

# **SUBSTANCE ABUSE IN VIRGINIA'S COAL MINES**

## **SENATE BILL 1091**

### **2007**

#### **QUESTIONS and ANSWERS**

The following questions and answers have been prepared by the Virginia Department of Mines, Minerals and Energy (DMME) to assist mine operators and miners in understanding and complying with Senate Bill 1091 approved by the General Assembly on April 4, 2007, related to substance abuse in coal mining.

#### **GENERAL QUESTIONS**

1. In regards to the required substance abuse screening policy and program for miners, must it be submitted to the DMME for approval?
  - A. *The policy and program are not required to be submitted for approval. However, the policy and program must be in place and available for review at the mine site by the Division of Mines (DM) mine inspector and other interested persons. This policy and program must meet the minimum requirements of the Virginia Mine Safety Act and may be more extensive if the operator chooses. DM Operator Assistance personnel will assist those operations not currently having established policies and programs. (Va. Code § 45.1-161.87.D)*
2. What are the minimum requirements for a mine substance abuse policy and program?
  - A. *At a minimum, the policy and program must provide for a pre-employment, 10-panel urine test for all miners. Samples must be collected by providers certified as complying with standards and procedures set out in U.S. DOT Title 49 CFR Part 40. Collected samples must be tested by laboratories certified by the Substance Abuse and Mental Health Services Agency. Mine operators may implement more stringent substance abuse screening policies and programs. (Va. Code § 45.1-161.87.D)*
3. What about contractors working at mines, do the new substance abuse standards apply to them?
  - A. *Any independent contractor performing services or construction that is part of the mining operation at a licensed coal mine site is subject to all applicable provisions of the Virginia Mine Safety Act including the new Substance Abuse Control Standards. Therefore, any independent contractor performing services where their employees are required to hold General Coal Miner Certifications will be required to have a substance abuse policy and program in place, that meets minimum standards for substance abuse testing and reporting. (Va. Code § 45.1-161.8)*

4. How will the mine operator/contractor verify compliance with the mandated substance abuse screening policy and program?

***A. The mine operator/contractor must have on file and available at the mine site a copy of the substance abuse screening policy and program adopted that meets the minimum requirements of the Virginia Mine Safety Act. Also, a copy of the required 10-panel, pre-employment screening results must be available for review by DM inspection personnel for all miners employed after July 1, 2007. (Va. Code § 45.1-161.87.D)***

**NOTE: This report and all reports required to be made to DMME for positive screenings resulting in temporary suspension of certification, must be maintained and treated as a confidential file. Further, the operator/contractor must maintain a confidential file of those reports to the DMME of miners who have tested positive and/or been discharged for violation of the operator's substance abuse policy and program. (Va. Code § 45.1-161.35.E)**

5. What information must the mine operator have available at the mine site for review by DMME personnel that verify a pre-employment, 10- panel urine test has been performed on all newly employed personnel after July 1, 2007?

***A. During inspections at a mine, the inspector will be verifying compliance with the mine's substance abuse screening policy and program required by §45.1-161.87.D, including performance of pre-employment, 10-panel urine tests. The DMME will accept a record at the mine of all newly employed miners after July 1, 2007, with a verification of the required 10-panel screening having been performed. This verification may be met by:***

- A copy of the individual's lab report confirming the screening test results.***
- A document from the sample collection facility verifying the pre-employment sample was collected and processed for the individual(s).***
- An affidavit from the human resources department of the operator stating that an 10-panel pre-employment screening was conducted for the individual by the certified provider identified in the affidavit.***

6. Does the Virginia Mining Law require an operator to maintain a list of prescriptions for controlled substances for each miner employed?

***A. No.***

7. A company operates mines in Virginia as well as in Kentucky and/or West Virginia and transfers miners from one of the neighboring states to a licensed mining operation in Virginia. Would these miners be required to submit to drug screening, even though they had a full 10-panel urine test one to three months earlier and have the proper documentation?

A. DM will accept pre-employment screening for miners who may rotate from Virginia to Kentucky and back to Virginia for short periods, as long as the miner has established an acceptable pre-employment screening (must meet Va. Law for 10-panel pre-employment substance abuse testing) with that operator, he meets the standard to work at any of that mine operators' coal mining operations in Virginia. If a miner is initially coming from Ky. or W. Va. to Va., their drug screening may not meet the Va. pre-employment requirement (i.e...Ky. requires screening when you get your certification, which doesn't meet Va. pre-employment requirements). Verification of that screening needs to be available at the current location where the miner is working. If a miner has not worked in Virginia for a period of one year then a new pre-employment screening would be required.

(Va. Code § 45.1-161.87.D)

8. A miner is employed at a company and receives the full 10-panel urine test and has proper documentation. If this miner quits his job after working with the company for any duration of time, no matter how long or short, is he required to be screened again by any subsequent employers?

A. *Yes, the Virginia Mine Safety Act requires the new mine operator employing any new miner to comply with the requirement for an 10-panel, pre-employment urine test current to the time of employment as required by the mine's substance abuse screening policy and program. (Va. Code § 45.1-161.87.D)*

9. During an inspection, complaint or accident investigation, how will "reasonable cause" to suspect a miner's impairment due to intoxicants or any controlled substance be determined by the DMME and mine inspectors when requiring immediate substance abuse testing of a miner(s)?

A. *DM personnel have been trained and provided procedures for assessing reasonable cause to suspect a miner's impairment due to intoxicants and/or other substance abuse including but not limited to discovery of suspected articles during a search and behaviors such as:*

Stumbling, unsteady gait	Flushed complexion	Slurred, thick speech
Drowsy, sleep, lethargic	Sweating	Incoherent
Agitated, anxious, restless	Cold, clammy, sweats	Exaggerated enunciation
Hostile, belligerent	Bloodshot eyes	Loud, boisterous
Irritable, moody	Tearing, watery eyes	Rapid, pressured
Depressed, withdrawn	Dilated (large) pupils	Excessively talkative
Unresponsive, distracted	Constricted (pinpoint) pupils	Nonsensical, silly

Clumsy, uncoordinated	Unfocused, blank stare	Cursing, inappropriate speech
Tremors, shakes	Disheveled clothing	
Flu-like illness complaints	Unkempt grooming	
Suspicious, paranoid		
Hyperactive, fidgety		
Frequent use of mints, mouthwash, eye drops		<b>BODY ODORS</b> Alcohol, marijuana
Inappropriate, uninhibited behavior		

***The inspector's assessment will be reviewed by a supervisor and/or the Chief prior to requiring a miner to be screened. (Va. Code § 45.1-161.78.D)***

**NOTE:** See a copy of the “New Virginia Coal Mine Safety Act Requirements on Substance Abuse and How They Will Affect You”, which is included with information documents being provided during mine briefings.

10. Can DM inspectors search me and my property when investigating incidents and accidents where substance abuse violations are suspected?

***A. Yes. As a certified miner, your presence at the licensed mine site is deemed to be consent to a reasonable search. This search is of your person, work area, and personal property, to include lunch box, lockers, clothing items, vehicles parked on mine property, and other areas and facilities on mine property where you would work and/or congregate. If your transportation to the site is with another miner whose vehicle is parked on mine property or facilities, that vehicle is also subject to reasonable search. (Va. Code § 45.1-161.35.D)***

11. If a contractor has several mining operations working in Virginia and reassigns or rotates miners among these Virginia operations, will pre-employment screenings be required each time the miner works at a different mine?

***A. No. As long as the miner has established an acceptable pre-employment screening with that operator he meets the standard to work at any of that mine operators' coal mining operations in Virginia. Verification of that screening needs to be available at the current location where the miner is working.***

12. Does an independent contractor (truck driver) that employs only himself have to have pre-employment substance screening?

***A. Yes. The standard applies to all mining positions that require General Coal Miner certifications.***

13. Will the DOT 5-panel screenings required for truck drivers meet the requirements of the new mine laws for pre-employment screening? Will DOT accept the 10-panel as meeting their 5-panel screening?

*A. No. The 5-panel will not meet the requirements of the more stringent 10-panel screening required by Virginia mining laws. The DOT has indicated they will not accept any screening other than their standard 5-panel for compliance with DOT standards.*

14. If an employee from the main office of a company fills in at a mine, will they need a pre-employment substance screening?
- A. Yes, if that person fills any position at the mine which requires a General Coal Miner certification.***
15. If a mine operator closes out a mining operation and moves the entire crew to another location as a new licensed operation, will miners need another pre-employment screening for substance abuse?
- A. No. Only newly employed miners would be required to be screened.***
16. If a miner is laid-off and later called back to a mine, will that miner be required to undergo a pre-employment screening?
- A. Yes. If the employer – employee status is severed through lay-offs, then the miner is considered a newly employed miner when recalled and must have the required pre-employment screening.***
17. Does the operator have to submit to the same pre-employment screening as the miners who work for him?
- A. Yes, if the operator performs any duties at the mine that require certifications, then the operator is held to the same standards as other miners at the operation.***
18. As an operator in Virginia, can we still use other types of drug screening other than the 10-panel screen?
- A. The operator's policy and program may establish screening methods in addition to the mandated, 10-panel urine test for pre-employment. Once established, any violations of the operators' policy and programs must be reported to DMME within seven (7) days.***

## **CONTROLLED SUBSTANCE TESTING PROGRAMS**

1. What do the numbers mean on drug test results?

- A. These numbers are most commonly referred to as “cutoff levels” or “screening threshold”. Most are expressed in nanograms per milliliter (ng/ML). In lab test results that utilize the HHS cutoff levels, the level of a substance in the system is determined as a positive if the substance is revealed at the HHS cutoff level. The 10- panel urine drug screen has cutoff levels as outlined below:*

<b>THC</b> 50ng EMIT 15ng GCMS	<b>Cocaine</b> 300ng EMIT 150ng GCMS	<b>Amphetamine</b> 1000ng EMIT 500ng GCMS	<b>*Opiates</b> 2000ng EMIT 2000ng GCMS	<b>PCP</b> 25ng EMIT 25ng GCMS
<b>Benzodiazepines</b> 300 EMIT 300 GCMS	<b>Propoxyphene</b> 300 EMIT 300 GCMS	<b>Methadone</b> 300 EMIT 300 GCMS	<b>Barbiturates</b> 300 EMIT 300 GCMS	
<b>Synthetic Narcotics</b> 2000 EMIT 2000 GCMS				

*The Medical Review Officer (MRO) receives the lab results directly from the lab. The MRO is trained to interpret positive test results. He/she is familiar with controlled substances, illegal substances, over the counter medications, herbal preparations, and food that can affect a drug screen. The MRO uses the cutoff levels listed above as a threshold of impairment of a specific substance. Should a metabolite of a specific substance appear at a level below the cutoff levels, the MRO will recognize this but will still report the test as negative.*

*\*NOTE: The cutoff level of 2000ng is set at this level to avoid the possibility of poppy seeds creating a positive. Poppy seeds typically create problems at much lower levels.*

2. What assurances does the employee have regarding the testing laboratory?

- A. The 10-panel test is conducted at a SAMHSA certified laboratory. This is a laboratory that is required to meet extremely strict quality control standards as outlined by the federal government. A SAMHSA lab must pay a very high certification fee and employ certified scientists/toxicologists to process their specimens. These certified labs are required to submit to regular quality control testing of blind specimens. Specimens with known results that are not interpreted accurately will result in the revocation of the SAMHSA certification and a severe loss of revenues.*

3. Explain creatinine levels. What does the number have to be in order for a urine test to be valid?
- A. The MRO is looking for 20 and above for an absolute negative. However, a dilute negative is possible at 18 or even below if the make up of metabolites indicates that the donor simply consumes water frequently.*

4. I've read and heard about people boasting that they can beat a drug test, not to mention all of the products you see on the Internet that claim to beat drug tests. Is it really possible to beat a drug test?

- A. If your substance abuse program includes a quality drug screen through a certified laboratory, validity testing should rule this out to a great degree. Validity testing detects metabolites of common adulterants that are taken to mask a positive. The use of trained and certified drug screen collectors is a significant tool in detecting an attempt to tamper with or adulterate a drug test.*

*However, there are many different types of testing products on the market that may not include validity testing. An example would be one of the on-site test kits that are very popular in today's market. These kits are screening tools only and will not indicate the presence of any adulterant unless an adulterant strip or screen is specifically added.*

5. Which drug tests are the most accurate – urine, hair, saliva, etc?

- A. The accuracy of the different types of tests in different mediums is generally the same. However, the detection time span is quite different within the different mediums.*
- Urine – 2-3 days all drugs except THC; THC-7-28 days (or more)*
  - Hair – 3-6 months minimum*
  - Saliva – 2-3 days all drugs except THC; THC- 14-18 hours*

6. What is a Medical Review Officer?

- A. The Medical Review Officer (MRO) is a physician trained and certified in the interpretation of laboratory drug test results. He/she has knowledge of what drugs, food, or other substances will show up on a drug test as well as what common adulterants may be used on a drug test. The MRO will contact the donor with a positive test result prior to contacting the employer or employer representative. This gives the donor an opportunity to offer a legitimate explanation for the positive. The MRO can also order split specimen testing, directly observed collections or re-testing if necessary.*

7. What are employees' legal rights (for example, if he refuses to be tested, etc)?

- A. This will hinge directly on the quality of a written substance abuse policy. The company should have a written substance abuse policy that outlines scope of testing, type of testing, methodologies, MRO access, discipline and consequences, and access to treatment providers. If refusals to test are addressed in the written policy, then you simply proceed within those guidelines.*

*Each employee should be given a copy of the policy, and a signed receipt of said policy should be in the employee's file. Otherwise, any action taken as a result of a positive test result is invalid from a legal perspective and an unemployment benefits perspective.*

*NOTE: Under the legislation 45.1-161.78.D, refusals to a testing request by the Chief shall result in the immediate, temporary suspension of all certificates, pending a review hearing before the Board of Coal Mining Examiners*

8. Will over the counter medications or certain foods create a positive drug test result?

- A. There are a few herbal supplements and over the counter medications if taken in excessive dosages that may create a problem on a drug test. Products with pseudoephedrine are one example. But please remember that this occurs when the recommended dosages are exceeded.*

*It is very unusual for foods to create a problem on a drug test with the exception of poppy seeds. Drug screens that have very low cutoff levels in the opiate category may indicate positive due to poppy seed consumption.*

*Products purchased over the counter that promote alertness typically contain large amounts of caffeine that will not create a positive drug test.*

9. If a drug test is positive and the employee insists that the result is incorrect, then what is the course of action?

- A. When a drug test is reported to the MRO from the lab as positive, the MRO will contact the employee prior to contacting the employer. The employee should be prepared to discuss any prescriptions, over the counter medications, and foods that have been consumed with the MRO.*

*If the positive is still in dispute, the MRO will offer the employee the opportunity to have the split specimen forwarded to an entirely different SAMSHA certified lab for retesting. This provides a safety net for the employee as well as the employer.*

10. Is the urine drug screen collector required to observe the donor providing the specimen in the collection container?

***A. No. Directly observed collections are prohibited except in the event of a situation where the collector suspects that the specimen was adulterated or tampered with. There may also be a requirement for a directly observed collection if the employee has had a prior positive test result and/or treatment for substance abuse. This may be at the direction of the MRO or employer.***

11. What happens if the donor can't produce urine when asked for the drug test?

***A. Collectors are trained to allow up to three (3) hours and/or 40 fluid ounces in order to produce the required 45 ml. The donor must remain under the collector or management control until an adequate specimen is produced within the three (3) hour limit. If the donor has not produced a specimen within the three (3) hour time frame, then he/she must be removed from safety sensitive function and submit to a required medical examination to determine if there is a valid reason for the "shy bladder".***

12. What happens if I take an outdated prescription or someone else's prescription?

***A. The test will be reported as a positive. Controlled substances are to be taken only under a physician's direction for a current condition. All other uses are federally prohibited.***

13. What shows up under each drug testing category?

***A. Most common, but not all:***

- 1) Marijuana – No medical explanation. Passive smoke does not show on this test panel***
- 2) Cocaine – Surgical anesthetics (excluding Novocain). All other use is illegal***
- 3) Amphetamines - Adderall/Dexedrine***
- 4) Opiates – Codeine, Morphine/Tylenol 3 – Avinza***
- 5) Phencyclidine (PCP) – No medical explanation***
- 6) Benzodiazepines – Xanax/Valium/Restoril***
- 7) Propoxyphene – Darvocet***
- 8) Methadone – Clinical treatment for Herion addicts/pain management***
- 9) Barbituates – Fiorinal/Phenobarbital***
- 10) Synthetic Narcotics – Hydrocodone/Hydromorphone***

***NOTE: The above categories indicate the most common medical explanations. Please keep in mind that the Medical Review Officer will be contacting the donor to determine if he/she has a legitimate prescription or medical explanation for the positive.***

## **REQUIRED REPORTING of SCREENING RESULTS**

1. After July 1, 2007, if a person holding a Virginia coal mine certification issued by the Board of Coal Mining Examiners (BCME) has a criminal conviction for illegal use of any controlled substance, should this information be reported to the DMME?

***A. Yes. The holder of any certification issued by the BCME must report “any criminal convictions” in any court of competent jurisdiction for illegal possession or use of any controlled substance. The individual miner is responsible and accountable to the BCME to report such conviction within 30 days of the conviction date. The reporting should be in writing and placed in a sealed envelope marked “CONFIDENTIAL” and addressed to:***

***Department of Mines, Minerals and Energy  
Division of Mines  
ATTN: Regulatory Boards Administrator  
Post Office Drawer 900  
Big Stone Gap, Virginia 242193***

***The report should include the certified person’s full name, date of birth, nature of criminal complaint, and court of jurisdiction handing down conviction.***

***Notification will result in the immediate, temporary suspension of all certifications issued by the BCME. If the conviction is being appealed, reporting is still required within 30 days of conviction. The suspended miner has the right to promptly appeal their suspension to the BCME. (Va. Code § 45.1-161.35.D, E)***

2. If a miner is convicted of possession or use of a controlled substance in a court and reports the conviction to DMME, then how will the employer know of his suspension?

***A. The DMME will notify the miner by certified mail of his suspension and the right to appear before the BCME. Also, the miner will be informed that with the suspension of his general miner certification, he is not authorized to work at any Virginia mine. DM inspection personnel will be notified and verify that the suspended miner is not working at any Virginia operations.***
3. What notifications are required by the mine operator/independent contractor to the DM Chief resulting from substance abuse screening?

***A. All positive tests for any pre-employment screening, any miner testing positive for intoxicants and/or illegal use of controlled substances, and any miner discharged due to violation of the company’s substance or alcohol abuse policies must be reported to DMME. (Va. Code § 45.1-161.87.F)***

4. If I come forward and my employer allows me to enter into an “Employee Assistance Program” for substance abuse, is this required to be reported to the DMME?
- A. ***NO. Participation in an employee assistance program for rehabilitation purposes is not required to be reported. However, if an employee does not remain with the program and is terminated by the employer, then this must be reported to the DMME and will result in immediate, temporary suspension of all certifications issued by the BCME. (Va. Code § 45.1-161.F)***
5. When and how must operators report “positive” screenings for intoxicants and controlled substance abuses?
- A. ***The operator must report within seven (7) calendar days of discharging or determining from receipt of positive screening results that substance abuse has occurred. Reporting to the DMME may be done electronically on a form provided on the DMME, Division of Mines web site ([www.dmme.virginia.gov](http://www.dmme.virginia.gov)). If submitting electronically, please note “CONFIDENTIAL – etc” in the Subject Line of any electronic submission. If completing a reporting form in writing, the form should be placed in a sealed envelope marked “CONFIDENTIAL”, and addressed to:***  
***Department of Mines, Minerals and Energy***  
***Division of Mines***  
***ATTN: Regulatory Boards Administrator***  
***Post Office Drawer 900***  
***Big Stone Gap, Virginia 242193***  
***(Va. Code § 45.1-161.87.F)***
6. If a non-certified person takes a physical with a pre-employment screening and tests positive, will the operator be required to report the failure of the pre-employment screening test to DMME?
- A. ***Yes. The failure of a pre-employment substance abuse screening test by any applicant miner must be reported on a form prescribed by the DMME within seven (7) days.***
7. We are a contractor working at Virginia mining operations and other non-mining type operations. Are we required to report all positive drug screens?
- A. ***Yes. All failed pre-employment drug screening tests and any other violations of the operator’s substance abuse policy and program must be reported within seven (7) days for those employees covered by Virginia Coal Mining Laws. This reporting requirement applies to any applicant screened for employment or working in a position requiring a General Miner certification.***

8. If a miner refuses to submit to a drug screening in violation of the operator's policy, must this be reported to DMME?  
  
***A. Yes. This violation, as with all violations of the operator's policy and program, must be reported to DMME within seven (7) days.***
9. If an applicant receives a reported "dilute negative" on a pre-employment drug screening and refuses to submit to a re-sampling, should this applicant be reported to DMME?  
  
***A. Yes. Any refusal to submit to a valid request for sampling must be reported.***

### **CERTIFICATION SUSPENSIONS and BOARD ACTIONS**

1. If my miner certification(s) are temporarily suspended, then what does this mean?  
  
***A. With the suspension of your General Miner Certification, issued by the Board of Coal Mining Examiners (BCME), you are not allowed by law to work at any licensed coal mine within the state of Virginia. This information will be provided to Kentucky and West Virginia mining authorities pursuant to the terms of bi-state reciprocity agreements and could affect any joint certification within those states or any attempt to work at mines in those states. (Va. Code § 45.1-161.35.A)***
2. How do I get my certification status restored if it is temporarily suspended due to substance abuse screening?  
  
***A. You must request a review of your suspension before the BCME. (Va. Code § 45.1-161.35.H)***
3. How quickly can a hearing before the BCME be conducted to consider reinstatement of my certification suspended for substance abuse?  
  
***A. The Virginia Mine Safety Act requires that a hearing be conducted within 60 days of suspension and whenever possible, within 40 days. The BCME will establish regular meeting schedules for consideration of suspensions to assist miners in addressing their certification status. (Va. Code § 45.1-161.35.H)***

4. What happens if I test positive, am reported and suspended, but I am not using illegal drugs or intoxicated?

***A. A positive screening report will result in the immediate, temporary suspension of all certifications issued by the BCME. The miner has the option to promptly appeal the suspension to the BCME. (Va. Code § 45.1-161.87.E, F)***

5. If I am temporarily suspended under the new Substance Abuse Control Standards, how do I get my certification status restored?

***A. By promptly requesting a review of the actions resulting in your suspension. This request should be directed to the:***

***Department of Mines, Minerals and Energy***

***Division of Mines***

***Post Office Drawer 900***

***Big Stone Gap, Virginia 24219***

***“CONFIDENTIAL” - ATTN: Regulatory Boards Administrator***

***Your request, once received, will be docketed for the next scheduled BCME meeting at which time you will be afforded the opportunity to appeal the suspension before the Board. You can be represented by legal counsel during this appeal. No one other than licensed attorney in Virginia may represent you before the BCME. The appeal proceedings will not be open to the public. (Va. Code §45.1-161.35.H)***

6. How will the BCME approach appeals concerning suspensions related to the new Substance Abuse Standards?

***A. The BCME will review circumstances related to the sampling and analysis for substance abuse in the case being appealed. Also, the BCME will consider any other factual matters related to the suspension that is presented during the appeal. The BCME is committed to working with those suspended miners who demonstrate a willingness to confront and resolve the problems of substance abuse they are experiencing. The goal of the Board is to help miners responsibly regain their miner certification status and resume productive and safe workplace participation in Virginia’s coal mining industry. (Va. Code § 45.1-161.35.H)***

## **GENERAL MINER CERTIFICATION**

1. Have there been any changes in General Miner Certification requirements to work in Virginia's coal mines?
  - A. ***Yes, beginning July 1, 2007, every person working in a Virginia coal mine must hold a General Miner Certification. (Va. Code § 45.1-161.37.A)***
2. How do I obtain a General Miner Certification?
  - A. ***Individuals seeking employment for the first time at a Virginia licensed coal mine may attend training provided at DMME offices at Big Stone Gap in Wise County or Keen Mountain in Buchanan County any Wednesday at 8:00 a.m.***
    - ***Individuals must complete an "Application for Certification" DM-BCME-1 form***
    - ***Attend training provided by a DM certified instructor***
    - ***Provide MSHA Form 5000-23 for "New Miner Training" or submit a "Verification of Work Experience" Form DM-BCME-2 properly notarized, verifying one-year work experience. If work experience is submitted, it must be accompanied by MSHA Form 5000-23 for Annual Refresher Training***
    - ***Fee Required (DMME Procedures)***
3. If I was employed in a Virginia mine prior to January 1996 and elected not to accept General Miner Certification, how do I now obtain a certification?
  - A. ***If you hold other certifications with DM prior to 1996, an applicable General Miner Certification will be issued by DMME without action from you. You will receive the General Coal Miner certification within approximately 30 days by mail to your address currently on file with DM. It is your responsibility to make sure the address DM has on file is current. (DMME Procedures)***
4. How do I obtain General Miner Certification if I was employed prior to 1996, and, hold no certifications with DM?
  - A. ***Individuals employed prior to 1996 may complete an "Application for Certification" (DM-BCME-1) verifying employment dates prior to 1996, and submit this form to the DM certification section prior to September 30, 2007. Certification will be mailed to the address on the application. No fee is required. (Va. Code § 45.1-161.37.A)***