

**Executive Summary**  
**Proposed Rulemaking**  
**Chapter 208 Underground Coal Mine Safety**  
**(25 Pa. Code Chapter 208)**

This rulemaking is initiated by the Commonwealth of Pennsylvania to address underground coal mine safety and is authorized by the Bituminous Coal Mine Safety Act (52 P.S. §§ 690-101-690-708) (“Act”). The rulemaking is promulgated by the Board of Coal Mine Safety (Board), which is a 7-member board consisting of the Secretary of the Department of Environmental Protection, as Chair of the Board, three members nominated by the United Mine Workers of America to represent the viewpoints of miners and three members nominated by the Pennsylvania Coal Association to represent the viewpoints of underground bituminous coal mine operators.

The Board seeks comments to the proposed amendments to the Department’s regulations which establishes 25 Pa. Code Chapter 208.71 (relating to reportable accident) to read as set forth in Annex A. This rulemaking was developed in response to a request by a member of board and has been prepared at the Board’s direction.

The proposed rulemaking package would clarify what situations require the operator of an underground bituminous coal mine to notify the Department no later than 15 minutes of discovery of an accident. The proposed rulemaking package expands the Bituminous Coal Mine Safety Act’s definition of “accidents” by adding two additional scenarios to the current list of 14. Board is specifying seeking comment on the exclusion of the wording “including any of the following” from the proposed rulemaking. There is a concern that by limiting “reportable accidents” to the list 16 scenarios the operator may not contact the Department when an accident occurs that would require an investigation by the Department. Consequently, the Board would like to receive comments on whether limiting “reportable accidents” is an appropriate means to adequately report all unforeseen accidents.

Currently there are 38 underground bituminous coal mines in the Commonwealth of Pennsylvania. These mines employ approximately 4,420 persons. The proposed rulemaking would require them to contact the Department within 15 minutes of discovery of one of the listed accident scenarios to ensure the Department is able to respond quickly to emergency to either aid in a rescue or to preserve evidence for future investigation. Industry and mine worker representatives have been supportive of the efforts to develop the proposed standards.