Remarks of David G. Dye
Acting Assistant Secretary of Labor
Mine Safety and Health Administration

25th International Conference on Ground Control in Mining
Morgantown, WV

August 1, 2006

Good morning, everyone, and thanks (name) for that fine introduction. I am honored to be here to help you celebrate 25 years of advancement and success in the important field of ground control.

I would also like to recognize Dr. Peng for his significant contributions in longwall mining and ground control. His contributions have had a major impact on improving safety and reducing fatalities in America’s mines. Thank you, Dr. Peng, for the important work you have carried on throughout the years. Many miners are alive today because of your dedicated work to protect them.

I am particularly pleased to learn that there are many mine operators here at this conference, and I would like to extend you an especially hearty welcome. It is with people like you – operators who care, who insist on learning the most up-to-date safety and health information, who actively participate in safety and health decisions in your mines – that we can work together to reduce injuries, illnesses and fatalities in our nation’s mines. Thank you for taking the time to come to this conference and make a commitment to safety.

As you know, we at MSHA have been busy this year. This has been a particularly difficult year so far in our nation’s coal mines, with 35 fatalities to date, including the tragedies in West Virginia and Kentucky – as well as 17 fatalities to date in metal and nonmetal mines. So many fatal accidents, coming so quickly at a time when mining fatalities have been steadily declining, are a wake-up call to us that we all need to re-focus and re-dedicate ourselves to making safety
job number one at the mines. This level of fatal accidents in America’s mining industry is, quite simply, unacceptable. We can do better – I know it and I know you know it. That's why you’re here!

Speaking of our busy year, I’d like to take some time right now to briefly touch on the new MINER Act that President Bush signed into law on June 15. It is a landmark piece of legislation – the most significant piece of mine safety and health legislation since the Federal Mine Safety and Health Act was originally passed in 1977. We are working hard to implement this new law, and look forward to the help of folks just like you in carrying this out.

I want to remind you that several parts of the bill will require rulemaking. We are in the deliberative process of that now, and you can keep up-to-date on the law and the rules we must make to administer it by regularly visiting our website at www.msha.gov. There is a single page that contains information on the Act and updates on where we stand in implementation. Please visit that page often, and when the occasion arises when we seek comments, please give us your input. We are interested in everything the mining community has to say about the new law and its implementation.

Many of the provisions in the law apply solely to underground coal mines, including the requirement that each underground mine develop a written accident and evacuation plan, including tracking systems, air caches, lifelines, training, and local coordination after accidents.

There are also several key provisions that apply to both coal and metal/nonmetal mines, including:

- Raising the criminal penalty cap to $250,000 for first offenses and $500,000 for second offenses, as well as creating a new flagrant violation provision with a maximum civil penalty of $220,000;

- Requiring that a mine operator notify MSHA within 15 minutes of a death, entrapment or injury likely to result in death of a miner. This provision is also contained in the
emergency temporary standard that MSHA promulgated earlier this year. The penalty for failure to notify within 15 minutes was set in the law as not less than $5,000 and not more than $60,000;

- Delineating specific mine rescue team requirements, including composition and training of the teams, with specific requirements for small mines (defined as 36 or fewer employees);

- Establishing a “good Samaritan” provision shielding individuals not employees of the mine who participate in a mine rescue from legal action unless there was gross negligence, reckless or illegal conduct; and

- Establishing a grant program called the Brookwood-Sago Mine Safety Grants program, to provide training grants to better identify, avoid and prevent unsafe working conditions in and around mines.

Let me just take a moment to say here that although the provisions in the new law regarding emergency evacuation plans apply only to coal mines, it is my firmly held belief that every mine needs an emergency evacuation plan and Standard Operating Procedures for emergencies. The SOPs should include the telephone numbers of all applicable MSHA officials so that any miner or mine management official will know exactly whom to call when the occasion arises. An ounce of prevention and a few telephone numbers can make all the difference.

And prevention is what you all have been all about for the last 25 years – and you have helped the mining industry make remarkable progress in preventing injuries and fatalities. In 1981, 41 miners were fatally injured from roof falls in underground coal mines; last year there 9 and so far this year there have been 6. And three years ago, in 2003, the coal mining industry set a record low with three miners killed from roof or rib falls. We know that even one death is too many, but mine safety and health professionals as well as the mining industry should be proud of their achievements thus far – and spurred on to even greater achievements in mine safety and health.
Even though I’m preaching to the choir here, I’d like to enumerate some of the advances MSHA, safety professionals and the industry have made throughout the years in ground control:

- **New support systems.** In 1981 a mining company had very few choices for types of roof bolts (expansion anchor or fully grouted) and standing supports (timbers), today not only are the supports of better quality, but the variety is greater and can address a wide range of problem roof.

- **Canopies (overhead protection from roof falls) for face equipment.** I know canopies have saved many lives – I’ve seen the pictures of accidents that could have easily been fatalities – and have seen living miners who were saved by canopies.

- **ATRS (automated temporary roof support) systems,** which were mandated in MSHA’s roof control regulations in 1988 and eliminated the hazardous task of manually setting temporary supports.

- **Remote sensing through satellite imagery and Geographical Information Systems (GIS),** which uses high altitude photographs and satellite imagery to detect potential ground problems before they are encountered. Again, it’s better to exercise an ounce of prevention rather than several tons of cure.

- **Computer modeling to improve mine design.** Mine design was a trial and error process, but with faster computers and better modeling software, optimum design for a mine can be quickly predetermined – saving trial and error that in the old days cost lives.

- **Retreat (pillar) mining has benefited greatly from the technological progress in ground control.** Mobile Roof Support (MRS) systems reduce or eliminate the need for manually setting breaker and turn posts. Computer aided design has helped in stress control and design of the final push out stump.
But, as you know, we can’t stop here even though we’ve made tremendous advances. As technology and the art and science of mining changes and improves the production of minerals, we will face more challenges to ensure that these new technologies are safe for the miners – and improve the safety profile of the mine operation.

We have many examples from recent history of how technology has worked hand-in-hand with production and safety. For example, take a look at the evolution of the remotely controlled continuous mining machine. This machine improved production rates and provided for extended mining cuts. However, it presented new issues and a new environment for miners. We took the operator out from under the protection of a canopy and placed them in an area in close proximity of the moving machinery and in an area prone to roof falls. However, we have addressed those issues through operational changes and – you guessed it – technology, by requiring the operator be in certain safer locations and developing a “proximity detector” to shut the continuous mining machine off if the operator is too close. We are enthusiastic about rolling out the proximity detector to the industry – any day now. Keep visiting MSHA’s website for further developments on this device.

Over the next few days here at this conference, you will hear papers that will reflect on the changes and advancements in ground control over the past 25 years. Although significant improvements have been made during the last 25 years, we can’t stop here. As mining evolves, so must mine safety and so must specific disciplines within mine safety, like ground control. We can’t predict what will happen in mining over the next 25 – or 50 or 100 – years, but I guarantee that through the efforts of people like you and conferences like this, the improvements you contribute will mean safer mines, safer miners, and further reductions in one of the leading causes of fatalities in our coal mines – roof falls.

Thank you for your attention, and thank you for the work you are doing.