

MINUTES
Mine Families First Response and Communications Advisory Council
New Stanton, PA
October 28, 2022

A meeting of the Mine Families First Response and Communications Advisory Council was held on October 28, 2022, in the Washington and Greene Rooms at the DEP New Stanton Office in New Stanton, PA. The meeting was held in person and using Microsoft Teams.

MEMBERS PRESENT:

Joseph Sbaffoni, At-Large-Member- House, Chairperson
Judith Shabbick, Local Emergency Response
Philip Barker, Pennsylvania Emergency Management Agency (PEMA)
Chris Selfridge, PEMA - Alternate
Mark Lepore, Mental Health Professional
Grafton Eliason, Mental Health Professional-Alternate

MEMBERS PRESENT VIA TEAMS

None

DEPARTMENT OF ENVIRONMENTAL PROTECTION STAFF PRESENT

Richard Wagner, Bureau of Mine Safety (BMS)
Dustin Mowery, BMS
Scott Schilling, BMS
Heather Cordial, District Mining Operations (DMO)
Margaret Scheloske, BMS
Robert Mentyka, DMO

DEPARTMENT OF ENVIRONMENTAL PROTECTION STAFF PRESENT VIA TEAMS

Louie Krak, Policy Office
Richard Marcil, Regional Counsel

Chairperson Joe Sbaffoni called the meeting to order at 10:05 a.m.

Approval of October 18, 2021 Meeting Minutes

Minutes from the October 18, 2021, meeting held at DEP New Stanton were reviewed.

A motion was made by Mark Lepore to accept the minutes. The motion was seconded by Judy Shabbick. The motion passed unanimously.

Recognition of Members and DEP representatives

Introductions were made around the room and via Microsoft Teams.

Membership

The following is the current organization:

PCA: Rachel Gleason, Alternate: Vacant
UMWA: Ron Bowersox, Alternate: Frank Reidelbach
SMRT: Judith Shabbick, Alternate: Chris Anderson expired: 8/16/2020
Mental Health: Lepore Alternate: Grafton Eliason
PEMA: Phillip Barker Alternate: Christopher Selfridge
Senate: Vacant Alternate: Vacant
House: Joseph Sbaffoni, Alternate: Vacant

Bureau of Mine Safety Report of Activities

Bureau of Mine Safety Director Richard Wagner gave an overview of the Bureau's activities since the last meeting in 2021.

Operational Status

Anthracite: eight active operations which includes three tour mines, two mines have recently been sealed, and there is one replacement mine which will be opening soon.

Bituminous: 26 active and one idled and there will be reactivation of one sealed mine, Rosebud Mining Company's Cherry Tree Mine.

Industrial Minerals: Currently 25 active operations which include businesses in mines. There are 10 mines/caverns that are currently idle. There are also three mines pending permit approval.

Fatal Accident Summary

Lake Lynn Quarry

On January 7, 2022 at the Lake Lynn Quarry operated by Laurel Aggregates, a loader operator received fatal crushing injuries when rock fell from the roof and crushed the cab of the front-end loader he was operating.

The victim was trapped several hours because the area was not safe to enter. SMRT personnel, the Smithfield Volunteer Fire Dept., along with one of the Commonwealth's Mine Rescue Teams assisted the operator in the response. He was pronounced deceased by a SMRT physician after extrication.

An after-action report was sent to the Council. Anything specific to the after-action report can be addressed by either Dustin Mowery or Scott Schilling.

Acosta Mine

The 2nd fatality occurred on October 22, 2022 at the Acosta Mine, owned by CORSA Coal Corp. The investigation is ongoing. A 47-year-old mine examiner was found in a sump by the superintendent and was pronounced deceased by the Somerset County's Assistant Coroner after the victim was brought to the surface. The coroner's report is pending, and the cause of death is not yet determined. A preliminary report will be distributed next week.

Unfortunately, in both instances, the wife of each victim was notified before the mine operator could contact them.

There was discussion regarding the impact of the media and social media and the timeliness of notifying the next of kin. Bureau Director Wagner stated that the Department would welcome any suggestions that the Council may have for operators to address the family in a prompt manner to avoid similar situations.

There was further discussion regarding the need for a designated place for family members to gather, so they could be present during the rescue efforts so that they can receive timely information and remain safe.

Chairperson Sbaffoni asked if the operator emergency response plans specify that the operator must contact the family. It was concluded that the onus is on the operator to notify the family and provide a designated gathering place and both should be addressed in their emergency response plans as outlined in the Mine Families First Response and Communication Implementation Plan.

Notification of SMRT: There was discussion about when to activate SMRT. The SMRT will be activated or at least notified at the same time as the Commonwealth's Mine Rescue Team even if it has been determined that it is not an entrapment so that they are on notice in the event they are needed.

Review of Mine Families First Response and Communication Implementation Plan

Chairperson Sbaffoni informed the members that on November 5, 2008, the Bureau developed the Mine Families First Response and Communications Implementation Plan with the assistance of the Council. At that time, all operators were informed that they need to incorporate this into their emergency response plans and update it as needed. It was agreed that the Bureau should ensure that these plans are all up to date. Director Wagner confirmed that the Department will review all plans for inclusion and operators will be reminded that plans must be updated when information provided in the plan changes.

The liaison section was reviewed, and the mine operator and Department responsibilities were outlined. It was noted that the Plan has not been changed, but has been reviewed annually, as it outlines what the law requires.

Old Business

A. Provide up-to-date reference manual. An up-to date reference manual was provided to the membership.

B. DEP Liaison Training Update

Chairperson Sbaffoni remarked that there are currently no assigned liaisons from the Department as requested at last years' meeting. Director Wagner informed the members that the organization and resources of staff are limited and requested assistance in determining who should be designated as the liaisons and, since this is a critical part of the program, not assign just anyone, just to check a box. Temperament, skillset and personality should be considered. He noted that the Bureau's Administrative Officer, Heather Cordial has offered to assist with this task and noted that, with her military training, she would be a good fit; however, we need to be cognizant of whose direct line of command she is under and also consider that in an extended event, it would tie them up for performing their other duties to the Department. Director Wagner asked the members if they would consider the possibility of using SMRT, since they are independent of the Commonwealth. There was discussion; and Chairperson Sbaffoni, explained that the intent of the law was that the liaison assignment would be Department employees that would be properly trained.

Previous liaison training was reviewed. NTSB initially performed training for about 3-4 years, and then in 2015 and in 2019 there was some training by staff and Council members.

Director Wagner asked what his directive was in this regard. Should he staff the liaison positions with Department personnel or entertain contracting others? Chairman Sbaffoni stated that the Advisory Committee will meet separately and make a recommendation.

New Business

A. After Action Report – Lake Lynn Mine

Chairman Sbaffoni thanked the Bureau for the thorough after-action report and for providing the formal accident report. This item was discussed in the Fatal Action Summary.

Dr. Lepore asked if there were debriefing services offered to employees. Director Wagner noted that Commonwealth staff have SEAP (State Employee Assistance Program) available to them and that in his experience, every operator has provided counselors, in this recent event, the Red Cross offered these services.

When the audit of the safety plans is performed, staff will look to see if this is included and offer this suggestion to the operators. Judy Shabbick mentioned that NIOSH may be a training resource for operators in this regard.

B. DEP Liaison Training Update

Dustin Mowery provided an outline of proposed training courses for potential Departmental liaisons.

1. Complete a FEMA IS 242 Communications Certificate

2. Quarterly training for one to two hours in person or in Teams and would include:

- Course 1 Psychological Effects in Miners Families During Mine Emergency Situations,
- Course 2 How to Coordinate mental health support referrals/psychological first aid
- Course 3 Becoming a Mine Liaison- Bureau confidentiality standards and role of liaisons
- Course 4 After action report and development

Chairperson Sbaffoni said that MSHA Academy is now open and they do offer a 3-day liaison training that could be attended by liaisons at the expense of the Department. He provided contact information for Mr. Joe Mackowiak, Beckley Academy and Secretary of Joseph A. Holmes Safety Association.

C. Mine Families First Presentation at PEMA training for Emergency Management Directors

Mr. Barker would like the Committee to consider adding Mine Families First to the agenda of future PEMA training for Emergency Management Directors who are also from 911 centers. This would be an in-service training with the same presentation for three different districts. The presentation could include information regarding contacts, operations that would occur, owner responsibilities, what DEP will provide and what Mine Families First offers.

Once an agenda is sorted out, this presentation would be great to coordinate and share with all 67 counties. These entities may then be able to share or make recommendations on how they can help.

D. KEMA (Keystone Emergency Management Association) Update

Mr. Barker reported that they met earlier in the week. The meeting brings in many groups, including the volunteer associations. He reported that lately there is limited staffing and a lack of volunteers. They have been looking at retention, recruitment and communication during emergencies. The P25 system (911) has been great for all 67 counties, and there is also a cache of radios available that can be distributed to leadership at certain events.

PEMA has partnered with KEMA and there will be a meeting next October 14-17 at the Blair County Convention Center in Altoona. If the Mine Families First Advisory Committee would like to be on the agenda or reserve a conference room, they should contact Chris Selfridge for scheduling, within the next couple of months.

Chris Selfridge, the PEMA contact and also involved with training in the western area, commented that it would be a great opportunity to give a presentation involving DEP and Mine Families First at the in-service trainings for county coordinators which occur in May and June and then to a different audience at the KEMA conference in October.

It was suggested that the Department may consider bringing a rescue truck and sharing what they do as a rescue and identify assistance that the Department could use during a mine emergency.

Director Wagner said the Department would be happy to participate and that Dustin Mowery should be contacted if they would like to include one of the Bureau's mine rescue apparatus.

He also suggested this presentation may be something that could be offered at the Holmes National Conference, so that other states may consider providing this service. Chairperson Sbaffoni added that it might be beneficial if SMRT also provided information on their services.

It was noted that there continues to be issues with states sharing resources.

Public Comments

None.

Teams Participant Comments

Chairperson Sbaffoni asked if there were any comments from the persons participating via Teams. Louie Krak, new to the mining programs and the Executive Policy Specialist in the DEP Policy Office, with policy responsibilities and Ricky Marcil from the Bureau of Regulatory Council, introduced themselves. There were no comments.

Director Wagner suggested that the Department schedule some time in the future to meet since everyone is new.

Membership Appointment Discussion

There was discussion about attendance and member appointments. Director Wagner reported that the Department has reached out several times for Senate and House appointments, without any response and the PCA has also made attempts. It was recommended that the Bureau find someone who is interested and then refer them to the appropriate authority. A possible point of contact is Senator Pat Stefano, who was the keynote speaker at the KEMA conference, he is chair of the Veterans Affairs and Emergency Preparedness Committee and is involved in emergency preparedness. Other possible contacts were discussed.

Next Meeting Date and Location:

The Council discussed meeting dates and places. Mr. Barker reported that PEMA will be meeting with KEMA next October 14-17 at the Altoona location. The Council will explore having a meeting in conjunction with the KEMA Conference on Monday October 16 or schedule the meeting for October 26 or 27 in the New Stanton District Office.

Executive Session

Chairperson Sbaffoni excused all but the members of the council and the council discussed Bureau Director Wagner's request to consider using liaisons other than Department of Environmental Protection employees as family liaisons.

It is the Advisory Council's recommendation to comply with the intent of House Bill 483, that liaisons be DEP staff.

The last training was performed in 2019 and currently there are no identified trained family liaisons prepared to respond in the event of miners, trapped, injured or awaiting rescue. It is the Council's recommendation that DEP designate an adequate number of family liaisons and provide required training as soon as possible. Chairman Sbaffoni will write to Bureau Director Wagner outlining the Council's recommendations.

Adjourn

A motion was made by Mark Lepore and seconded by Judith Shabbick to adjourn the meeting at 1:19 p.m. The motion passed unanimously.