



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
24 February – 2:00pm
25 February – 11:00am
Charleston, WV

Minutes

Members Present:

Chris Hamilton
Charles Russell
Dave Ashby

Gary Trout
Ted Hapney
Carl Egnor

C.A. Philips, presiding
Administrator was present

Guests:

Jama Jarret
Scott Johnson, AG

Family of Mr. Gray

The Board discussed the Administrator's report on Gray Fatal. Mr. Hamilton made a motion to hold the report over until MSHA releases its final report. Mr. Hapney seconded. The motion then carried.

Mr. Hamilton made a motion to approve the minutes; Mr. Ashby seconded. The motion then carried.

Mr. Hapney made a motion to review the oil and gas rule at the next Board meeting, in light of any legislative action; Mr. Trout seconded. The motion then carried.

Mr. Trout made a motion to incorporate language for handling cables from proposed rule 36.48.13(c) into 36.47.7 and return the rule to the Board at the next meeting; Mr. Russell seconded. The motion then carried.

Mr. Hamilton made a motion to send the new rule out to the companies which have a variance; Mr. Hapney seconded. The motion then carried.

The Board took no action on proposed rule 36.49 as it was still under the comment period.

Mr. Tucker presented the Technical Review Committee' report.

- Petition 62-09 – Mr. Hamilton/Mr. Trout
- Petition 01-10 – Mr. Trout/Mr. Egnor

- Petition 03 through 05-10 – Mr. Ashby/Mr. Hapney
- Petition 09-10 – Mr. Hapney/Mr. Russell
- Petition 10-10 – Mr. Ashby/Mr. Trout
- Petition 12-10 – Mr. Hapney/Mr. Russell

The Board set 30 March at 1pm and 31 March at 10am as the next meeting dates.

Mr. Hamilton informed the Board of a future request to examine 36.43 in light of MSHA's reexamination of the Federal statute regarding deep cut mining.

The Board Recessed.

The Board was unable to officially meet for the 2nd day.