

Mine Safety Testimony  
January 3, 2008

Chairman Matheson, members of the Utah Mine Safety Commission, my name is Neil Getzelman, President of Interwest Mining Company.

Interwest Mining Company is a wholly-owned subsidiary of PacifiCorp located here in Utah and is the coal mining arm for PacifiCorp's coal-fired generating power plants. Through its mining subsidiaries, PacifiCorp produces approximately 10 million tons of coal annually to burn within its power plants located in Utah and Wyoming.

In Wyoming, PacifiCorp through a joint venture with Idaho Power Company owns Bridger Coal Company located 35 miles east of Rock Springs, Wyoming. The Jim Bridger Coal Mine produces approximately 6 million tons per year utilizing both surface and underground mining methods.

Here in Utah, PacifiCorp owns the Deer Creek Coal Mine located near Huntington, Utah. This mine is operated by PacifiCorp's wholly-owned subsidiary Energy West Mining Company which produces approximately 4 million tons per year utilizing underground longwall mining methods.

Historically, our predecessor Utah Power & Light Company, first became involved with coal mining here in Utah during 1972, when it first acquired the Church Coal Mine located just north of Orangeville, Utah. The mine later became known as the Des-Bee-Dove Mine complex. This was a small room-and-pillar mining operation supplying coal to our power plants in Emery County. It has since been mined-out and is fully reclaimed.

In 1977, Utah Power & Light Company purchased the Deer Creek and Wilberg Mines from Peabody Coal Company. Shortly thereafter in 1979, these mines transitioned from conventional room & pillar mining methods to state-of-the-art longwall mining operations. In 1992, PacifiCorp purchased the Trail Mountain Mine and converted it into a longwall mining operation. Collectively, these mines have produced in excess of 166 million tons of coal over the past 30 plus years supplying coal to PacifiCorp power plants in Emery and Carbon counties. The Deer Creek Mine is currently our only active producing mine in Utah.

For nearly 35 years, of which our company has been affiliated with coal mining here in Utah, mine safety has always been and will continue to be a paramount core value. This focus on safety has been further strengthened with the recent purchase of PacifiCorp by MidAmerican Energy Holdings Company.

We believe the state of Utah can provide strong support to the mining community through training and education. We believe it is unnecessary and premature to reestablish the Utah state mine safety program. The Western Energy Training Center and its partners, such as the College of Eastern Utah and the Southeast Applied Technology College provide a solid foundation for increased education and training in the skilled

mining and technical support jobs vital to both the safety and health of our workforce and a strong Utah mining industry.

The Mine Safety and Health Administration (MSHA) has an active presence in Utah. From January through November 2007 the Deer Creek Mine experienced 141 inspection days. MSHA is also substantially increasing its inspectorate. In recent months, we understand the Agency has hired approximately 170 new mine inspectors nationwide, who are at various stages of their training. In the Price, Utah field office alone, inspector staffing has increased significantly from 11 to 17 individuals (including four trainees) assigned to inspect the eight active underground coal mines in the State.

I offer the following comments regarding training, accident response and accident investigation:

### **Education and Training**

Interwest Mining Company believes this is the place where the State of Utah could have the most positive impact improving the safety culture in Utah mines. Utilizing the Western Energy Training Center to focus a more comprehensive approach towards training would be prudent in our view. With good planning, the WETC center could become a first class training center for our industry. Numerous programs could be offered such as MERT (Mine Emergency Response Training), Fire Fighting, Behavioral Based Training Programs, mine technical programs, just to name a few. Programs can and should be developed across the entire spectrum from hourly workers to senior management professionals. We believe that industry representatives and other directly related parties should meet to discuss what programs could deliver the most value for the mining community. However, in order for this type of initiative to be successful, it will require a detailed and well thought plan including how to appropriately staff, oversee, advise and fund. These education and training programs need to provide long term benefit and used to develop the next generation of miners at all levels.

### **Mine Accident Response**

With the passage of the Miner Act of 2006, all underground coal companies are required to have a MSHA approved Emergency Response Plan (ERP). We believe the state could coordinate with local and state resources to assist the mine operator and MSHA during a major mine accident. This could greatly improve the effectiveness of the response during a mine emergency. We would suggest that the state identify one person to serve as the representative of the state during an emergency. This could be a Utah State Industrial Commission person or someone from the Homeland Security Department.

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### **Mine Accident Investigation**

MSHA has the primary responsibility to investigate serious mine accidents that meet the criteria of CFR 30 Part 50. Interwest Mining Company also has the responsibility to investigate accidents that occur on our mining properties. Interwest Mining Company is not opposed to the idea of the state having a representative of the Governor during an investigation of a major mine accident. This should however, be for accidents where fatal injuries have occurred and the cause is not clear. Again, this role could be filled by the State Industrial Commission since they are currently part of the Crandall Canyon MSHA investigation.

In closing, we wish to express our sincere appreciation to Governor Huntsman and this mine safety commission for their efforts to support mine safety.

Thank you for the opportunity to assist and provide comment.