

FILED  
1987 MAR 27 AM 10:02  
SECRETARY OF STATE

Notice of PUBLIC HEARING or COMMENT PERIOD on a Proposed Rule

PUBLIC HEARING

Agency: West Virginia Department of Energy

Rule Type: Administrative

Rule Title: Title 36, Series 25 - Rules and Regulations Governing Roof  
Control Practices (formerly Series 40) - Proposed Amendments

A public hearing on the above proposed rule will be held at 10:00 a.m.  
on May 8, 1987, at DOE Charleston Regional Office, 1st Floor  
Conference Room, 322 70th Street, S.E., Charleston, West Virginia 25304

Comments are limited to: Oral  Written  Both

Comments may also be mailed to: Terry L. Farley, Health and Safety  
Administrator, Department of Energy, Division of Mines and Minerals,  
1615 Washington Street, E., Charleston, West Virginia 25311

The Department requests that persons wishing to make comments at the hearing make an effort to submit written comments in order to facilitate a review of these comments.

The issues to be heard shall be limited to the proposed rule.

Mark A. Scott  
CHAIRMAN

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WEST VIRGINIA ADMINISTRATIVE REGULATIONS  
BOARD OF COAL MINE HEALTH AND SAFETY  
TITLE 36 SERIES 25  
(formerly Series 40)

TITLE: Rules and Regulations Governing Roof Control Practices

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WEST VIRGINIA ADMINISTRATIVE REGULATIONS

BOARD OF COAL MINE HEALTH AND SAFETY

TITLE 36 SERIES 25  
(formerly Series 40)

TITLE: Rules and Regulations Governing Roof Control Practices

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Section 36.25.1 General

1.1 Scope - This administrative rule establishes requirements for control of mine roof conditions, and for operation of roof bolting machines.

1.2 Authority - West Virginia Code 22-6-4.

1.3 Filing Date - July 18, 1985

1.4 Effective Date - August 30, 1985

Section 36.25.2 Definitions

2.1 All terms used in these rules and regulations, not defined herein, shall have the meanings set forth in Chapter 22A, Article 1A, Section 2 of the West Virginia Code.

Section 36.25.3 Removal of Roof Hazards

3.1 Prior to or during bolting operations in working places, the person responsible for performing such work shall immediately notify a supervisor if abnormal or hazardous conditions are encountered. No further work shall be performed until a supervisor examines the area where he has been informed that abnormal or hazardous conditions exist and directs the correction of such condition.

Section 36.25.4 Working Around Roof Bolting Machines

4.1 On all roof bolting machines except continuous mining machines with integral roof bolters, during the time that the ATRS system is being engaged against or retracted from the mine roof, all persons except those specified below shall be outby the last row of permanent roof supports. This requirement shall not apply to the equipment operator, provided that adequate protection is provided for the equipment operator while setting the ATRS.

### Section 36.25.5 Roof Bolting Machines - Requirements

5.1 After January 1, 1985, roof bolting machines used in seams 48 inches or higher shall be equipped with a mechanical means of holding the drill steel during drilling operations, which minimizes the need for the equipment operator to handle the drill steel. The Director of the Department of Mines Energy may require such devices on roof bolting machines used in seams under 48 inches where the technology for such equipment to operate under these conditions is available.

### Section 36.25.6 Notification When Pillaring is to Begin

6.1 In mines where pillar extraction (second mining) has not been previously performed, the following requirements shall be met before pillaring is begun:

- (a) The operator shall review the provisions of the approved roof control plan concerning pillar extraction with all persons to be performing such work, immediately prior to the start of such work.
- (b) The operator shall notify the district inspector in whose district the mine is located five (5) working days prior to the date pillaring is to begin. When deemed necessary the district inspector may require that he be present during the review of the approved roof control plan, provided that he can be present before pillaring is to begin.

### Section 36.25.7 Underground Auger Mines - Special Requirements

7.1 Required support systems for mine openings exceeding twenty (20) feet. In underground auger mines, the mine openings may exceed twenty (20) feet in width, provided that: (1) the mine openings do not exceed twenty-six (26) feet; and (2) a combination full roof bolting plan/conventional roof control plan shall be developed and the roof maintained in strict compliance with Section 8 of the Series 20 Administrative Rules and Regulations of the Commissioner governing Roof Control. Said Series 20 regulations are hereby approved and incorporated by reference.

NOTICE OF EMERGENCY RULE

STATE OF MICHIGAN  
DEPARTMENT OF MINES  
AND RECLAMATION

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RULE TITLE: Title 36, Series 25 - Rules and Regulations Governing  
Roof Control Practices

The attached rule is filed as an Emergency Rule. The facts and circumstances constituting the emergency are as follows:

This rule provides that underground auger mines may have openings up to twenty-six (26) feet in width. Code 22A-2-25 as interpreted by the Supreme Court on July 10, 1985, and enforced by DOE officials on January 27, 1987, limits the openings in these mines to twenty (20) feet.

Immediate implementation is needed to enable these mines to continue to operate, and to operate safely. Under current underground auger mining technology, it is nearly impractical to mine in 20 foot openings and may create additional safety hazards to persons working in those mines.

This rule was recommended to the Board by the Mine Safety and Technical Review Committee, under authority of Code 22-6-4c.

Mark A. Scott  
Chairman



STATE OF WEST VIRGINIA  
DEPARTMENT OF ENERGY  
Board of Coal Mine Health & Safety  
Charleston 25311

FILED  
11:17 MAR 27 1987  
SECRETARY OF STATE

March 26, 1987

The Honorable Ken Hechler  
Secretary of State  
State Capitol Complex  
Charleston, West Virginia 25305

Dear Secretary Hechler:

Enclosed is a notice of public hearing and comment period on proposed amendments to Title 36, Series 25, regulations by the Board of Coal Mine Health and Safety, entitled "Rules and Regulations Governing Roof Control Practices." Also enclosed is a copy of such rule and proposed amendments thereto.

A public hearing has been scheduled for May 8, 1987 at 10:00 a.m. in the DOE Charleston Regional Office. Written comments will be accepted until the close of the public hearing.

If additional information is needed, please advise.

Sincerely,

A handwritten signature in cursive script that reads "Terry L. Farley".

Terry L. Farley  
Health and Safety Administrator

TLF:te

Enclosure(s)