

## **BOARD OF COAL MINING EXAMINERS**

### **SUMMARY OF MEETING**

**March 3, 2015**

**The following is a summary of the March 3, 2015 Meeting:**

- I. Meeting called to order at 9:12 a.m. by Randy Moore, Chairman. Members present were Randy Moore, Phillip Hale, Bennie Johnson, Jr., Douglas Deel and Ricky O'Quinn. Also present were Bradley Lambert, DMME Deputy Director, Mary Gibson, Regulatory Boards Administrator and Patty Varner, DMME Administrative Specialist.**
- II. Opening statement delivered by Randy Moore, Chairman.**
- III. Motion made and seconded to accept March 3, 2015, meeting agenda and approve January 6, 2015, meeting summary. All members were in favor to approve.**
- IV. Review of Virginia Substance Abuse Cases (Closed Session)**

**Of the cases that resulted in hearings, evidence was taken by the Board in closed session, pursuant to Virginia Code §§ 2.2-3711(A)(4) and 45.1-11.35(E). In the closed session, the Board worked out agreements, allowing individuals to return to work conditionally, and took other disciplinary actions including revocation of all certifications held by miners.**

**V. Open Agenda**

**Mary Gibson reported on a significant fee increase from Clinch Valley Medical Center for the 11 panel drug screen. Clinch Valley Medical Center notified DMME of the increase immediately after an agreement was signed with them for the current existing fees for substance abuse screening. The grant under which the Board pays for drug screening has \$38,000 remaining for screens. The Board recommended that DMME explore other local clinics or hospitals on whether they can provide the service and for a lower charge. Mr. Lambert suggested use of information garnered from recent contacts and agreements with facilities and DMME for their human resources drug policy.**

**Ms. Gibson reported that to date 780 miners are in DMME's substance abuse program. The number of reported cases from Kentucky currently numbers 1800 of which 306 held Virginia certifications. No further reports have been received**

from West Virginia due to holds from issues that must be resolved with their program.

Mr. Moore informed the Board that the new continuing education training materials for surface and underground mine foreman and underground shot firer certifications have been developed and reviewed by Division of Mines staff and the Board of Coal Miners Examiners Instructors. The new cycle for training commenced on March 1. Mr. Moore asked the Board's opinion of requiring continuing education refresher for Surface Blaster certification. The Board's consensus was this is a good idea. It is anticipated that the Division of Mined Land Reclamation and the federal Office of Surface Mining would approve. DMME can promulgate regulations for continuing education on any certification. Ms. Gibson said she will contact officials from the West Virginia Department of Mines for information on West Virginia requirements for surface blasters renewal.

Board Member Phillip Hale commented on the difficulty of aligning the dates for the required advanced first aid refresher with the Surface Foreman retraining requirement, and inquired if changes could be made to the expiration date for the advanced first aid. The Board was in agreement to making a change.

Mr. Lambert stated that the Board has the authority to administratively change the expiration dates to extend in order to coincide with the foreman dates, and no regulation change would be required. The advanced first aid retraining must be done annually. The Board discussed whether to extend the expiration date to end of December to simplify tracking of employees' needed refreshers. The Board also should vote on whether to retain the regulation regarding the one year suspension. The CPR requirement also must be considered. These matters will be further reviewed.

#### **VI. Next Meeting**

Next meeting is scheduled for April 7, 2015.

#### **VII. Adjournment**

Meeting adjourned at 11:15 AM.