



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
23 July -10:00am
1615 Washington Street East
Charleston, WV

Minutes

Members Present:

Dave Ashby
Chris Hamilton
Gary Trout

Carl Egnor
Charles Russell

Chairman Ron Wooten, presiding
Administrator was present

Guests:

Tom Smith, AG
Fred Tucker, TRC
Jim Petry, AG

Jama Jarrett

A voting quorum was not established.

The Director introduced Tom Smith, AG, to the Board and asked him to give an update on several issues. The Board decided that it was best to have its attorneys present before speaking with the Director's attorney.

Mr. Smith informed the Board that he believed that the lawsuit filed against the Agency and the Board concerning jurisdictional issues involved barges and river load-outs could be settled if the Board substantially adopted the Director's rule.

Mr. Smith asked the Board to consider a collusive lawsuit with the Director concerning rulemaking

The Board reviewed the Administrator's report. No action was taken.

Mr. Tucker discussed 13-09 as a double vote by the Board, giving an update to the status of the first vote and why the second vote was unnecessary.

The Administrator reported on the Diesel Equipment Commission. The Administrator also asked for permission to seek a meeting with the Chairs of both the House and Senate Finance Committees.

The next meeting dates were set for 12 and 13 August in Flatwoods, WV.

The meeting recessed.