Peggy will survey the members for availability in June and July.

Acting Chairperson Stefanko asked what type of agenda items should be included. Mr. Moore suggested that we continue to look at the red hat issue and further consider a six-month program

in addition to a twelve-month program and not just stay on the single path that we now have in becoming a certified miner in the State of Pennsylvania. He requested that the Department look at required training that might be considered in implementing a more expedited process. Director Wagner asked Brad Russian to assemble the work group that looked at apprentice miner certification to review this item.

Anthracite Mine Fatality Update

Director Wagner reported that a 63-year-old truck driver working on the surface at the start of a shift got too close to a stockpile berm and rolled the truck over. The operation was not following the plan and it appeared that the driver was not using a seatbelt.

PUBLIC COMMENTS

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

ADJOURNMENT

With no further business to discuss, Todd Moore made a motion to adjourn the meeting. Ron Bowersox seconded this motion, which was unanimously approved by the Board.

The meeting adjourned at 11:01 a.m.

CONSOL Energy

Pennsylvania State Inspection Forms – Digital Conversion

KGC Solutions, Inc. | 5225 Library Road, #134 | Bethel Park, PA 15102 Phone: 412-491-0390

Introduction

There are eight (8) or more PA State Inspection forms that CONSOL uses for their daily inspection processes. These forms support all mining locations and specifically address the locations, sections, and type of installations for that mine. Under the current manual process, there are at least 50 and up to 100 active physical books being maintained.

There are requirements governed by Pennsylvania State to complete these inspections accurately and honestly. A person must hold an active certification and/or license that permits them to conduct a state inspection for an installation within the mine. All inspections must be documented in the appropriate book. The book must be filled out in ink, and then signed off and dated by the responsible person. This manual paper process can allow the transmission of the information and data to be completed in error or inconsistent.

All books are reviewed and signed off by the General Mine Foreman and the Superintendent of the respective mining location. The General Mine Foreman countersigns these books daily and the Superintendent is at least weekly.

In a partnership between CONSOL and KGC Solutions two forms were selected as prototypes to digitally transform the manual process as it is today. Field testing was completed using previously completed data to gather feedback from the field workers.

Area of Concern

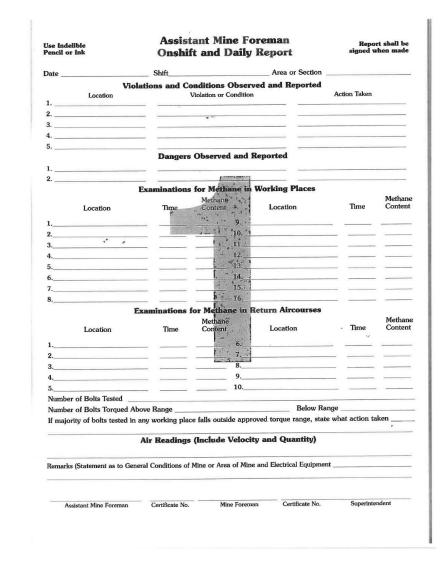
This process is heavily audited and relied upon for the safety and well being of our employees and assets. Failure to maintain compliance of the law can result in safety implications, operational delays and agency reporting.

Prototype Selected Forms

Assistant Mine Foreman Onshift and Daily Report | Preshift Mine Examiner's Report

Assistant Mine Foreman Onshift and Daily Report

The current form is a single page document with multiple sections for data entry.



Assistant Mine Foreman Onshift and Daily Report

Converting this form to a digital form allows for consistent entries across all the employees completing the form. The digital form controls certain entries to drop down options, formatting numeric values, and expanding the narrative section allowing for a detailed description. Conditional logic is used to control what options are available to select in certain fields.

\langle)	Assistant Mine Foreman Onshift and	Daily Report	
		Report shall be signed v	hen made.	
D	ate 1/25/2024	Shift Midnight	Area or Section Be	its 💙
		Violations and Conditions Obser	ved And Reported	
	Location	Specific Location	Violation or Condition	Action Taken
1	l/B (Inby)	The quick brown fox jumps over the lazy dog. The quick brown fox jumps over the lazy dog. The quick brown fox	Water Accumulations	Reported
2	QrB (outby)	The quick brown fox jumps over the lazy dog. The quick brown fox jumps over the lazy dog. The quick brown fox	Needs Swept	Corrected
з	Take-up	The quick brown fox jumps over the lazy dog. The quick brown fox jumps over the lazy dog. The quick brown fox	Needs Dusted	Corrected
4	1/B (Inby)	The quick brown fox jumps over the lazy dog. The quick brown fox jumps over the lazy dog. The quick brown fox	Needs Swept	Corrected
5	H/G (Headgate)	The quick brown fax jumps over the lazy dog. The quick brown fax jumps over the lazy dog. The quick brown fax	Bad TrS Wing Roller	Corrected
6	W/S (Walloway Side)	The quick brown fax jumps over the lazy dog. The quick brown fax jumps over the lazy dog. The quick brown fax	Water Accumulations	Reported
7	Storage Unit	The quick brown fox jumps over the lazy dog. The quick brown fox jumps over the lazy dog. The quick brown fox	Water Accumulations	Corrected
8	Take-up	The quick brown fox jumps over the lazy dog. The quick brown fox jumps over the lazy dog. The quick brown fox	Needs Dusted	Corrected
9	Take-up	The quick brown fox jumps over the lazy dog. The quick brown fox jumps over the lazy dog. The quick brown fox	Pager Phone Not Working	Corrected
10	Transfer	The quick brown fox jumps over the lazy dog. The quick brown fox jumps over the lazy dog. The quick brown fox	Water Accumulations	Corrected
11	Under Belt	The quick brown fox jumps over the lazy dog. The quick brown fox jumps over the lazy dog. The quick brown fox	Needs Swept	Corrected
12	Winder	The quick brown fax jumps over the lazy dog. The quick brown fax jumps over the lazy dog. The quick brown fax	Water Accumulations	Reported

KGC Solutions, Inc. | 5225 Library Road, #134 | Bethel Park, PA 15102 | Phone: 412-491-0390

Preshift Mine Examiner's Report

The current form is a single page document with multiple sections for data entry.

Date of Examination	20	Section or	Area Examined		
Time of Examination					
Was this report phoned to outside:	Yes	No	By Whom		
Report received by			Time		m./p.n
Location	(Signed) *** Violations Observiolation	erved and Rep or Condition	ported	Action Taken	
3 4 5					
Dangers and	d Hazardous Co	nditions Obse	rved and Repo	rted	
2.	1 - C. M				
	Air Me	asurements			
Location r	CFM CH4		Location	CFM	CH
		- 1			_
		a faith a			
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		-			
		1			
Remarks: (Verify Belt Slippag	e Tests, If Applic	able)		0	
		Contrada.			
	3	in a la contra			
This is to certify that: (a) This se of the mining laws of Pennsy conditions observed by me are l	Ivania and the Fed	s properly examin eral Coal Mine	ed by me, (b) all da Health Act of 197	ngers, (c) all vio 7, and all haza	ations
Signed by Preshift Mine Examin	ner Certifica	ate No.	Assistant Foreman	Cert	ificate N
Countersigned	Foreman Certific	ate No.	Superintendent	1	Date
Mine Manager Mine					

в

Assistant Mine Foreman Onshift and Daily Report

Converting this form to a digital form allows for consistent entries across all the employees completing the form. The digital form controls certain entries to drop down options, formatting numeric values, and expanding the narrative section allowing for a detailed description. Conditional logic is used to control what options are available to select in certain fields.

3)		Preshift Mine	Examin	er's Report		POF	
Ċ	/		Report shall b	e signed whe	en made.			
	Date of Examination	1/25/2	2024	Sect	ion or Area	Belts		×
	Time of Examination Start	11:00	AM	Time	e of Examination End	1:30 PM		
			Please Format as 00:00 AM/PM				Please Format as 00:00 AM/PM	
	Was this report phoned to outside?	Yes	×	By W	Whorm?	Don		
	Report Received By	jon		Time Received		1:35 PM		
							Please Format as 00:00 AM/PM	
			Violations and Conditio	ns Observ				
	Location		Specific Location The quick brown for jumps over the lazy dog. The quick	benen fex	Violation or Co	andition	Action Taken	
1	VB (Inby)	× .	jumps over the lazy dog. The quick brown fox	OF OWNER TOX	Water Accumulations	ľ ľ	Reported	
2	O/B (outby)	*	The quick brown fax jumps over the lazy dog. The quick jumps over the lazy dog. The quick brown fax	brown fex	Needs Swept	×.	Corrected	`
3	Take-up	*	The quick brown fox jumps over the lazy dog. The quick jumps over the lazy dog. The quick brown fox	brown fex	Door Open	×.	Corrected	Ň
4	Under Belt	*	The quick brown fox jumps over the lazy dog. The quick jumps over the lazy dog. The quick brown fox	brown fex	Tail Roller Accumulation	×.	Corrected	ľ
5	Fire Tap	*	The quick brown for jumps over the lazy dog. The quick jumps over the lazy dog. The quick brown fox	brown fex	Ceal Accumulations	×.	Corrected	
6	Air Dump	*	The quick brown fax jumps over the lazy dog. The quick jumps over the lazy dog. The quick brown fax	brown fex	Rin Bull	×.	Corrected	
7	Cross-Over	*	The quick brown fox jumps over the lazy dog. The quick jumps over the lazy dog. The quick brown fox	brown fex	Needs Post Set	×.	Corrected	
в	K Doors	*	The quick brown fox jumps over the lazy dog. The quick jumps over the lazy dog. The quick brown fox	brown fex	Needs Additional Support	×.	Reported	
9	Winder	*	The quick brown fox jumps over the lazy dog. The quick jumps over the lazy dog. The quick brown fox	brown fex	Bad W/S Wing Roller	×.	Corrected	1
10	indine	*	The quick brown fox jumps over the lazy dog. The quick jumps over the lazy dog. The quick	brown fax	Ototracted Walkway	×.	Corrected	
11	Corner	*	The quick brown fox jumps over the lazy dog. The quick jumps over the lazy dog. The quick brown fox	brown fax	Exposed Bolt	×.	Reported	

Security Considerations

Applications includes Microsoft 365 applications. These are integrated together using SharePoint, Power Apps, and Power Automate.

Authorized Users Only

Microsoft	
JohnDoe@CONSOLEnerg	y.com
Enter password	
•••••	
Forgot my password	
Sign in with another account	
	Sign in

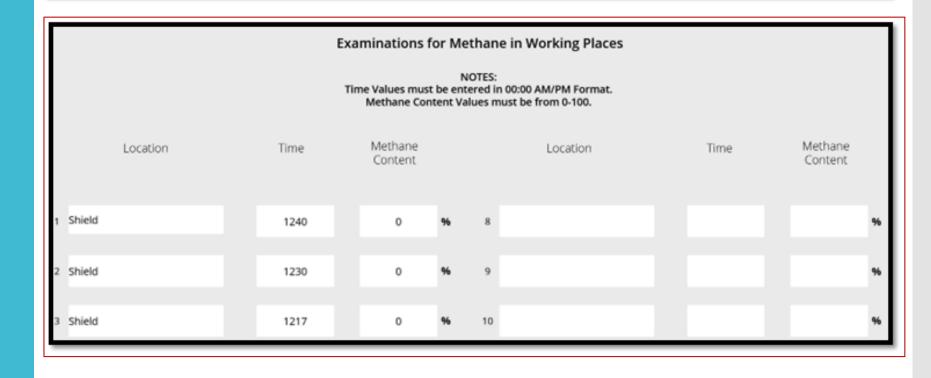
The system is only accessible to an approved list of authorized users with a verified CONSOL Energy organizational Microsoft 365 account. Role-Based Validation for Signatures and Responses This system identifies the currently logged in user and limits their ability to edit either specific portions of the form or the entire form altogether based on who they are, what role they are assigned, and what phase in the process the form is in. The following screenshots demonstrates what this looks like in action:

* Assistant Mine Foreman	* Certificate No.	Mine Foreman	Certificate No.	Superintendent

When the Assistant Mine Foreman completes the form, they will only be able to sign for their own role and provide their own Certificate No, and all other fields are in read-only mode. This is indicated by the dark red border around the active field. These are also indicated with an asterisk, indicating the field is required to submit.

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Assistant Mine Foreman	Certificate No.	*	Mine Foreman	*	Certificate No.	Superintendent

When the Mine Foreman logs in to update the same form, they will also only be able to sign for their own role and provide their own Certificate No, and all other fields are in read-only mode. Take note to the previously completed fields, with a signature and certificate number are locked. The Active fields are indicated with the red border and asterisk. When a form is created and submitted to the next role responsible for a signature, all detail fields for information such as when the inspection occurred, measurements of the methane content at the inspected site, and what violations were observed and reported are locked to prevent anyone from editing them in the future. This ensures that all signatures gathered during the process reviewed the same information as it was originally presented by the person performing the inspection. Once the final signature is entered, the entire form is locked and cannot be re-edited.



Locked Forms Once Submitted

Auditable Version History When any user saves a change to one of the forms, SharePoint Online's robust version history feature captures what the change was, who made the change, and when the change occurred. This makes it easy to validate the authenticity of one's digital signature, but impossible to forge the signature of someone else without detection.

<u>lo,</u> ‡	Modified			Modified By
2.0	3/12/2024 9:09	AM .		□ KGC Solutions
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1.0	3/12/2024 9:08	AM		Verbosky, Gaven
	Title		Open Form	
	Shift Worked		Afternoon	
	AreaOrSectior	1	Longwall Section	
	AirReading		CKPT #3 245/28420	
	Remarks		Visuals OK, Air proper e arse, Sa	fe to enter
	AssistantMine	ForemanCertif	icate 6429	
	AsssitantMine	Foreman	Gaven Verbosky	