

Title 36
Legislative Rules
Board of Coal Mine Health & Safety
~~WEST VIRGINIA ADMINISTRATIVE REGULATIONS~~

~~DEPARTMENT OF MINES~~

CHAPTER ~~22-4~~

SERIES 28 17

~~(1981)~~

SUBJECT: RULES AND REGULATIONS GOVERNING UNUSED AND ABANDONED PARTS OF MINE

TYPE OF RULE: ~~LEGISLATIVE~~ ↑

Section 1. General

1.1 Scope - same

1.01 Authority - These rules and regulations are issued under authority of Section ⁴, Article ⁶ ~~2A~~, Chapter ²² of the Code.

1.3 Filing Date - Jan 22, 1982

1.02 Effective Date - These rules and regulations were promulgated on the 22nd day of January, 1982, and become effective on the 1st day of March, 1982.

Section 2. Effect of Regulations

2.01 These rules and regulations shall have the effect of law and violations shall be deemed a violation of law and so cited with the same effect as law. All provisions of Article ^{1A} Chapter ^{22A} ~~22~~ of the Code relative to enforcement are applicable to the enforcement of these rules and regulations.

Section 3. Definitions

All terms used in these rules and regulations, not defined herein, shall have the meanings set forth in Section 1, Article ^{1A} Chapter ^{22A} ~~22~~ of the Code.

Section 4. Unused and abandoned parts of mine

4.01 (a) In any mine, all workings which are abandoned after the effective date of this article shall be sealed or ventilated. If such workings are sealed, the sealing shall be done with incombustible material in a manner prescribed by the director of the department of mines, and one or more of the seals of every sealed area shall be fitted with a pipe and cap or valve to permit the sampling of gases and measuring of hydrostatic pressure behind the seals. For the purpose of this section, working within a panel shall not be deemed to be abandoned until such panel is abandoned.

(b) Air that has been used to ventilate seals shall not be used to ventilate any working place in any mine, unless prior approval is obtained from the director of the department of mines. Air that has passed through an abandoned working or an area which is inaccessible or unsafe for inspection shall not be used to ventilate any working place in any mine.

(c) No air which has been used to ventilate an area from which the pillars have been removed shall be used to ventilate any working place in a mine, except that such air, if it does not contain 0.25 volume percent or more of methane, may be used to ventilate enough advancing working places immediately adjacent to the line of retreat to maintain an orderly sequence of pillar recovery on a set of entries. Before sealed areas, temporary or permanent are reopened, the director of the department of mines shall be notified.