



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
26 March – 10:00am
1615 Washington Street East
Charleston, WV

Minutes

Members Present:

Dave Ashby
Chris Hamilton
Charles Russell

Carl Egnor
Ted Hapney
Gary Trout

Chairman Ron Wooten, presiding
Administrator was present

Guests:

Nick Preservati
Fred Tucker
Jama Jarrett

C.A. Philips
Kendall Smith
Binglin Yang

Nick Preservati gave the Board an update on the lawsuit concerning the oil and gas line regulations

Kendall Smith gave the Board his recommendations on proposed regulations on high voltage equipment. The Board asked Mr. Smith to prepare another draft which is to be resubmitted at the next Board meeting.

Discussion occurred on various issues

The next meeting date was set for April 22 at 10am at the OMHS&T in Charleston, WV

Mr. Trout made a motion to accept the minutes; Mr. Egnor seconded. The motion then carried.

Mr. Trout made a motion to accept the Administrator's Report on Fatal 05-08; Mr. Hamilton seconded. The motion then carried.

Mr. Hapney made a motion to accept the Administrator's Report on Fatal 06-08; Mr. Egnor seconded.

Mr. Hapney made a motion to accept Administrator's Report on Fatal 09-08; Mr. Russell seconded. The motion then carried.

Mr. Trout made a motion to hold discussion on proposed belt air regulations to the next meeting. The Board asked the Administrator to redeliver the previously prepared side-by-side comparison of State and Federal rules to the Board. Mr. Hamilton seconded the motion; the motion then carried.

Mr. Trout made a motion to hold discussion on 22A-2-60(b), Tunnel Mines, to the next meeting; Mr. Hapney seconded. The motion then carried.

Mr. Trout made a motion to move all discussion on all other proposed regulations to the next meeting; Mr. Hapney seconded. The motion then carried.

The Board asked the Administrator to secure a copy of the order from a recent Board of Appeals case.

Fred Tucker gave the report from the Technical Review Committee:

- Mr. Ashby made a motion to accept petition 85-08, Alma 2 – Belt Clearance; Mr. Trout seconded. The motion then carried.
- Mr. Ashby made a motion to accept petitions 06-09, 07-09, and 08-09 (Spartan Mine – Belt Clearance); Mr. Hamilton seconded the motion. The motion then carried.
- Mr. Ashby made a motion to accept petition 13-08, Whitebuck Grassy #1 – Belt Clearance; Mr. Hamilton seconded. The motion then carried.

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