

**UTAH LABOR COMMISSION
MINE SAFETY TECHNICAL ADVISORY COUNCIL MEETING**

**Tuesday December 14, 2010 at 11:00 A.M
3rd Floor Conference Room, Heber M. Wells Building
160 East 300 South
Salt Lake City, Utah**

The following Advisory Council members were in attendance:

Sherrie Hayashi, Commissioner, Utah Labor Commission
Steve Childs, Skyline Mine
Don Shelley, Deer Creek Mine
Todd Bingham, President, Utah Mining Association
Miles Nelson, Associate Vice President, College of Eastern Utah
Walter Arabasz, Director, Seismology Stations
Kim McCarter, Professor, U of U Department of Mine Engineering
Mike Dalpiaz, International Vice President, United Mine Workers of America
John Baza, Division Director, Department of Natural Resources, Division of Oil, Gas & Mining
John Byars, Manager of Engineering, SUFCO Mine, Arch Coal
Jeff McKenzie, Acting Branch Chief, Solid Minerals, US Department of the Interior, BLM

Absent:

Terri Watkins, Chief Nursing Officer, Castleview Hospital
Ralph Sanich, Manager of Health, Safety and Training, Interwest Mining Company
Jimmy Brock, Senior Vice President, Consol Energy
Lamar Guymon, Sheriff, Emery County
Bruce Riches, Captain, Department of Public Safety
Allyn Davis, District 9 Manager, MSHA
Randy Tatton, President, Mining Health & Safety Solutions

Legislative Liaison present:

Senator David Hinkins

Others present:

Alan Hennebold, Deputy Commissioner and Legal Counsel, Utah Labor Commission
Pete Hackford, Division Director, Utah Labor Commission, Division of Boiler, Elevator and Coal Mine Safety
Debbie King, Administrative Secretary, Coal Miner Certification

- 1. Sherrie Hayashi, Commissioner – Meeting called to order at 11:00 AM**
- 2. Update on OCMS Director Position Posting**

Commissioner Hayashi explained in detail the reasons for leaving the OCMS Director Position vacant and explained that Governor Herbert's budget for this year does include a

request for funding for this position, however, that request must be approved by the Legislature.

Todd Bingham suggested that we re-evaluate the job responsibilities of the Director of the Office of Coal Mine Safety before presenting to the legislature for the funding.

The question was posed to the Council as to what they felt were the necessary qualities for the Director of the Office of Coal Mine Safety. The following were the most prominent suggestions:

- Trust – both between the Office of Coal Mine Safety and Operator and the Office of Coal Mine Safety and individual miners – visits should not result in MSHA fines
- Knowledge – the candidate must have experience in Coal Mining
- Enhance SAFETY
- Emergency Management

Steven Childs added that a State representative, who interacts as a liaison with the operators, miners, MSHA and emergency response, would be all that is needed by the mining industry. The liaison would not make mine visits.

Mike Dalpiaz noted that filling the position with a person who is merely a liaison would not fulfill Governor Huntsman's intent for safety when he put the Office of Coal Mine Safety into place. If we are going to have just another administrative person fill the position, then we should abolish it.

- Mike Dalpiaz made a motion to support the Governor's budget for the Office of Coal Mine Safety under the condition that the job responsibilities will remain the same as they currently are.
- Todd Bingham opposed the motion, but wanted to clarify that he would support the Governor's proposed budget with the condition that the job responsibilities of the Director of Coal Mine Safety be re-evaluated and updated.
- Motion passed 6 to 3

Senator Hinkins asked the Council to provide him with three compelling reasons to keep and fund the Office of Coal Mine Safety so he could present them to the legislature.

3. Council Members

All expiring members were contacted and expressed desire to be renewed. All seven members have received new appointments.

4. Old Business

5. New Business

6. Next Council Meetings for 2011

Next meeting – will be held in Salt Lake City, March 22, 2011 at the Heber Wells Building, 3rd Floor Conference Room, 160 East 300 South; Salt Lake City.

Adjourn: 12:50 PM