

MINUTES
BOARD OF COAL MINE SAFETY
DEP Cambria Office
March 5, 2025– 10 a.m. – Ebensburg, PA

VOTING BOARD MEMBERS PRESENT

Nathan Houtz, DEP, Deputy Secretary for Active and Abandoned Mining Operations
Bobby Bodenschatz, PCA
Todd Moore, PCA
Joseph Zelanko, PCA
Roger Berringer, UMWA
Ron Bowersox, UMWA
Frank Reidelbach, UMWA

DEPARTMENT OF ENVIRONMENTAL PROTECTION STAFF PRESENT

Art Brower DEP, Bureau of Mine Safety
David Lowery, DEP Bureau of Mine Safety
Jack Palumbo, DEP, Policy Office
Brad Russian, DEP, Bureau of Mine Safety
Richard Wagner, DEP, Director, Bureau of Mine Safety
Chas Washlack DEP, Bureau of Mine Safety
Peggy Scheloske, DEP, Bureau of Mine Safety

DEPARTMENT OF ENVIRONMENTAL PROTECTION STAFF PRESENT VIA TEAMS

Laura Griffin, DEP, Policy Office
Laura Campbell, DEP Policy Office
Matthew Kessler, DEP, Office of Chief Counsel
Robert Reiley, DEP, Bureau of Regulatory Counsel

OTHERS PRESENT

Patrick Dennison, PCA/ Fisher Phillips, LLP
B. Ron Kingem, UMWA/Cumberland Mine
Danny Cumpston UMWA/Cumberland Mine
Donald R. Foster, Jr., LCT Energy

OTHERS PRESENT VIA TEAMS

Rachel Gleason, Pennsylvania Coal Association
Trent Machamer, Research Analyst, Pennsylvania Senate

CALL TO ORDER AND INTRODUCTIONS

Nathan Houtz, DEP Deputy Secretary for Active and Abandoned Mining Operations and Acting Chairperson of the Board of Coal Mine Safety (Board), called the meeting to order at 10:03 a.m. in the DEP Cambria Office, File Room Conference Room in Ebensburg. Acting Chairperson Houtz asked the members present to state their names and indicate who they are representing on the Board. He then asked all others present in person and via Microsoft Teams to introduce themselves.

APPROVAL OF MINUTES

The Board considered its first item of business, which was approval of the September 4, 2024, meeting minutes.

Acting Chairperson Houtz asked for a motion to approve the minutes.

Frank Reidelbach moved to adopt the minutes to the Board. Joseph Zelanko seconded the motion. The motion was unanimously approved by the Board, and the minutes were adopted as presented.

APPRENTICE & EXPEDITED MINER CERTIFICATION

Brad Russian, Mine Safety Program Manager, reported that he and Todd Moore will be getting together soon to discuss this and will report back at the next meeting.

VENTILATION AIR METHANE (VAM) GUIDELINES

Chas Washlack, Mine Safety Electrical Program Manager, asked the members to reference the handout titled “How to Operate a VAM-RTO System on a Bituminous Coal Mine” that was provided. He informed the members that the Department was asked by the operators to review this to see if they could develop a reasonable guidance to reference when submitting ventilation plans. Mr. Washlack reported that the Guidelines were compiled by referencing the most relevant federal law including the National Fire Protection Act. The Department spoke with the manufacturers of the equipment, and this is the code they use to build the machinery. Mr. Washlack reviewed the document and asked if there were any questions. Discussion regarding the current use and safety of these systems followed. He explained that it is anticipated that one will be installed by the end of the year. The Department’s goal was to develop guidelines to safely implement this technology, which is highly-designed and redundant.

BATTERY-POWERED HAND TOOLS SPECIFICATIONS

Mr. Washlack provided an update on the Battery-Powered Hand Tools Taskforce review of these specifications. He asked the members to reference the handout titled “Miscellaneous Electrical Devices” that was provided. He explained that this is an excerpt from a document titled “Stipulation and Agreement” that was developed several years ago. This current document was developed to stay up-to-date with advancements in technology, including increasing the 38-volt limit to a 60-volt limit and use of OEM batteries. Mr. Washlack reviewed the document for the

members.

TESTING OF RECORDKEEPING SOFTWARE FOR OPERATORS

Todd Moore reported that the testing of electronic record books in an underground mine is coming along well. By the end of this month, one mine has reported that all examinations on a continuous mine section and a longwall will be using the electronic process exclusively.

SAFETY INCIDENTS

Fatality

Richard Wagner, Director, Bureau of Mine Safety, reported that on January 10, 2025, there was a fatality at the Corsa Coal's Acosta Mine. A mobile bridge conveyor operator was pinned between the operator's compartment and the rib. As the investigation is ongoing, there is nothing more to report.

Haulage Accidents

Director Wagner informed the members that he recently attended a conference where it was reported that there were 424 mobile haulage accidents for the years 2020-2023 in United States underground coal mines. Pennsylvania accounted for one of these accidents.

In Pennsylvania, from 2018-present, there have been four haulage fatalities in bituminous coal mines and one at an anthracite coal mine. As a result of these accidents, there have been many improvements added, including operator's compartments, cameras, two-way communications and haulage safety plans which have been proven to be valuable; however, one item continues to be resurfacing and that is human behavior.

Director Wagner asked the members if they could help to find a meaningful solution to stop these types of accidents from happening. Discussion followed.

OTHER BUSINESS

Mine Rescue Teams – Possible use of State Employees on a Team

Don Foster asked if the Commonwealth would consider the possible use of state employees on a mine rescue team to meet the requirements of Part 49. Graymont, Maple Springs, and Rustic Ridge must provide four persons from each mine and there are not enough persons working to allow them to go to required meetings and trainings.

Discussion followed. Director Wagner expressed that the Department understands that some mines will need a solution in the interim and suggested that he and Dustin Mowery meet with Don Foster to review the requirements. They would consider what the Department may be able to offer and then present something more to the Board if promulgation of a regulation is needed and appropriate.

Interpretation of Pre-shift Exams in the Commonwealth

Todd Moore would like some clarification on requirements for pre-shift exams. The Commonwealth's stance is that the pre-shift must be done within three hours before a coal producing shift. Mr. Moore reviewed Section 218 with the members and believes that it clearly states that there should be an ability to perform differing eight-hour intervals for pre-shift exams and that this will enhance safety because there will be more time to examine each area.

Chairman Houtz suggested that the Board establish a committee with the Board and the Department to review the information and then present their findings at the next Board meeting. It was agreed that Mr. Moore should be included.

Mr. Moore has already submitted the information to the Department. It was concluded that Mr. Moore and the Department should meet to review and discuss the information and then be prepared to make a presentation at the next Board meeting to present their findings. The Board can then decide if they would like to consider if promulgation of a regulation is needed and appropriate. Brad Russian offered to facilitate the meeting.

PUBLIC COMMENTS

Acting Chairperson Houtz asked the members of the public in attendance if they would like to provide any other comments. There were no public comments.

ADJOURNMENT

The next Board meeting is scheduled to be held on June 11, at 10 a.m. at the DEP Cambria Office in Ebensburg. With no further business to discuss, Chairperson Houtz asked for a motion to adjourn.

Todd Moore made a motion to adjourn the meeting. Frank Reidelbach seconded this motion, which was unanimously approved by the Board.

The meeting adjourned at 11:06 a.m.