



October 14, 2020

Bernie Pavlick
Rosebud Mining Company
301 Market St.
Kittanning, PA 16201

Re: Approval – Brush Valley Mine Plan to Fuel Diesel Equipment in an Intake Escapeway

Dear Mr. Pavlick:

On March 16, 2020, Rosebud Mining submitted a request to the Bureau of Mine Safety requesting approval for fueling diesel equipment in an intake escapeway at the Brush Valley Mine.

The TAC met via telephone with you to review the plan for the Brush Valley Mine. Subsequently, the TAC issued a recommendation dated May 20, 2020, to the Bureau recommending approval of the diesel fueling plan. Temporary approval was granted on May 27, 2020. Permanent approval was recommended at the TAC meeting on July 8, 2020.

Based on the recommendation of the TAC and approval staff, your request for diesel fueling in the intake escapeway at the Brush Valley Mine is approved effective July 8, 2020.

If you have any questions on this request, please contact me at either rwagner@pa.gov or at 724.404.3154.

Sincerely,

Richard A. Wagner

Richard A. Wagner, P.E.
Director

cc: Ron Bowersox, TAC
Paul Borchick, TAC
Ed Yount
Richard Murphy
James Schuessler
Scott Hamilton
Chas Washlack
Gary Barkley
Jeff Hamilton
Art Brower



May 27, 2020

Bernie Pavlick
Rosebud Mining Company
301 Market St.
Kittanning, PA 16201

Re: *Temporary Approval* – Brush Valley Mine – Plan to Fuel Diesel Equipment in an Intake Escapeway

Dear Mr. Pavlick:

This is in response to your request dated May 26, 2020, requesting temporary approval for fueling diesel equipment in an intake escapeway at the Brush Valley Mine. The next Technical Advisory Committee on Diesel-Powered Equipment (TAC) meeting is scheduled for July 8, 2020, at which time the final approval for this equipment will be recommended by the TAC.

The TAC met via telephone with you to review the plan for the Brush Valley Mine. Subsequently, the TAC issued a recommendation dated May 20, 2020, to the Bureau recommending approval of the diesel fueling plan.

Temporary approval is granted for diesel fueling in the intake escapeway prior to the regular scheduled TAC meeting that is to be held on July 8, 2020.

Sincerely,

Richard A. Wagner

Richard A. Wagner, P.E.
Director

Enclosures

cc: Ron Bowersox, TAC
Paul Borchick, TAC
James Schuessler
Chas Washlack
Art Brower

**Pennsylvania Technical Advisory Committee
On Diesel Powered Equipment**

Paul Borchick

(412) 736-9105 (Cell)

Email: paulborchick@gmail.com

Ron Bowersox

(724) 726-8987 (Home)

(724) 479-8692 (Office)

Email: umwarbowersox@yahoo.com

May 20, 2020

Richard Wagner, Director
Bureau of Mine Safety
Department of Environmental Protection
131 Broadview Road
New Stanton, PA 15672

RE: TAC recommendation on a request from Rosebud Mining Company Brush Valley Mine for review and approval of a “Plan to Fuel Diesel Equipment in an Intake Escapeway”.

Dear Mr. Wagner:

Chapter 4 of the “Bituminous Coal Mine Safety Act” (the Act) provides for the use of diesel-powered equipment in underground bituminous coal mines. Section 424 of the act created a Technical Advisory Committee (“TAC”) for the purpose of advising the Department regarding implementation of Chapter 4 and evaluation of alternative technology or methods for meeting the requirements of Chapter 4.

Section 411 of the Act (Fueling) states “In those cases where fueling in the intake escapeway is necessary, the mine operator shall submit a plan for approval to the department, which shall be investigated by the Technical Advisory Committee in accordance with section 424, outlining the special safety precautions that will be taken to insure the protection of the miners...”.

Background

On March 16, 2020 the Department received a letter from Rosebud Mining Company requesting approval of a “Plan to Fuel Diesel Equipment in an Intake Escapeway” at Brush Valley Mine.

On April 8, 2020 the TAC met to conduct their investigation.

Investigation

On April 8, 2020 the TAC met by phone with Bernie Pavlick, Rosebud Mining Company Engineer to review the plan and gather information for their recommendation.

The plan submitted and reviewed is site specific to the Brush Valley Mine, and not intended to establish guidelines for other mines. This TAC investigation and recommendation is only applicable to this plan at Brush Valley Mine.

The TAC investigation is guided by Section 411 (Fueling) of the Act as well as other pertinent sections. The TAC worked with all parties to develop a plan that incorporated special safety precautions to ensure the protection of miners and complied with all the requirements of the Act. Mine specific safety features were considered during review of the fueling plan. These included the need identified for Intake Escapeway Fueling, the mine map layout and fueling area precautions including firefighting equipment, the mine communication system and carbon monoxide (CO) monitoring system being utilized at Brush Valley Mine.

After reviewing the mine map and based on conversations with the operator the TAC has determined that the mine design and entry configuration make it necessary to conduct fueling in the intake escapeway at Brush Valley Mine.

As required in Section 411, the plan specifies there will be a fixed location in the intake escapeway where the fueling will occur, and the location will be identified by a sign and marked on the mine map (Attachment 2). The plan addresses the examination of the area for spillage or fire by a qualified individual. A spill cleanup kit will be located at the Intake Escapeway Fueling site and will include all necessary personal protective equipment as well as fuel absorbent materials. Fueling will be done by a trained diesel equipment operator who will be trained in the cleanup and disposal of diesel fuel spills when diesel powered equipment or mobile transportation equipment is being used or when any fueling of diesel powered equipment is being conducted as required in Section 411.

The plan provides additional protection to the miners by maintaining a charged waterline with adequate fire hose and a Pro/pak portable foam system at the fixed location of the fuel transfer. Also the area where fuel transfer will take place will be coated with gunnite and will be well rockdusted. Additional precautions for transporting the fuel buffalo, training of the persons conducting the transporting and fueling operations, length and construction of the fueling hose and communication procedures as stated in the plan also add additional protection for the miners. (Attachment 1)

The plan does not allow permanent storage of the fuel buffalo in the intake escapeway, and requires that it will be stored in an area that complies with Section 405 of the Bituminous Coal Mining Laws of Pennsylvania.

The TAC believes that this plan will provide adequate protection to the miners when fuel transfer will take place in the intake escapeway and does not compromise the level of health and safety as required by the Act.

Recommendation

The TAC recommendation is based on the plan complying with Chapter 4 of the Act, conversations with the operator, observations made during the review of the mine map, communications and tracking system, and a review determining if the plan does not compromise the level of health and safety as provided by the Act.

The TAC thoroughly investigated this site-specific request and recommends approval of the attached plan (Attachment 1). The TAC believes this plan for Brush Valley Mine meets all the requirements of Section 411 and does not compromise the level of health and safety provided the miners under the Act and, therefore, recommends approval.

This recommendation for approval is only for the “Plan to Fuel Diesel Equipment in an Intake Escapeway” at Brush Valley Mine. It is not intended to establish guidelines for other mines. The TAC also recommends that all requests for fueling in the intake escapeway be handled on a mine by mine basis.

Should the operator submit a request to the Director for temporary approval to implement this plan prior to the next TAC meeting on July 8, 2020, the TAC recommends temporary approval for the plan until permanent approval can be formally recommended at that meeting.



Paul Borchick



Ron Bowersox

Plan to Fuel Diesel Equipment in an Intake Escapeway

1. The intake escapeway (entry 4) will be considered the location for fueling. This location will be identified by posted signs. The area will be well rock dusted. The roof and ribs at this location, for an approximate length of 100', will be coated with gunite.
2. Prior to transporting the fuel buffalo (limited to 500 gallons), a pre-op will be conducted by a trained diesel operator to assure the fire fighting equipment is present and in good working order.
3. Persons assigned to transport the fuel buffalo to the fueling location in the intake crosscut will be trained diesel operators.
4. When fueling in the intake escapeway, a spill cleanup kit will be provided, which will include all necessary protective clothing as well as fuel absorbent materials at the location.
5. A designated person on the surface, with two way communication to the fueling location, will be notified prior to and immediately after completion of fueling. The fueling process will not begin nor will the trained diesel operator departed from the fueling site until the designated person has responded. The designated person on the surface will keep a record of the event. A mine phone will be installed at the fueling location as a backup.
6. Prior to fueling, the fueling system i.e., hose, nozzle, etc. will be examined by the trained diesel operator to assure the system is in safe working order.
7. After completion of fueling, a visual examination will be conducted by a qualified person for fire and fuel spillage.
8. The fueling hose shall be of one piece construction not to exceed 100' in length.
9. A fire extinguisher (20lb) will be provided in the intake (upwind) of the fueling site. Also provided at the fueling site will be a Pro/pac portable foam system.
10. A charged waterline, with hose and nozzle, will be available for fire-fighting use and will located outby the fueling location.
11. A CO monitor will be located approximately 50' inby the fueling area in the intake escapeway.
12. This plan does not permit permanent storage of the fuel buffalo in the escapeway airway.
13. All other requirements of the Bituminous Coal Mining Laws of Pennsylvania shall apply.
14. This plan allows for the transfer of fuel in the escapeway airway provided this plan is followed.