

**SUMMARY OF MINUTES
VIRGINIA COAL MINE SAFETY BOARD**

MEMBERS PRESENT:

Harry Childress
Joshua West
Brett Holbrook
Harless Mullins
Vicki Ratliff
Gary Prater
Chris Lester
Danny P. Mann

MEMBERS ABSENT:

Patti Church

OTHERS PRESENT:

Randy Moore, Dir. of Mining Program
Mike Willis, Div. of Mines Safety Eng.
Darlene Gibson, Legal Services Officer
Chris Whitt, Emergency Coord. Mgr.

Meeting Called to Order

Harry Childress called the meeting to order at 2:00 p.m.

Poll of Members to Establish Quorum

Darlene Gibson polled the board with the following members indicating their presence and establishing a quorum of the following eight members: Brett Holbrook, Harry Childress, Gary Prater, Joshua West, Harless Mullins, and Chris Lester. Vicki Ratliff called in via Teams after the Board was polled.

Review and Approval of Minutes of April 30, 2019

Harry Childress called for a review of the meeting minutes of April 30, 2019, a motion and a second was made by Gary Prater and Chris Lester, respectively, with all in favor to approve.

Danny Mann abstained.

Open nominations for Chairman of CMSB

Randy Moore called for nominations for the election of a Chairman, due to the number of upcoming appointments expiring in June, 2023; it was decided the nomination for Chairman was tabled until the appointments are made with the potential of new members.

DMME Change and Re-organization to Virginia Energy

Randy Moore provided an update of the reorganizational changes on October 1, 2021, DMME became the Department of Energy or otherwise known as Virginia Energy. There were twelve positions that were retired in addition to making new positions. With the retirement of Butch Lambert, then Deputy Director and Randy Casey, then Director of DMLR, Randy took on a combined role of Director of Coal Mine programs with some old duties of Mr. Lambert. The Division of Mines (DM) became Coal Mine Safety and Division of Mined Land Reclamation (DMLR) became Mined Land Repurposing. The Division of Energy in Richmond is under Virginia Energy and has gotten much large due to the economic development and other alternate sources of energy such as wind, solar and SMR's since the Governor's focus on nuclear. Coal Mine Safety is still doing business as usual with Chris Whitt still over the Mine Rescue Teams and Mike Willis is still Chief Engineer. There have been a few inspector positions hired due to

retirements. Phil Skorupa is now over Mineral Mining and Gas and Oil. In addition, the Lebanon office was shut down to help on budget issues. A trailer has been set up at Claypool Hill that is used for some office space as well as meeting the requirements of MSHA's mine rescue teams.

Overview of 2022 Annual Reporting of Production & Safety

Mike Willis presented overview of the Virginia Coal Mine performances and safety issues in relations to coal production, employment and wages to accidents resulting in fatalities and serious personal injury. There are a total staff of 33 in the Coal Mine Safety area.

Coal production in 2022 was 10.8 million tons with a minimal 4.3% drop-off from 2022 with a 15.4% spike in 2021. The Top Ten Producing Mines in 2022 were Buchanan Mines producing 4.3 million tons with Paramount Contura at Deep Mine 41 coming in 2nd at 2.2 million.

Full-time employment based upon man-hours has been climbing the last three (3) years, statistics show an increase of over 600 additional full-time employment since 2020. There was open discussion among the members of training programs through the schools as well as other agencies that could promote or facilitate a (young) new miner training, electrical and other workforce positions within the industry. Total wages of over \$250 million was paid out in 2022, which was significantly higher from \$170 and \$150 million in 2021 and 2020, respectively.

In 2021, there was only 6 underground active mines operating but a growth to 10 occurred in 2022. There have been some explorations completed from the Mine Rescue Teams for companies in the last few months for potential re-opening.

There have not been any fatal accidents since 2015, which shows the positive progress in safety standards that have been made in the industry.

Virginia shows significantly lower than the national average for Non-Fatal Days Loss in 2022 and have always historically except in the year 2020 for underground mines which was most likely due to the reduction in man hours. For surface mines, Virginia has shown higher than the national average historically, however; in 2022 Virginia did drop below the national average for surface mines. A contributing factor could be the number of slips and fall accidents on surface mines. For Mills/Plants, Virginia shows lower currently as well as historically than the national average except for the year 2020 as like the underground statistics, again a contributing factor could be the reduction in man hours.

There have been five (5) serious injuries in each of the last three years (2020-2022) with three (3) in 2019 and two (2) so far in January and February 2023. The serious injury rate for 2022 was 0.2. A requirement of oxygen present and training on the jobs has demonstrated to be a positive factor in the 2022 serious injuries from not resulting into fatalities.

Due to Serious Injuries resulting from tree cutting on mine sites, there was an Operators Memo regarding Tree Cutting issued to Surface Mine Sites in January 2023 defining tree cutting as a hazardous practice. The memorandum addresses tree cutting within 500 feet of the work area of a surface mine. The memorandum requires mine operators conducting such work to submit an

action plan addressing: Supervisory responsibilities, communication, route of ingress and egress, location of first aid supplies and record keeping. The plans must be submitted by May 1, 2023.

A previous Operators Memo regarding Protective Sleeves issued in May 2019 requiring action plans by June 2019 if utilizing protective sleeves has proven to be effective as no injuries resulting from protective sleeves since its implementation.

Investigations conducted in 2022 included 12 complaints, 0 Ignitions and 0 Inundations. Most of the complaints were related to substance abuse and approximately half were founded. At anytime anyone holding a certification and tested positive for any kind of illegal substance, they are required to appear before the Board of Coal Mining Examiners.

Violations increased in 2022 from 2021 for both Contractors and Individuals.

Training classes increased in 2022 in comparison to 2021, however; training hours have remained steady since the year 2020 at approximately 2000 hours. It is anticipated that hours will increase as another trainer is anticipated to be hired within the next couple of months.

Substance Abuse update from 2007 through February 28, 2023, is 986 total cases with 296 certifications reinstated and 644 revoked.

There is an average of 1200 certifications processed per quarter in total.

In 2022, Roof Falls increased primarily due to one mine.

There were 375 maps and plans processed in 2022, which was up from 2021.

There were 50 plans for mining near Gas Wells in 2022.

Chris Whitt presented data regarding the VA Energy Mine Rescue Team. The Team was formed in January 2016 with a total of 12 members including 1 member from Mineral Mining. There were 18 mine visits and 1 mine exploration in 2022. There have been 2 explorations conducted in 2023 for Coking Coal thus far. The Team has competed in TN, KMI, VMI and National Mine Rescue contests. Danny Mullins won the VMI Pre-Shift contest. The Team finished 15th at the National Mine Rescue contest with Wellmore being 1st and Contura at 14th. The VA Tech Collegiate Mine Rescue team participated in two contests in 2022.

During the Interstate Mining Compact Commission in 2022, Virginia CMS won in the state category for coal surface mining for Surface Foreman Continuing Education and was awarded 1st place in the state category for coal underground mining for First Class Mine Foreman Continuing Education program. AMR took 1st place in Company Underground Training.

The 2023 Initiatives is to fill an Instructor/Trainer position. Continuing Education for Foremen. Further develop virtual 3D training and implement tree cutting action plans.

Open Agenda Items

The current Coal Mine Safety Board profile indicates the meetings are to occur quarterly, after an open discussion occurred a motion by Gary Prater was made to set the meetings two times each year with a second by Chris Lester, all was in favor to approve.

Adjournment

The meeting was adjourned at approximately 4:30 p.m. by a motion and second by Gary Prater and Danny Mann, respectively. All was in favor to approve.

Minutes prepared by: D. Gibson, Legal Services Officer