

**MINUTES**  
**BOARD OF COAL MINE SAFETY**  
**DEP Cambria Office**  
**June 23, 2015 – 10 a.m. – Ebensburg, PA**

**BOARD MEMBERS**

John Quigley, Chairman, DEP Secretary  
John Gallick, PCA, AlphaNatural Resources  
Stan Popich, PCA, Rosebud Mining Company  
Charles Shaynak, PCA, Consol  
Ron Bowersox, UMWA  
Frank Reidelbach, UMWA  
James Sabella, UMWA

**OTHERS PRESENT**

John Stefanko, Deputy Secretary for Active and Abandoned Mine Operations  
Tim Shell, Consol  
Chris Miller, Consol  
Jim Pablic, PCA-ANR  
Mark Plummer, Joy Global  
Mike Jordan, Joy Global  
Will Dando, PA Coal Alliance  
Mike Peyton, UMWA  
Patrick Dennison, PCA Jackson Kelly  
Todd Moore, Consol  
George Ellis, PA Coal Alliance  
Laura Edinger, DEP Policy Office  
Joe Iole, DEP, Regulatory Counsel  
Bo Reiley, DEP, Regulatory Counsel  
Robert Bucher, DEP, Regulatory Counsel  
Joseph A. Sbaffoni, DEP, Bureau of Mine Safety  
Craig Carson, DEP, Bureau of Mine Safety  
Jeffrey Kerch, DEP, Bureau of Mine Safety  
Arthur Brower, DEP, Bureau of Mine Safety  
Jeffrey Stancheck, DEP, Bureau of Mine Safety  
Allison Gaida, DEP, Bureau of Mine Safety

**CALL TO ORDER AND APPROVAL OF MINUTES:**

Chairman, DEP Secretary John Quigley called the meeting to order at 10:08 a.m. in the DEP Cambria Office, Conference Room 1A/B in Ebensburg. He offered his appreciation to members of the Board for their dedication and efforts to assure that mining is conducted in a safe manner, stating that the Governor is focused on mining, including the Board of Coal Mine Safety. Chairman Quigley then asked that introductions be made around the room.

Following introductions, Chairman Quigley asked the Board to consider its first item of business, which was approval of the March 10, 2015, meeting minutes.

**Stan Popich moved to adopt the minutes as presented to the Board. Ron Bowersox seconded the motion, which was unanimously approved by the Board.**

**CONSIDERATION OF FINAL REGULATION: STANDARDS FOR SURFACE FACILITIES:**

Chairman Quigley asked if the Board had any comments or questions related to this rulemaking. No comments or questions were offered.

**John Gallick moved to adopt Final Rulemaking: Standards for Surface Facilities. Jim Sabella seconded the motion, which was unanimously approved by the Board.**

**PRESENTATION AND DISCUSSION ON PERFORMANCE-BASED CABLE SAFETY REQUIREMENTS:**

Presentations were made by Art Brower and Jeffrey Kerch, DEP Bureau of Mine Safety and Tim Shell, ConsolPA for the Pennsylvania Coal Alliance. Ron Bowersox, UMWA, stated he did not have a presentation, but would like to comment after hearing the other two presentations.

Chairman Quigley encouraged the Board to consider moving forward with a rulemaking for performance-based cable safety requirements. He stated that an effective next step could be for the Board to direct DEP to draft a proposed rulemaking to have available for Board review at its next meeting.

**An initial motion was made by John Gallick, that the Board approve the PCA 'Draft Regulation Shielded Cables and Sensitive Ground Fault' regulation as written with no addition. This motion was seconded by Stan Popich.**

Discussion ensued but an agreement was not reached concerning the language in the current version of the draft regulation related to the mille-amperes setting.

**Given the lack of agreement, John Gallick withdrew his motion.**

Chairman Quigley asked the Board to consider a compromise, using the PCA proposal as a starting point to find an acceptable solution with which to move forward. Ron Bowersox suggested soliciting John Burr for his input.

Chairman Quigley requested that the Board members consider the new information they were presented during the meeting and come to the next meeting ready to move forward. He stated

that the DEP would be willing to collect questions from Board members, get answers and circulate responses to the Board before the next meeting. Questions should be submitted to Allison Gaida, at [agaida@pa.gov](mailto:agaida@pa.gov) by August 15.

### **POTENTIAL FUTURE REGULATIONS:**

Potential future regulations were identified at the last meeting.

#### *Proximity Detection Systems for Continuous Mining Machines:*

MSHA's final rule on proximity detection systems for continuous mining machines in underground coal mines had been distributed to the Board for review prior to the meeting.

**A motion was made by John Gallick to direct DEP to draft initial regulatory language to incorporate the MSHA rule on proximity detection systems for continuous mining machines in underground coal mines into PA mine safety regulations. Ron Bowersox seconded the motion which was unanimously approved by the Board.**

#### *Emergency Medical Technician Training for Miners:*

A representative from the Department of Health is scheduled to speak at the next Board meeting regarding the topic of Emergency Medical Technician (EMT) Training for miners.

### **ENHANCING TRANSPARENCY IN THE POLICY PROCESS:**

Laura Edinger from the DEP Policy Office gave a brief overview of the Department's technical guidance policy and the eComment system. Chairman Quigley explained that Governor Wolf's two top priorities are transparency and integrity. The eComment system is another tool that allows the Department to operate with these priorities in mind.

### **OTHER BUSINESS:**

Chairman Quigley asked if there were any other issues the Board would like to consider. No other issues were brought forward.

### **PUBLIC COMMENTS:**

Chairman Quigley asked the members of the public in attendance for comments. No comments were heard.

### **ADJOURNMENT:**

With no further business to discuss,

**Chuck Shaynak made a motion to adjourn the meeting. Frank Reidelbach seconded this motion, which was unanimously approved by the Board.**

The Board adjourned at 12 noon. The next Board meeting will be held on September 8, 2015, at 10:00 a.m. at the DEP Cambria Office in Ebensburg.