

---

**VIRGINIA COAL MINE SAFETY BOARD**

---

**Department of Mines, Minerals, and Energy  
Thursday – May 3, 2012 – 9:30 A.M.**

---

---

## MINUTES

### VIRGINIA COAL MINE SAFETY BOARD

**MEMBERS PRESENT:**

Richard Waddell  
Foster Tankersley  
Ernest Benko  
Harless Mullins  
Carroll Dale

**MEMBERS ABSENT:**

Patti Church  
David Berry  
Max Kennedy, Jr.  
Billy Joe Powers

**OTHERS PRESENT:**

M. Randy Moore, Chief, Division of Mines (DM)  
Sharon Pigeon, Senior Assistant Attorney General  
Mike Willis, Division of Mines Mine Safety Engineer  
Becky Sanders, DM Administrative Program Specialist  
Patty Varner, DM Administrative Program Specialist, Recorder

**Meeting Called To Order**

Chairman Foster Tankersley called the meeting to order. A roll call of members determined a quorum with five members present and four members absent. Chairman Tankersley called for the reading of minutes from previous meeting on June 23, 2011; a motion to accept the minutes was made, seconded, and unanimous vote taken.

**Discussion of Implementation of New Coal Mine Safety Laws**

Randy Moore, DM Chief, welcomed all members, and commented that the only anticipated vote for the meeting is for the annual Coal Mine Safety Awards. Mr. Moore reported on his enjoyable experience in participating in the presentation of last year's awards at each mine before the mining crews. Mr. Moore informed the Board of enacted Coal Mine Safety Law (CMSL) changes, effective July 1, 2012, on the mapping requirement of notification by operator of projection changes that vary more than 600 feet and that a person performing gas detection training does NOT have to be a representative of the Chief. No changes to the CMSL are being considered at this time for the 2013 legislature session. Proposed regulation changes are to 4 VAC 25-20-220.A. to change language to give Chief authority to approve other agencies that may certify Virginia miners in CPR and to 4 VAC 25-220.C. to change the requirement for annual certification to annual training, and consideration of a 20 to 30-day foreman apprenticeship.

**Overview of Virginia Coal Mine Safety Performance and Current Issues**

Mike Willis, Mine Safety Engineer, presented the overview of the Virginia coal mine safety performance with emphasis over a ten-year history. Coal tonnage production figures show a steady decline over the last three years; employment figures have remained steady with an upswing in the past two years due to the upsurge in the coal market during that period. The number of mines that reported tonnage show a steady decline in underground mines while surface mine numbers remain steady. More miners are required to produce clean coal. The Board discussed the upswing in newly

certified miners, the significant increases in certifications and certification retraining with many crew members holding multi certifications.

Fatal accident numbers declined from four and three for years 2002-2004 to none in 2005 - 2007 and 2010. Information detailing cause and subsequent action taken regarding the one fatal accident (surface mine) of 2011 (December) was presented. Information also was presented regarding the fatal accident occurring in January, 2012, at an underground mine. Serious personal injuries numbers varied from 11 to 19 per year over a ten year period with no known trend, an average of 15.8 per year. Two have occurred so far in 2012. Board discussed the definition of serious personal injured as defined by the Coal Mine Safety Laws and best policy procedures of action to be taken during the 24 hour period of determining the serious personal injury. Statistics for violations and closure order enforcement activities and other investigations including complaints, ignitions and inundations were reviewed. Presently, DM employs 18 field inspectors, five of which are recent hires. An update on the substance abuse cases shows a total of 591 reported violations; the Board of Coal Mining Examiners has entered into 262 agreements with miners; 224 miners have entered into treatment plans, and 109 miners have failed to comply. Many resources and much effort are required to administer the substance abuse program in the mining industry.

Also reviewed were statistics on roof falls and skin control (rib and brow) failures contribution to serious personal injuries or fatal accidents. Roof control plans requirements and changes to ground control plan requirements were explained.

### **Discussion of Emergency Response, Mining near Gas Wells**

Emergency response plans have been updated and revisions for new requirements were reviewed. DM reported on activities and training in which the emergency response team staff participated which included tabletop planning exercises directed by the Virginia Department of Emergency Management, coal industry Mine Emergency Response Drill (MERD) exercises and information sharing forums. DM presented information on the processing of plans for mining within 200 feet of gas wells, recent events involving gas wells and procedures for gas well drilling near coal mines.

### **Review of Memoranda of Understanding**

DM coordination with the Mine Safety and Health Administration (MSHA) includes joint evaluation of roof control plans and supplements, coordination of impoundment plans and annual joint inspection, joint accident investigations, MSHA endorsement of Virginia electrical certifications, and MSHA acceptance of Virginia approval for mining near gas wells. DM's Memoranda of Understanding include joint fatal accident investigations with MSHA, joint roof control plans with MSHA, impoundment coordination with MSHA and DMLR, delegation of impoundment design approval to Division of Mined Land Reclamation, jurisdiction and reciprocity with West Virginia and reciprocity with Kentucky for selected certifications.

### **Open Agenda - Current DM Initiatives**

Major initiatives for 2012 include upgrading ground control plans, improving mapping software and accuracy, training new employees, assisting with implementation of federal examination regulations, and resuming the Virginia problem solving group.

### **Mine Safety Awards 2011**

Nominations for the Mine Safety Awards for 2011 were reviewed and approved by the Board. Individual nominations included eight miners for 30 years of working with no lost time for injury, three with 20 years, and six

with 10 years. Company nominations included three large underground operations, five large surface operations, seven small surface operations, seven small underground operations, one underground facility working five years or more without a lost time accident and one surface facility working 10 years without a lost time accident. MSHA's Denver database confirms the reportable injury rates. The Board recommended that these awards be well publicized. The Board discussed proposed changes to the criteria in determining the coal mine safety awards. DM will send this proposal to the Board members for their comments back to DM, and the changes will be discussed and/or approved at the next meeting.

The Board viewed a draft of a 20-minute video on mine emergency recently developed by DM with MSHA grant funds. Alpha's national reigning champion mine rescue team participated in the video. The final version will be released to all coal miners in the industry after MSHA approval.

❖ **Next Meeting: To be announced at a later date.**

### **Adjournment**

Upon a motion made and seconded, the meeting was adjourned.

Respectfully submitted,

Patty Varner  
Patty Varner  
Secretary