



SUMMARY OF RESPONSES FOR OUTDATED, INEFFECTIVE OR PERVERSE LEGISLATION

**UNECE AD HOC GROUP OF EXPERTS ON COAL MINE METHANE
Geneva, 16-17 October 2008**

Introduction

Members of the Ad Hoc Group of Experts and others have reported anecdotal evidence of mine safety being compromised by:

1. Outdated legal standards
2. Conflicting technical requirements increasing mine safety risk

Procedure

- An important first step was to seek input/feedback of such issues
- The Secretariat was directed to undertake this effort with the assistance from the Bureau in the last Group of Experts meeting on 2-4 April 2007
- A questionnaire template was developed and distributed to the Group of Experts on 27 Sept 2007
- The Secretariat received 9 responses (7 written, 2 oral responses) until 14 March 2008 and closed the comment period on same date

Replies received and remaining focus

1. **China**
2. Czech Republic - no issues reported
3. Mexico - no issues reported
4. **Russia**
5. **Ukraine**
6. USA - MSHA prohibition of VAM utilisation; CONSOL pilot project in operation to prove safe exploitation possible
7. UNFCCC Methodology ACM 008 - Methodology for VAM referred to catalytic oxidation only; resolved as revised ACM 008 Version 5 refers to “flameless oxidation” now

Analysis of Focus Areas

- Norton Rose, a reputable law firm, agreed to research on the issues raised and to back them up by the respective legislation or common practice in place
- This review revealed that inconsistencies or lack of clear legislation is still common practice
- Our advise to project sponsors is to analyse and manage the risks posed by conflicting and/or unclear legislation on a case by case basis while we hope to have raised awareness of the issues with legislators