

NIOSH Announces Members of Panel to Examine MSHA Internal Review

The National Institute for Occupational Safety and Health (NIOSH) today announced the members of a panel that will examine the process and outcomes of the Mine Safety and Health Administration's (MSHA) internal review in the wake of the explosion at the Upper Big Branch Mine in West Virginia.

The members are:

- Lewis V. Wade, Ph.D., former senior science advisor to the Director of NIOSH.
- Michael J. Sapko, M.S., retired NIOSH senior physical scientist..
- Alison D. Morantz, Ph.D., J.D., M.Sc., Associate Professor of Law and John A. Wilson Distinguished Faculty Scholar at the Stanford Law School.
- NIOSH Director John Howard, M.D., J.D.

U.S. Secretary of Labor Hilda L. Solis on April 16 asked Dr. Howard to identify a team with relevant experience to provide an independent analysis of MSHA's internal review.

"I am pleased that Dr. Wade, Mr. Sapko, and Dr. Morantz have agreed to join me to perform the review sought by the Department of Labor," Dr. Howard said. "Together, the panel represents an impressive breadth and depth of applied knowledge and experience in public policy management, science policy and practice, the technical intricacies of mining operations and mining safety engineering, and public law. This is an ideal team to engage the important task at hand."

"I am confident that this distinguished panel of occupational safety experts will help assure accountability and transparency as we work toward understanding the circumstances surrounding the explosion at the Upper Big Branch Mine," Secretary of Labor Solis said.

NIOSH will support the panel's administrative needs. The panel's deliberations and conclusions will be independent of MSHA.

Lewis V. Wade, Ph.D., will provide general mining and government experience. Dr. Wade joined NIOSH as the Institute's Associate Director for Mine Safety and Health Research in 2000. Subsequently, he served as Senior Science Advisor to the Director from 2005 until his retirement in September 2008.

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Prior to joining NIOSH, Dr. Wade served concurrently as Assistant Chief Hydrologist for Information in the Water Resources Division of the U.S. Geological Survey (USGS), and as the Senior Executive for USGS' Yucca Mountain Project. Before that, he was Research Director of the U.S. Bureau of Mines (BOM) Twin Cities Research Center and was Deputy Research Director of the BOM Pittsburgh Research Center, now the NIOSH Pittsburgh Research Laboratory. Dr. Wade has also taught mining engineering classes at West Virginia University, and served on the National Academy of Sciences' U.S. National Committee for Rock Mechanics. He was an ABET Visitor to Mining Engineering Programs for the purpose of accreditation. He holds a Ph.D. in structural engineering from Carnegie Mellon University and has twice received the Presidential Rank Award of Meritorious Executive. Dr. Wade received the Society for Mining Metallurgy and Exploration's Erskine Ramsay Medal for Distinguished Achievement in Coal Mining in 2009, and the Pittsburgh Coal Mining Institute of America's 2006 Kingery Award for Career Impact on Mine Health and Safety.

Michael J. Sapko, M.S., will contribute experience in mining technologies, engineering, processes, and safety. Mr. Sapko heads Sapko Consulting Services, LLC, which provides specialized technical expertise to federal and state government agencies. Mr. Sapko retired from NIOSH in 2007 as a senior physical scientist on the ventilation and explosion prevention research team at NIOSH's Pittsburgh Research Laboratory. He is the author of more than 100 technical publications on fire, explosions, and explosive safety, and on instrumentation and devices to improve and preserve miner health and safety. Mr. Sapko holds three U.S. patents and has won three R&D 100 awards for excellence in innovation from *R&D Magazine*. He began his career as a federal employee with the U.S. Bureau of Mines Pittsburgh Research Center in 1972, and holds an M.S. degree in chemical engineering from the University of Pittsburgh.

Alison Morantz, Ph.D., J.D., M.Sc., will offer public policy and public law experience. Dr. Morantz has served on the faculty of the Stanford Law School since 2004. At Stanford, she teaches first-year and upper-level courses, including contract law and employment law. Research interests include occupational safety and health, workers compensation, regulatory federalism, negotiation and alternative dispute resolution, empirical law and economics, and legal history. Dr. Morantz has been principal investigator for research grants, contracts, and assignments from the National Science Foundation, CPWR-the Center for Construction Research and Training, the World Health Organization, Stanford's Gould Center for Conflict Resolution, and NIOSH. She holds a Ph.D. in economics from Harvard University, a J.D. degree from Yale Law School, and an M.Sc. degree in economics for development from Oxford University. Dr. Morantz was a Rhodes Scholar at Oxford.

NIOSH is the federal agency that conducts research and makes recommendations for preventing work-related injuries, illnesses, and deaths. It was created under the Occupational Safety and Health Act of 1970, and has responsibilities under both that law and the Federal Mine Safety and Health Act of 1977. It is part of the U.S. Centers for Disease Control and Prevention in the U.S. Department of Health and Human Services. More information on NIOSH is available at www.cdc.gov/niosh.