

TECHNICAL ADVISORY COMMITTEE ON DIESEL-POWERED EQUIPMENT

BYLAWS

Amended, January 18, 2017

Amended, July 10, 2019

ARTICLE I

Authorization

The Technical Advisory Committee on Diesel-Powered Equipment is authorized under Section 424 of the Bituminous Coal Mine Safety Act (“Act”), **52 P.S. § 690-424**.

ARTICLE II

Purpose

The purpose of this Technical Advisory Committee will be to advise the Secretary on the implementation of Chapter 4 of the Act and to evaluate alternative technologies and methods for meeting the requirements of diesel-powered equipment covered under Chapter 4 of the Act.

ARTICLE III

Membership

The Technical Advisory Committee shall consist of two members who shall be residents of this Commonwealth and appointed by the Governor in accordance with Section 424 of the Act, **52 P.S. § 690-424**. The Governor shall appoint one member to represent the views of the coal operators in this Commonwealth within thirty days from receipt of a list containing one or more nominees submitted by the major trade association representing coal operators in this Commonwealth, and shall also appoint one member to represent the viewpoint of working miners in this Commonwealth within thirty days from receipt of a list containing one or more nominees submitted by the highest ranking official within the major employee organization representing coal miners in this Commonwealth. Members of the Technical Advisory Committee shall be appointed for a term of three years. If renominated and reappointed, a member may serve an unlimited number of successive three-year terms.

ARTICLE IV

Officers and Voting

Being that the Technical Advisory Committee consists of two members, each shall hold co-chairmanship and be equal in all voting. All actions of the Technical Advisory Committee shall require the participation of both members, which shall constitute a quorum.

ARTICLE V

Administration

In the performance of its functions, the Technical Advisory Committee shall have access to the services of the Department of Environmental Protection (“Department”) to perform administrative and clerical duties. A Department staff person shall function as a recording and corresponding secretary. Included among these administrative duties shall be:

- A. To give timely notice of meetings.
- B. To record Technical Advisory Committee meetings and keep a permanent file.
- C. To conduct all correspondence and keep a file of the same.
- D. To perform other reasonable duties as requested by the Technical Advisory Committee such as travel arrangements, etc.

ARTICLE VI

Official Technical Advisory Committee Meetings

The Technical Advisory Committee shall meet at least four times per year, which shall consist of one meeting on the second Wednesday in January, April, July, and October. This shall be the minimum number of meetings per year and additional meetings may be called, upon agreement of the Department and Technical Advisory Committee members. The exact location of the meetings will be agreed upon by the Department and the Technical Advisory Committee.

ARTICLE VII

Public Participation

The Technical Advisory Committee, at its discretion, may invite the public to speak at any meeting and shall advertise the specific topic or topics on which comments will be taken.

ARTICLE VIII

Consideration of Request

As written in Section 424(i) of the Act, **52 P.S. § 690-424(i)** “Upon application of a coal miner, coal mine operator, diesel-related technology manufacturer, or on its own motion, the Technical Advisory Committee shall consider requests for the use of alternative diesel-related health and safety technologies with general underground mining industry application that are consistent with this article.” The definition of application in this context will mean a written formal letter addressed to the Technical Advisory Committee and sent to the Bureau of Mine Safety, DEP New Stanton Office, 131 Broadview Road, P.O. Box 133, New Stanton, PA 15672.

ARTICLE IX

Amendment of the Bylaws

These bylaws may be amended, repealed, or otherwise altered by agreement of the Technical Advisory Committee at any time, provided the changes are made at a formal meeting and not in conflict with Chapter 4 of the Bituminous Coal Mine Safety Act of Pennsylvania **52 P.S. §§ 690-401 to 690-424.**

ARTICLE X

Issues Not Covered in the Bylaws

Any and all matters not covered herein shall be addressed by the Technical Advisory Committee for determination on how they will be handled.