



WEST VIRGINIA BOARD OF COAL MINE HEALTH AND SAFETY

1615 Washington Street, E. ▪ Charleston, West Virginia 25311 ▪ Telephone 304-558-1425 ▪ Fax 304-558-6091

Board of Coal Mine Health and Safety
10 December – 10:00am
11 December – 10:00am
1615 Washington Street East
Charleston, WV

MINUTES

Board Members Present:

Dave Ashby
Chris Hamilton*
Charles Russell, III

Carl Egnor
Ted Hapney
Gary Trout

* Mr. Hamilton was absent the first day

Ron Wooten, Chairman, presiding
The Administrator was present

Guests:

Jama Jarrett
Fred Tucker
Tim Huber

Tim Traxler
Terry Farley

1st Day –

A voting quorum failed to be established due to the absence of a Board member.

The Board was presented with a Report on Fatal 07-08.

The Board listened to a presentation by Tim Traxler of ICF Building Products, LTD, LLC concerning a blanket metatarsal request.

The Board discussed the upcoming effective date of 1 January 2009 of 36.18.6.1.

The Board discussed the creation of state regulations in response to MSHA's 30 CFR 75 concerning belt air.

The Board discussed 36.27.14.5, Oil and Gas Lines and Wells, and the lawsuit that was filed against the Board. The Administrator filed the rule and was unaware of any intended action against the Board at that time.

2nd Day –

Mr. Hapney made a motion to accept the minutes; Mr. Trout seconded, the motion then carried.

The Board then heard the report of the TRC from Mr. Tucker

- Mr. Trout made a motion to accept 07M-08, a metatarsal request; Mr. Egnor seconded. The motion then carried.
- Mr. Trout made a motion to accept 08M-08, a metatarsal request; Mr. Egnor seconded. The motion then carried.

The Board heard the Administrator's Report

The Board then discussed proposed regulations and instructed the Administrator to prepare side-by-side comparisons for several of the proposed regulations. The Board further instructed the Administrator to add 36.21.14 to the agenda.

The next meeting was set for 19 and 20 of January 2009 (later changed to 20 and 21 January) at 10:00am in Charleston, WV.

Mr. Trout made a motion to adjourn; Mr. Egnor seconded. The motion then carried.

The Board adjourned.