



State of West Virginia
Joe Manchin III, Governor

WV Office of Miners' Health, Safety & Training
Ronald L. Wooten, Director
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MEMORANDUM

TO: All West Virginia Coal Mine Operators
FROM: Ronald L. Wooten, Director *RLW*
DATE: February 27, 2007
RE: March 12th Breathable Air Submittal

As you know, your submittal to the Mine Safety and Health Administration (MSHA) pursuant to the breathable air requirements of Section 2 of the Mine Improvement and New Emergency Response (MINER) Act of 2006 is due by March 12, 2007. The interpretation of this provision, as well as, the establishment of this deadline was included in the Program Information Bulletin (PIB) No. P07-03; which was issued on February 8, 2007.

Additionally you should also be aware that pursuant to Title 56, Series 4 of the West Virginia Administrative Rules:

“No later than April 15, 2007 all underground operators shall submit an emergency shelter/chamber plan for approval by the Director in accordance with 22A-1-36.”

In an effort to have “approved shelters/chambers” from this office for a March 12, 2007, submittal to MSHA, our approval process has been expedited. Accordingly, all “shelters/chambers” approved by this office will be posted on this agency’s website (www.wvminesafety.org) by 9:00 a.m. on the morning of Friday, March 9, 2007. A letter delineating those approval units will also be mailed to you that day. You can also call your regional office for this approval information. Hopefully this will provide ample time to prepare your submittal to MSHA, referencing your plan to deploy one or more of the West Virginia “approved shelters/chambers” to comply with the above referenced MINER Act requirements. It is our understanding that your submittal must be postmarked by 11:59 p.m. on March 12, 2007.

If you have any questions, please call.

RLW:ks