

Board of Coal Mine Examiners Meeting

The following is a summary of the October 4, 2005, meeting

- I. Meeting called to order at 9:30 AM by Frank Linkous, Chairman. Members present were Frank Linkous, Gerald Kendrick, Donnie Lowe, Joseph Buchanan and Arvil McConnell. All Board members were present.**
- II. Opening statement delivered by Frank Linkous, Chairman**
- III. Welcomed newly appointed Member, Gerald Kendrick**
- IV. Review of Kentucky actions cases**
 - Tony Dean
Board Decision: One-year probationary period beginning October 4, 2005. Any violations of the Coal Mine Safety Laws of Virginia issued during the period shall be cause to require appearance before the Board and possible revocation of certification. Submit to an on-site examination by a DM Mine Inspector within next 30 days on approved roof control plans.
 - Walter Helton – Failed to Appear
Board Decision: VA First Class Mine Foreman Certification was suspended effective August 19, 2005, for failure to complete continuing education requirement. Prior to reinstatement, the Board ruled that he must appear before the Board to address concerns dealing with actions taken against his First Class Mine Foreman certification in the state of Kentucky.
 - Steve Moore
Board Decision: One year probationary period, effective October 5, 2005, for First Class Mine Foreman certification, and submit to retake and pass the “Mining Law” sections of the First Class Mine Foreman examination. One-year probationary period, effective October 5, 2005 for Electrical Repairman certification. Should any violations of the Virginia Mine Safety Act occur during the one-year period, he shall be required to appear before the Board to address the status of both certifications.
 - Jerry Morgan
Board Decision: Notify this Agency, in writing, prior to beginning work as an Electrical Repairman in Virginia. At that time a Virginia Electrical Specialist will monitor work activities including performance to weekly/monthly electrical examinations. Notify Virginia of any violations/actions from another state that relates to certification status.
 - Robert Woods
Board Decision: Effective October 4, 2005, Electrical Repairman certification will be under a one-year probationary period. Violations of the Coal Mine Safety Laws of Virginia occurring during this probationary period shall require

appearance before the Board for additional review and possible revocation of certifications.

V. Review of cases of Virginia certificate holders

- John Sexton, Jr.
Board Decision: Notify this Agency, in writing, should he accept a position in Virginia as a Surface Mine Foreman, at which time Surface Foreman certification will be on a one-year probationary period. After notification has been received, a Mine Inspector shall administer an on-site examination to monitor and evaluate performance of required examination duties.
- Roger Bentley
Board Decision: First Class Mine Foreman certification placed on a one-year supervised probation. Must submit to an on-site examination on the roof control plan at the mine to be conducted by a DM Mine Inspector within 30 days. Must retake and successfully complete the “mining laws” section of the First Class Mine Foreman examination within the next 30 days.
- William Matney
Board Decision: First Class Mine Foreman certification revoked and prohibit work that requires this certification at any Virginia coal mine. After six months, eligible to make application to retest for reinstatement of certification. Prior to reinstatement, must appear before the Board. A one-year probationary period from date of reinstatement.
- Roger Cox
Board Decision: Coal Surface Blaster certification placed on six-month probation. Submit a remedial plan consisting of minimum of 24 hours training with a focus on prevention of fly rock and record keeping to be submitted to DMME by November 1, 2005, and completed within 30 days from approval date of the plan by DMME. Another violation within six months could require appearance before the Board.

VI. Discussion of Board Issues

- Role of Certification Update Committee
- Addition of ground control section to Surface Foreman examination
- Substance abuse as it relates to miners
- Results of diminished numbers of certifications after recent round of continuing education requirements
- Elimination of social security numbers from certification data
- Discussion on current certification fees in comparison to neighboring states (West Virginia and Kentucky)

VII. Adjournment – 3:30 PM