

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

**Tuesday December 15, 2009 at 11:00 A.M
1st 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
John Byars, Manager of Engineering, SUFCO Mine, Arch Coal
Miles Nelson, Associate Vice President, College of Eastern Utah
Lamar Guymon, Sheriff, Emery County
Walter Arabasz, Director, Seismology Stations
Kim McCarter, Professor, U of U Department of Mine Engineering
Bruce Riches, Captain, Department of Public Safety
Mike Dalpiaz, International Vice President, United Mine Workers of America
John Baza, Division Director, Department of Natural Resources, Division of Oil, Gas & Mining
Allyn Davis, District 9 Manager, MSHA
Jeff McKenzie, Acting Branch Chief, Solid Minerals, US Department of the Interior, BLM
Randy Tatton, President, Mining Health & Safety Solutions
John Byars, Manager of Engineering, SUFCO Mine, Arch Coal

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

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
Garth Nielsen, Director, Office of Coal Mine Safety
Debbie King, Administrative Secretary, Coal Miner Certification
Kevin Tuttle, Safety Manager, Deer Creek Mine

1. Sherrie Hayashi, Commissioner – Meeting called to order at 11:09 AM

- Review of last meetings minutes
 - Walter Arabasz made a motion to approve as written.
 - Kim McCarter seconded the motion.
 - Minutes were approved unanimously.

2. Report to Council from Task Groups on the Proposed Rules

- Proposed Rule - R616-4-3. Examining of Coal Mines – Report by Pete Hackford and Todd Bingham.
 - Mike Dalpiaz made a motion to pass the proposed rule as written.
 - Todd Bingham seconded the motion.
 - Motion passed unanimously.
- Proposed Rule - R616-4-4. Accident Notification – Report by Mike Dalpiaz.
 - Todd Bingham made a motion to pass the proposed rule with the addition of the word “immediately” in the second sentence and the specific MSHA rule (30 CFR, Part 50.2 and 50.10) added to the language.
 - Kim McCarter seconded the motion.
 - Ten Council members were in favor of the motion. Mike Dalpiaz was opposed. Motion passed.
- Proposed Rule - R616-4-5. Emergency Response – Report by John Byars.
 - John Byars made a motion to pass the proposed rule with the addition of the word “annually” in the first sentence and the words “be notified of and” in the second sentence, between the words *shall* and *arrange*.
 - Mike Dalpiaz seconded the motion.
 - Motion passed unanimously.

3. Old Business

- Immediate Danger – Report by Garth Nielsen
 - The consensus of the task groups was that everyone felt it was necessary for the Office of Coal Mine Safety to be able to stop an immediate danger, but there was not an agreement on the language that should be used to write the rule. The task group will continue to work on it.

4. Task Group Assignments for Future Issues

- Council members may choose which task group(s) they would like to be on. Please email your choice(s) to Garth Nielsen no later than December 31, 2009.
 - If you would like to be the chair person of a task group, please add that to your response.
 - Outside persons may be members of the task groups.
 - The four task groups are:
 - 1) Emergency Response
 - 2) Miner Certification
 - 3) Training/WETC/CEU
 - 4) Research/Engineering/Seismology/Plan Reviews and Hydrocarbons

5. Schedule for Council Meetings in 2010

- The schedule for the next four meetings will be:
 - March 23, 2010
 - June 15, 2010
 - September 21, 2010
 - December 14, 2010

6. New Business

- Pete Hackford brought up the need to establish a policy on how to handle alternates and replacements for Council members.
- After discussion, it was agreed that:
 - a) Alternates: No alternates would be allowed. Instead Council members would have the option of attending remotely with the use of electronics such as Skype, or a conference call, and they will still be allowed to vote.
 - b) Replacements: When a vacancy on the Council occurs, it will be advertised to the Council members. They may give recommendations on candidates they would like to fill the seat. Any interested candidates may submit a resume for review.

Next meeting – will be held in Salt Lake City, March 23, 2010 at the Heber Wells Building, 160 East 300 South; Salt Lake City.

Motion to adjourn made by Todd Bingham
Seconded by John Byars

Adjourn: 12:29 PM