

**INTERIM REPORT OF THE COAL MINE HEALTH  
AND SAFETY COMMISSION**

**TO  
THE GOVERNOR  
AND  
THE GENERAL ASSEMBLY OF VIRGINIA**



**Senate Document No. 8**

**COMMONWEALTH OF VIRGINIA  
Department of Purchases and Supply**

**Richmond**

**1977**

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Richmond, Virginia  
November, 1976**

TO: Honorable Mills E. Godwin, Jr. Governor of Virginia

and

The General Assembly of Virginia

**I. Introduction.**

The Coal Mine Health and Safety Commission was established pursuant to Senate Joint Resolution No. 63 of 1976.

**SENATE JOINT RESOLUTION NO. 63**

Creating a Commission to study coal mine health and safety and to allocate funds therefor.

WHEREAS, although surface and deep mining of coal make significant contributions to the economy and energy production of the State, it is an industry that has unique and serious health and safety problems; and

WHEREAS, over the years, numerous State laws have been enacted to protect the coal miners from the hazards of the mining process; and

WHEREAS, because of the changes and advancements in mining technology and the changing nature of the coal mining industry, there is a need to reassess the health and safety problems of coal miners and the State laws that have been enacted to address such problems; now, therefore, be it

RESOLVED by the Senate of Virginia, the House of Delegates concurring, That the Coal Mine Health and Safety Commission is hereby created. The Commission shall study the health and safety problems of coal miners in Virginia. The study shall include an

examination of the present conditions under which coal miners work, the new and developing technologies in the field of coal mining and mine safety, and the State coal mine health and safety laws of Title 45.1 of the Code of Virginia.

The Commission shall consist of ten members, two to be appointed by the Senate Committee on Privileges and Elections from the membership of the Senate, five to be appointed by the Speaker of the House of Delegates from the membership thereof, one ex officio member, with the power to vote, to be the Chief of the Division of Mines of the Virginia Department of Labor and Industry, and two to be appointed by the Governor to include one coal miner and one coal mine operator.

The legislative members of the Commission shall receive such compensation as set forth in § 14.1-18 of the Code of Virginia and all members shall be reimbursed for necessary reasonable expenses incurred in the performance of their duties in the work of the Commission. There is hereby allocated from the general appropriation to the General Assembly the sum of ten thousand dollars for the purposes of this study.

All agencies of the State shall assist the Commission in its work upon request.

The Commission shall make an interim report to the Governor and General Assembly no later than December one, nineteen hundred seventy-six and a final report with recommendations no later than September one, nineteen hundred seventy-seven.

John C. Buchanan of Wise, a member of the Senate of Virginia and patron of Senate Joint Resolution No. 63 was elected Chairman. Orby L. Cantrell of Pound, a member of the House of Delegates, was elected Vice Chairman.

In addition to the Chairman and Vice Chairman, Daniel W. Bird, Jr. of Wytheville, a member of the Senate of Virginia, was appointed to the Commission. Also appointed to serve from the House of Delegates were Claude W. Anderson of Buckingham, Charles W. Gunn, Jr. of Lexington, James B. Murray of Earlysville, and William T. Wilson of Covington.

The following citizens were appointed pursuant to the resolution to serve on the Commission: W. Foster Mullins of Big Stone Gap; James McGlothlin of Grundy; and Lody Salyers of Coeburn. Bragdon R. Bowling, Jr. and Joanne S. Palmore of the Division of Legislative Services served as staff to the Commission.

## **II. Work of the Commission.**

In its first year of existence, the Commission has primarily focused its attention upon gathering information relating to coal mine health and safety so as to begin to comprehend the myriad problems confronting the coal mining industry.

After an initial organizational meeting, the Commission probed into the federal and State laws presently applicable to coal mine health and safety. Staff prepared a detailed manuscript showing the similarities and differences between the Federal Coal Mine Health and Safety Act of 1969 and the Virginia Mine Safety Law of 1966. It became apparent from the outset that there were many provisions in the Virginia law needing revision, elimination, or clarification in order to bring State law into harmony with federal law. It was generally agreed that more federal-state cooperation and consultation was necessary in order to improve mining health and safety.

On October 4-5, 1976, the Commission underwent a thorough briefing covering the fundamental methods and principles governing the deep mining of coal. This briefing was conducted by the Chief Mine Inspector of the Division of Mines, Mr. W. Foster Mullins, a member of the Commission. Mr. Mullins and his mine inspection staff demonstrated equipment used by miners and inspectors and gave an exhaustive review of mine safety laws and regulations. This briefing was followed by a tour of a large shaft mine and a small truck mine in Grundy, Virginia. These tours were designed to give the members of the Commission a better understanding of mining operations.

The experience of the Commission in its first year of existence indicated that more education and training was needed by personnel employed in mining. The federal Coal Mine Health and Safety Act which relies on exacting financial penalties as an enforcement mechanism has not improved safety conditions in the coal mines of the nation. It seemed to be the general opinion of both labor and management that the enacting of more safety laws was not the answer to improving coal mine health and safety.

Among the many topics suggested for the commission to review were the following:

1. Pre-employment training programs. It was demonstrated to the Commission that most accidents occur due to shortcuts and careless work habits which might be curbed through effective pre-employment training. The recent growth of the industry has led to an influx of inexperienced miners seeking financial stability. It was demonstrated that there is an inordinate number of such inexperienced miners injured or killed during the first few months of employment. It was suggested that such mishaps could be avoided through the use of an effective pre-employment training program patterned after similar programs now in effect in other states. The federal government has not entered into this area, leaving an important function for the states to fulfill. Such training would occur in both the classroom and in an actual mine. It was amply demonstrated to the Commission that mining is an increasingly technical and complex occupation demanding trained personnel and new training methods must be devised to help prevent accidents in coal mines.

2. Miner re-training. It was recommended that the Commission review the need for miner re-training programs.

3. On-site first aid training. Improvements in on-site first-aid training were recommended.

4. Review of salaries. The Division of Mines and Quarries is having difficulty retaining qualified mine inspectors and it was suggested that the Commission review salary scales for mine inspectors.

### **III. Conclusion.**

In addition to reviewing the many recommendations already made, the Commission looks forward in the next year to working closely with both industry and labor to improve Virginia coal mine health and safety laws. The Commission intends to thoroughly review the health and safety laws of neighboring states. The Commission hopes to conduct one or more public hearings to receive public testimony relative to coal mine health and safety. The Commission also plans on entertaining specific recommendations from affected groups. Improved State safety laws would enable Virginia to perform an important role in making mines healthier and safer.

The Commission intends to present legislation and specific recommendations in its final report to the Governor and the General Assembly.

Respectfully submitted,

John C. Buchanan, Chairman

Orby L. Cantrell, Vice Chairman

Daniel W. Bird, Jr.

Claude W. Anderson

Charles W. Gunn, Jr.



**James B. Murray**

**William T. Wilson**

**James McGlothlin**

**W. Foster Mullins**

**Lody Salyers**

