

BOARD OF COAL MINING EXAMINERS

SUMMARY OF MEETING

August 11, 2015

The following is a summary of the August 11, 2015 Meeting:

- I. Meeting called to order at 9:00 a.m. by Randy Moore, Chairman. Members present were Randy Moore, Phillip Hale, Douglas Deel, and Bennie Johnson. Member Ricky O'Quinn was absent Also present were Bradley Lambert, DMME Deputy Director, Mary Gibson, Regulatory Boards Administrator, Sammy Fleming, Division of Mines (DM) Inspector Supervisor, Hershiel Hayden, DM Inspector, Mike Willis, DM Mine Safety Engineer, Chris Whitt, DM Emergency Response Coordinator, Robert Clay of Mine Safety and Health Administration and Patty Varner, DMME Administrative Specialist.**
- II. Opening statement delivered by Randy Moore, Chairman.**
- III. Motion made and seconded to accept August 11, 2015, meeting agenda and approve July 7, 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. Review of cases of Virginia certificate holders**

James R. Whitt – Division of Mines issued Individual Notices of Violations HLH0011276 and HLH0011279 at Mill Branch Coal Corp. Dorchester Mine.

Board Decision: Upon recommendation of DM Inspector Supervisor and Inspector and after review of all corresponding documents, the Board voted unanimously to reinstate his First Class Mine Foreman Certification Number 05019 which was placed in suspension on July 7, 2015. Upon beginning to work as a foreman in Virginia, Mr. Whitt will notify the DMME, and a 6-month probationary status will begin for his First Class Mine Foreman certification. DM Enforcement staff will have the option to monitor his work activities. Any violations during this probationary period will require an appearance before the Board, and the Board will determine his eligibility to retain the foreman certification.

Clarence A. Chandler – Division of Mines issued Individual Notice of Violation HLH0011281 at Mill Branch Coal Corp. Dorchester Mine.

Board Decision: Upon recommendation of DM Inspector Supervisor and Inspector and after review of all corresponding documents, the Board voted unanimously for his First Class Mine Foreman Certification Number 54258 to remain current. Upon beginning to work as a foreman in Virginia, Mr. Chandler will notify the DMME, and a 6-month probationary status will begin for his First Class Mine Foreman certification. DM Enforcement staff will have the option to monitor his work activities. Any violations during this probationary period will require an appearance before the Board, and the Board will determine his eligibility to retain the foreman certification.

Roger M. Baker – Division of Mines issued Individual Notice of Violation HLH0011283 at Mill Branch Coal Corp. Dorchester Mine.

Board Decision: Upon recommendation of DM Inspector Supervisor and Inspector and after review of all corresponding documents, the Board voted unanimously for his First Class Mine Foreman Certification Number 82254 to remain current. Upon beginning to work as a foreman in Virginia, Mr. Baker will notify the DMME, and a 6-month probationary status will begin for his First Class Mine Foreman certification. DM Enforcement staff will have the option to monitor his work activities. Any violations during this probationary period will require an appearance before the Board, and the Board will determine his eligibility to retain the foreman certification.

Roger L. Fleenor – Division of Mines issued Individual Notice of Violation HLH0011282 at Mill Branch Coal Corp. Dorchester Mine.

Board Decision: Upon recommendation of DM Inspector Supervisor and Inspector and after review of all corresponding documents, the Board voted unanimously to take no action on his First Class Mine Foreman Certification Number 08371 and require no probation.

VI. Open Agenda

Chairman Randy Moore will be in Richmond and unable to attend the upcoming September 1st Board meeting.

VII. Next Meeting

Next meeting is scheduled for September 1, 2015.

VIII. Adjournment

Meeting adjourned at 3:25 P.M.