

**MINUTES
BOARD OF COAL MINE SAFETY
DEP Cambria Office
September 4, 2024 – 10 a.m. – Ebensburg, PA**

VOTING BOARD MEMBERS PRESENT

Nathan Houtz, 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

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

DEPARTMENT OF ENVIRONMENTAL PROTECTION STAFF PRESENT VIA TEAMS

Laura Griffin, DEP, Policy Office
Matthew Kessler, DEP, Office of Chief Counsel
Richard Marcil, DEP, Bureau of Regulatory Counsel

OTHERS PRESENT

R. Henry Moore, Fisher Phillips, LLP

OTHERS PRESENT VIA TEAMS

Rachel Gleason, Pennsylvania Coal Association
Jeffrey Ivicic, Legislative Assistant, Pennsylvania Senate
Trent Machamer, Research Analyst, Pennsylvania Senate

CALL TO ORDER AND INTRODUCTIONS

Nathan Houtz, DEP Acting 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 10:03 a.m. in the DEP Cambria Office, Conference Room 1 A/B in Ebensburg. Acting

Chairperson Houtz 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.

NEW DEP STAFF INTRODUCTIONS

Acting Chairperson Houtz introduced himself and noted that he replaced John Stefanko in July and is currently the Acting Deputy Secretary for Active and Abandoned Mining Operations. He began his career with the Pottsville District Mining Office in 2002 and then moved in 2017 to the Moshannon District Mining Office until 2022, when he became the Bureau Director for Mining Programs.

Richard Wagner, Bureau Director, announced that Brad Russian will be assuming the duties of Bituminous Program Manager when Richard Murphy retires at the end of September. Brad told the members that he has seven years' experience as a mine inspector and, prior to that, several managerial roles in the mining industry.

APPROVAL OF MINUTES

The Board considered its first item of business, which was approval of the April 24, 2024, meeting minutes.

Apprentice Miner/Expedited Miner Certification

Mr. Bowersox asked if there had been any progress on reviewing an expedited miner certification process. Brad Russian reported that he is going to contact Rachel Gleason and attempt to assemble the work group.

Acting Chairperson Houtz asked for a motion to approve the minutes.

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

IMPLEMENTATION OF STATUTE ON DIESEL-POWERED EQUIPMENT OIL AND FILTER CHANGE INTERVAL

Acting Chairperson Houtz reported that Senate Bill 115, which extended the oil and filter change interval for diesel-powered equipment from 100 hours to 200 hours, went into effect on June 14, 2024. Chas Washlack, Mine Safety Electrical Program Manager, provided an overview on implementation of the requirement change.

Chas reported that as of today, the Bureau had received three applications to extend the oil change frequency from 100 hours to 200 hours and the Bureau is in the process of reviewing them. There have been some bumps in implementing the changes, but the Bureau is working at ironing those out. For those applications, emissions test data has not been provided for review. There was some confusion because the law states what is expected and references the taskforce

recommendations, which are published separately.

Director Wagner further explained that the request is submitted specifying the equipment the operator would like to be tested, then the Bureau will review and approve the operator to begin testing and subsequently submit the data to the Bureau. After that, the Director will approve or disapprove the request using the new specifications for those specific pieces of equipment.

EQUIPMENT APPROVALS TASKFORCE BATTERY-POWERED HAND TOOLS SPECIFICATIONS

Chas Washlack, Mine Safety Electrical Program Manager, reported that the Battery-Powered Hand Tools Taskforce has met three times so far. For background reference, battery-powered hand tools in underground mines are limited to 38 volts. Anything higher than that would need to be submitted through the approval process. The request was to look at increasing the limit to higher voltage to allow for the use of new technology. The Taskforce is looking at the possibility of increasing the limits. The Taskforce will be reviewing whether OEM batteries and/or batteries that maintain the UL listing should be required to limit the risk of fire, as well as the safety of locating charging stations underground and the disposal process.

RECORDKEEPING SOFTWARE FOR OPERATORS

Chairperson Houtz reported that during the last meeting, Todd Moore presented on Consol's trial of electronic recordkeeping for two forms: the Assistant Mine Foreman OnShift Report and Daily Report and the Preshift Mine Examiners Report. Mr. Moore provided an update on the company's ongoing software trial. He reported that there has been very little change. They are currently having some of their examiners look at electronic and paper books concurrently and have not run into any problems thus far.

Mr. Moore also reported that he presented this project to NIOSH for their annual Safety Innovations Award and that Consol was the recipient of that award for 2024. The company who created the software and Consol will be receiving this award dually.

OTHER BUSINESS

Notification to the Board of Fatal and Serious Accidents

The Board members discussed the possibility of them being notified of fatal and serious accidents as they occur, and any actions taken to prevent future occurrences. The Board may be able to take appropriate action to assist in preventing future occurrences. In addition, they would like to be better informed, so that they can be prepared for a response when questioned by their employees.

Director Wagner asked if the Board would like to be added to the Preliminary Accident Distribution List as these events occur and the Final Accident Distribution List upon completion of the Department's investigation. The Board decided that they would like to be included in Bituminous, Anthracite and Industrial Mineral distribution. Director Wagner will add the Board to the Preliminary and Final Distribution of all accident reports.

Director Wagner also provided a brief overview of accidents that had occurred since the last meeting and asked if they would like a more formal report at all upcoming Board meetings. The Board members requested that a review of fatal or serious accidents be an ongoing agenda item.

PUBLIC COMMENTS

Acting Chairperson Houtz 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 December 4, 2024, at 10 a.m. at the DEP Cambria Office in Ebensburg. With no further business to discuss, Acting Chairperson Houtz asked for a motion to adjourn.

Ron Bowersox made a motion to adjourn the meeting. Todd Moore seconded this motion, which was unanimously approved by the Board.

The meeting adjourned at 10:32 a.m.