

MINUTES
BOARD OF COAL MINE SAFETY
DEP Cambria Office
September 3, 2025 – 10 AM – New Stanton, 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

VOTING BOARD MEMBER PRESENT VIA TEAMS

Joseph Zelanko, PCA

DEPARTMENT OF ENVIRONMENTAL PROTECTION STAFF PRESENT

John Brottish, DEP, Bureau of Mine Safety
Art Brower DEP, Bureau of Mine Safety
Nick Dady, DEP, Bureau of Mine Safety
William Dean, DEP, Bureau of Mine Safety
David Lowery, DEP Bureau of Mine Safety
Dustin Mowery, DEP, Bureau of Mine Safety
Jack Palumbo, DEP, Policy Office
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 Campbell, DEP Policy Office
Richard Marcil, DEP, Bureau of Regulatory Counsel
Jennifer McLuckie, DEP, Office of Deputy Secretary

OTHERS PRESENT

Hank 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 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 10:02 AM in the DEP New Stanton Office, Washington and Green Conference Rooms. 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.

FRANK REIDELBACH

Acting Chairperson Houtz informed the members that Mr. Reidelbach's term expired in January 2025. He represented the United Mine Workers on this Board since 2008. Due to health concerns, Mr. Reidelbach will not be seeking reappointment. Acting Chairperson Houtz thanked him on behalf of the Department for his longstanding service and wished him well.

APPROVAL OF MINUTES

The Board considered its first item of business, which was approval of the March 5, 2025, meeting minutes.

Acting Chairperson Houtz asked for a motion to approve the 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.

PRESENTATION – OUT-OF HOSPITAL CARDIAC ARREST PRESENTATION

John Brottish, Mine Safety Training and Emergency Response Section, gave a presentation on out-of-hospital cardiac arrest, the importance of immediate CPR and the five links in the chain of survival, including information regarding wearable automated hands-free chest compression devices. These types of devices would be a perfect solution for the mining environment and the Department would like to know if this is something the Board might want to consider as a regulation. Mr. Brottish entertained questions from the Board and said that he could be contacted if anyone would like more information.

UPDATE AND DISCUSSION

Mine Rescue Teams

Dustin Mowery reported that there had been a request for Department employees to serve as active members of mine rescue teams for mines without enough persons working to meet the requirements under 30 CFR Part 49. It was concluded that the Department cannot provide persons for mine rescue coverage for bituminous mines.

Testing of Recordkeeping Software for Operators

Todd Moore reported that there have been some issues with the fire boss books and they are currently working with the vendor on updates to add user functions. In the interim, they have been working specifically on the permissibility books which is working smoothly and will be done at the Enlow Fork and Bailey Mines to start. It is currently being used for the permissibility books in West Virginia with success.

SAFETY INCIDENTS

Fatality

Richard Wagner, Director, Bureau of Mine Safety, reported that on September 2, 2025, there was a fatality at the limestone mine, Torrance Quarry II. A miner was loading a shot when a rock fell from the roof and struck him causing fatal injuries. As the investigation is ongoing, there is nothing more to report.

The Acosta fatality investigation has been completed and distributed to the members. Chas Washlack reported that there was a mismatch of equipment that was not being maintained in accordance with the approvals on file and this unfortunately resulted in the safety features not working. Chas provided a visual demonstration of the failure.

OTHER BUSINESS

Interpretation of Pre-Shift Exams in the Commonwealth

Brad Russian reported that Todd Moore and the Department did meet and review the information regarding pre-shift exams. Brad report that they are trying to decide if this would be presented as a variance, site specific or a regulation, and are in the process of getting some questions together and more information to move forward. This would then be presented to the Board for consideration of a regulation if necessary. Mr. Bodenschatz and Mr. Zelanko would like to be involved in further discussion of this matter.

Subcommittee for Review of New Technology

Director Wagner commented on current and emerging technologies for the mining industry and how some may have prevented past accidents involving face haulage equipment. He asked the Board to consider developing regulations that would provide a path forward to implement proximity detection on face haulage equipment as well as address automation of longwalls. There is statutory language that currently makes the latter challenging.

Discussion followed and Director Wagner said, if warranted, the Bureau of Mine Safety Equipment Approval Task Force could be convened.

A motion was made by Ron Bowersox to form a subcommittee of Board members and other interested parties to investigate and review the feasibility of new technologies as presented by the Bureau of Mine Safety Equipment Approval Task

Force. Todd Moore seconded the motion, which was then unanimously approved by the Board.

Expedited Red Hat Process

Todd Moore stated that he would like the Board to continue looking at the expedited Red Hat (Inexperienced Miner) process.

PUBLIC COMMENTS

Acting Chairperson Houtz asked the members of the public in attendance if they would like to provide any other comments.

Hank Moore informed the members about kratom and asked if the Board can do anything about this being used by miners. This product is an unregulated energy booster that is not classified as a drug. Discussion followed. Director Wagner responded that the Board has discussed what could be done if an individual failed a drug test. However, there is no statutory authority on this matter. In addition, there is no reciprocity with neighboring states regarding decertification with a failed drug test.

ADJOURNMENT

The next Board meeting is scheduled to be held on December 3, 2025, at 10 am at the DEP New Stanton District Office. With no further business to discuss, Chairperson Houtz asked for a motion to adjourn.

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

The meeting adjourned at 11:30 am.