



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
25 February – 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

Ron Wooten, presiding

Guests:

Jama Jarrett

Fred Tucker

Mr. Hamilton made a motion to accept the January minutes; Mr. Russell seconded. The motion then carried.

Mr. Hamilton made a motion to accept the Finding of Fact and Conclusions of Law on Fatal 07-08; Mr. Ashby seconded. The motion then carried.

Mr. Tucker presented the Technical Review Committee Report:

- Mr. Hamilton made a motion to approve petition 92-08, Marfork Coal Company; Mr. Russell seconded. The motion then carried.
- Mr. Russell made a motion to approve petition 93-08, Marfork Coal Company; Mr. Ashby seconded. The motion then carried.
- Mr. Russell made a motion to approve petition 94-08, Marfork Coal Company; Mr. Ashby seconded. The motion then carried.
- Mr. Hamilton made a motion to approve petition 95-08, Marfork Coal Company; Mr. Ashby seconded. The motion then carried.
- Mr. Hamilton made a motion to approve petition 03-09, Dana Mining; Mr. Trout seconded. The motion then carried.
- Mr. Hamilton made a motion to approve petitions 04-09 and 05-09, McElroy Coal Company; Mr. Ashby seconded. The motion then carried.
- Mr. Hamilton made a motion to approve petition 12-09, Gold Resources; Mr. Hapney seconded. The motion then carried.

The Board directed the Administer to ask Mr. Kendell Smith to attend the next Board meeting concerning Title 36 Series 6, Longwall Equipment

Mr. Hamilton made a motion to direct the Administrator to prepare a report on Fatal 05-08; Mr. Hapney seconded. The motion then carried.

Mr. Hamilton made a motion to direct the Administrator to prepare a report on Fatal 06-08; Mr. Egnor seconded. The motion then carried.

Mr. Hamilton made a motion to direct the Administrator to prepare a report on Fatal 09-08; Mr. Russell seconded. The motion then carried.

The Administrator gave a briefing on his participation during the investigation of Fatal 01-09

The Board directed the Administrator to prepare a definition on a 'tunnel mine' for the next Board meeting.

The Board moved the discussion of the all proposed regulations to the next Board meeting

The Board asked the Administrator to forward Mr. Harris' communications with the Board to the DEP and Department of Homeland Security.

The next meeting date was set for 26 March 2009 in Charleston, West Virginia at 10:00a.m.

The Board adjourned.